FLORIDA BASIC RECRUIT TRAINING PROGRAM

FLORIDA LAW ENFORCEMENT AUXILIARY ACADEMY

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Criminal Justice Standards and Training Commission

Florida Department of Law Enforcement

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Acknowledgments

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INTRODUCTION TO LAW ENFORCEMENT

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LESSON 1 CERTIFICATION AND THE CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION

Lesson Goal

At the end of this lesson, you will understand the certification process for a law enforcement auxiliary officer, the purpose of the Criminal Justice Standards and Training Commission, and the penalties for noncompliance in the officer disciplinary process.

Objectives

☑ **AL101.1. Describe the certification process for a law enforcement auxiliary officer**

☑ **AL101.2. Explain the purpose of the Criminal Justice Standards and Training Commission**

☑ **AL101.3. Identify the possible penalties for noncompliance in the officer disciplinary process**

Statutory Authority

Section 943.10 of the Florida Statutes states:

> *Auxiliary law enforcement officer means any person employed or appointed, with or without compensation, who aids or assists a full-time or part-time law enforcement officer and who, while under the direct supervision of a full-time or part-time law enforcement officer, has the authority to arrest and perform law enforcement functions.*

The Florida Statutes and Florida Administrative Code (F.A.C.) provide the requirements for the training and certification process of Florida criminal justice officers.

Auxiliary Law Enforcement Officer Certification Process

You have four years from the starting date of the program to complete the certification process. To become certified (sworn) as a law enforcement auxiliary officer, you must:

- meet all the minimum requirements and standards
- complete the approved basic recruit training program
- pass the State Officer Certification Examination within three attempts
- become a volunteer or paid employee with a law enforcement agency

Simply completing the law enforcement auxiliary officer program and passing the certification exam does not mean that you are certified as an officer in the state of Florida.

The Criminal Justice Standards and Training Commission

The Criminal Justice Standards and Training Commission (CJSTC) oversees the certification, employment, and training of officers, as well as the maintenance of officer records and the conduct of Florida law enforcement, correctional, and correctional probation officers. The CJSTC meets quarterly "to ensure that the citizens of the state of Florida are served by the most qualified, well-trained, competent, and ethical criminal justice officers in the nation."

Officer Compliance

When a law enforcement agency wants to hire you, the agency will conduct a thorough background investigation to determine your moral character before participation with the agency. If you enter the academy before employment, you are subject to the same moral character requirements as career certified officers and may be denied certification by the CJSTC if evidence indicates you do not comply with these standards.

DISCIPLINARY ACTION

The CJSTC can take disciplinary action against your certification if you fail to maintain the required standards of conduct. The CJSTC follows an established set of penalty guidelines if it takes disciplinary action against your certification. These penalties include a written reprimand, probation or suspension of up to two years (with or without mandatory retraining or counseling), and revocation of certification.

The CJSTC will revoke your certification if you are convicted of, plead guilty or *nolo contendere* to, or are found guilty of any felony offense, regardless of withholding of adjudication or suspension of sentence. Under Florida law, you can no longer work as a certified officer in the state of Florida.

LESSON 2 CRIMINAL JUSTICE VALUES AND ETHICS

Lesson Goal

At the end of this lesson, you will understand the importance of values, ethics, and professionalism in your role as an auxiliary officer.

Objectives

- ☑ **AL102.1. Know the concepts of values, ethics, and professionalism**
- ☑ **AL102.2. Explain unethical behavior as it relates to an officer's duties**
- ☑ **AL102.3. Explain confidential information as it applies to law enforcement**
- ☑ **AL102.4. Explain conflict of interest in ethical behavior**
- ☑ **AL102.5. Explain unprofessional behaviors that officers must avoid in community interaction**
- ☑ **AL102.6. Explain sexual harassment in accordance with Title VII of the Civil Rights Act**
- ☑ **AL102.7. Identify effective strategies for preventing sexual harassment in the workplace**
- ☑ **AL102.8. Describe the consequences of sexual harassment**

Values, Ethics, and Professionalism

Values are principles, standards, or qualities considered worthwhile or desirable. They are core beliefs or desires that guide or motivate your attitudes and actions. ***Personal values*** are your beliefs about what is right and wrong, based on religious teachings, cultural roots, family background, personal experiences, laws, organizational values, professional norms, and political habits.

Ethics are standards of conduct based on the principles of right and wrong. Ethics indicate how you should behave. ***Ethical principles*** are rules of conduct derived from ethical values. ***Ethical behavior*** is principled, value-based decision-making practiced daily.

Professionalism is behavior that demonstrates good character and is marked by pride in yourself and your job. Examples of these characteristics include service, integrity, respect, quality, fairness, honesty, courage, compassion, leadership, trustworthiness, and common sense.

Ethics, personal values, and professionalism are inseparably intertwined, and each element is essential in both your personal and your professional life. You should demonstrate with words and actions that you follow the same laws as the public, and that you are dedicated to serve your community with honor and integrity.

Unethical Behavior

Society considers certain types of behavior unethical; laws make some of these behaviors illegal. Unethical behaviors that you should avoid include engaging in bribery, committing perjury, and misusing your position or authority. You should not repeat confidential information, engage in situations that present a conflict of interest, or accept inappropriate gratuities.

BRIBERY AND PERJURY

Section 838.015, F.S., defines ***bribery*** as:

> *knowingly and intentionally giving, offering, or promising to any public servant, or, if a public servant, to knowing and intentionally requesting, solicit, accept, or agree to accept for himself or herself or another, any pecuniary or other benefit not authorized by law with an intent or purpose to influence the performance of any act or omission which the person believes to be, or the public servant represents as being, within the official discretion of a public servant, in violation of a public duty, or in performance of a public duty.*

Perjury is the offense of lying in court after taking an oath. Criminal violations differ depending on the situation in which the person commits perjury. In official proceedings, such as testifying in court or giving a deposition, perjury is a felony.

MISUSE OF POSITION OF AUTHORITY

Never misuse the authority entrusted to you as a law enforcement auxiliary officer. The Florida Statutes state:

> *No public officer, employee of an agency, or local government attorney shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others.*

It is a felony to willfully, knowingly, and without authorization access or allow access to any restricted criminal justice database through a computer, computer system, or computer network. If you access any criminal justice database for curiosity purposes, you can be held criminally and civilly liable for the violation.

CONFIDENTIAL INFORMATION

Privacy, trust, and loyalty are important to maintain when people volunteer information or act as informants. Do not gossip, discuss cases with anyone, or post about cases on social media. Do not share information with friends, relatives, or the public. This obligation applies to both off- and on-duty time. Sharing confidential information may harm ongoing criminal investigations and result in serious consequences for you and your agency.

CONFLICT OF INTEREST

Avoid taking or influencing official actions that could conflict with your responsibilities; these are ***conflicts of interest***. You must not influence the actions of other officers nor influence another officer's immediate family or relatives, or people with whom you have significant personal, business, or employment relationships. You must avoid the appearance of impropriety in order to maintain the public's faith in the integrity and impartiality of law enforcement agencies.

Unprofessional Behaviors to Avoid

Professional behavior requires you to think, communicate, and act appropriately. Using stereotypes, perceptions, or assumptions to judge people limits your thought processes and may cause you to exclude vital information in an investigation, information that could help save a life.

Stereotyping is judging a group of people who are different from you based on your own or others' opinions or encounters.

Prejudice is an unjustified and baseless attitude toward a person only because of their membership in a social group.

Discrimination is the negative treatment of a person or group that is based on color, race, sex, age, religion, ethnic and national origin, handicap, or marital status.

Perception is the impression in a person's mind of an individual, a group of people, or events based on limited experiences, biases, beliefs, assumptions, and observations.

An ***assumption*** is a notion, statement, or belief about a person, group, or event that may not be factual.

Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Courts use the reasonable person legal standard to determine if a person in the same circumstances as the complainant would find the behavior offensive.

Sexual harassment is a form of discrimination. Every employee has a right to work in an environment free of sexual harassment and hostile conditions. According to the federal Civil Rights Act of 1964, Title VII, it is unlawful for employers to discriminate in the workplace.

Preventing Sexual Harassment

Training and communication are the keys to understanding and preventing sexual harassment. You should follow the law and agency policy, and avoid engaging in behavior that could be misinterpreted. Act professionally at all times. To prevent escalation, address any inappropriate behavior as soon as it occurs.

Consequences of Sexual Harassment

If you engage in sexual harassment, you will face severe consequences. Your agency will impose internal disciplinary action such as mandatory retraining, leave without pay, loss of rank, and even termination. The CJSTC can revoke your certification. If a lawsuit is filed, the courts may impose monetary damages. In a criminal case such as stalking, battery, assault, or official misconduct, you could face imprisonment.

LESSON VOCABULARY

assumption

bribery

conflict of interest

discrimination

ethical behavior

ethical principles

ethics

perception

perjury

personal values

prejudice

professionalism

sexual harassment

stereotyping

values

LESSON 3 THE CRIMINAL JUSTICE SYSTEM

Lesson Goal

At the end of this lesson, you will be familiar with how law enforcement, courts, and corrections function within the criminal justice system.

Objectives

- ☑ **AL103.1. Know the structure of the criminal justice system**
- ☑ **AL103.2. Describe the relationship between the components of the criminal justice system**
- ☑ **AL103.3. Identify examples of law enforcement agencies in the criminal justice system**
- ☑ **AL103.4. Describe the primary personnel of the court system**
- ☑ **AL103.5. Recognize the components of the corrections system**

The Criminal Justice System

Criminal justice refers to the structures, functions, and decision-making processes of agencies that deal with the management and control of crime and criminal offenders. The three components of the criminal justice system are law enforcement, the court system, and corrections.

LAW ENFORCEMENT AGENCIES

Law enforcement is responsible for enforcing and maintaining civil order. There are four levels of law enforcement agencies within the United States:

- Local or municipal agencies enforce the ordinances of the municipality as well as state laws within the jurisdiction of the agency.
- County agencies enforce county ordinances and state laws within the county.
- State agencies enforce state laws within the state.
- Federal agencies enforce federal laws across state lines and within the states.

Municipal Agencies	County Agencies	State Agencies	Federal Agencies
police departments	Sheriff's offices	Department of Law Enforcement	Federal Bureau of Investigation (FBI)
public safety departments	combined city and county units	Florida Highway Patrol	Drug Enforcement Administration (DEA)
		Fish and Wildlife Conservation Commission	Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)
		Division of Alcoholic Beverages and Tobacco	U.S. Marshals Service
		Department of Agriculture and Consumer Services	U.S. Immigration and Customs Enforcement (ICE)

The Court System

The ***court system*** is responsible for the interpretation of laws. The court system in the United States includes local, county, state, and federal courts. State judges in Florida are elected or appointed by the governor, while the president appoints federal judges. Federal courts are the highest courts in the U.S. and take precedence over state courts.

Jurisdiction refers to the authority and the ability for a court to rule within a specific geographic area or type of case. Federal courts hear only cases that are violations of federal laws, including constitutional violations. State courts hear cases involving violations of state law.

PERSONNEL OF THE COURT

To function well, the court system requires many people to act in designated roles:

Judge—the judge presides over the courtroom and decides questions of law.

Prosecutor—the prosecutor represents the government's case. Each court has its own prosecutor.

Defense attorney—the defense attorney represents the defendant's case. In Florida, defendants are represented by an attorney they have hired, a public defender who is appointed by the court, or, in certain circumstances, themselves.

Clerk of the court—each county elects a clerk of the court who is responsible for maintaining files and official records and issuing subpoenas. Deputy clerks are appointed to assist judges in court paperwork and proceedings.

Court administrator—the court administrator is responsible for the day-to-day administration of a court system. Responsibilities can include arranging facilities and scheduling and facilitating the interaction of the court system with other components of the criminal justice system.

Jury—a jury is a group of citizens who determine questions of fact in a trial. Their responsibilities may differ depending on the particular case. A jury is not always required for a court to hear a case. In a nonjury or bench trial, the judge hears the case and delivers a verdict.

Bailiff—a bailiff or a court deputy is, generally, a sworn law enforcement officer who is responsible for security in the courtroom.

Court reporter—the court reporter makes a record of the proceedings. (Not all court proceedings are recorded.) Some proceedings may have voice or video recordings; others have written transcripts or merely notes from a court reporter.

Corrections

Corrections is responsible for enforcing punishment as defined by the court system. A general overview of the corrections systems in Florida includes:

County and municipal holding facilities—these are facilities where detainees complete booking procedures and wait for transport to a county jail.

County jails—these are facilities where arrestees go through booking procedures, arrestees await trial, and convicted offenders serve a year or less detention.

Juvenile assessment/detention centers—the processing and pretrial detention of juvenile arrestees occur in juvenile assessment and detention centers.

Prisons (federal and state)—prisons are correctional institutions maintained by the federal and state governments for the confinement of convicted felons.

Evaluation and treatment centers—evaluation centers are the first stop when entering the prison system. The facilities administer various medical and aptitude tests to offenders to identify substance abusers or mentally ill offenders.

Probation, parole, and community control—probation, parole, and community control are all alternatives to incarceration. Their purpose is to supervise the enforcement of specific restrictions on people who may have received a suspended sentence after conviction or who may be on parole or under house arrest.

LESSON VOCABULARY

corrections

court system

criminal justice

jurisdiction

law enforcement

LESSON 4 CHAIN OF COMMAND

Lesson Goal

At the end of this lesson, you will understand the importance of following the chain of command.

Objectives

- ☑ **AL104.1. Explain the organizational structure of a law enforcement agency**
- ☑ **AL104.2. Define chain of command as used in a law enforcement agency**
- ☑ **AL104.3. Describe the consequences of not following proper chain of command**
- ☑ **AL104.4. Describe the importance of communication in a law enforcement agency**
- ☑ **AL104.5. Explain effective delegation of authority as it applies in a law enforcement agency**
- ☑ **AL104.6. Describe the concept of direct supervision for an auxiliary officer**
- ☑ **AL104.7. Describe the additional administrative duties an auxiliary officer might perform**

Organizational Structure

A good organizational structure is crucial to a successful law enforcement agency, as it creates a work environment that encourages communication and efficiency. In law enforcement organization, subordinates report to superiors. A typical rank structure in a law enforcement agency might be:

1. sheriff or chief of police
2. undersheriff or chief deputy, deputy chief of police
3. colonels
4. majors
5. captains
6. lieutenants
7. sergeants
8. corporals
9. deputies, officers, or troopers

Chain of command is the line of authority within an organization. It provides the links of authority and responsibility that join one level of an organization to another. Most organizations use the chain of command as a means of communicating and making decisions, and workers go to their immediate supervisor for information and assistance.

Following a chain of command enables coordination, reduces confusion, and enhances the efficiency of the organization. The failure to follow orders from superiors is ***insubordination***.

All employees should operate within the chain of command and keep their immediate supervisor informed of their activities. Violating the chain of command can result in miscommunication of important information, and damage the relationship between you and your immediate supervisor.

Communication

There are both vertical and lateral channels for communication within an organizational structure. ***Vertical communication*** is a term for information from the chief executive officer that flows down through the supervision levels to the lowest levels of the organization. The information that flows from the lowest levels to the highest is equally important.

Lateral communication is communication across a level of the organization to employees on the same level within the chain of command.

Delegation of Authority

Whether it is the chief of police, the sheriff, or the agency director, the consequences of everything that happens within the organization ultimately rest on one person. Your commander assigns decision-making power to others in the command structure in order to help manage daily tasks, known as ***delegation of authority***. On each level of the chain of command, there is a distribution of authority to make decisions.

Control Officers and Maintaining Direct Supervision

Law enforcement auxiliary officers have a wide variety of duties for their agencies, based upon the level of training and experience they have, and agency policy regarding the interpretation of direct supervision. You will be the "second man in the car," or under the direct supervision of your control officer. Your ***control officer*** is the career law enforcement officer who is your immediate source of law enforcement information and who will direct you throughout your duties. Some agencies use their auxiliary officers in a strictly support role, while others allow a certain amount of autonomy.

Developing the Workforce

There may be times when your chain of command asks you to perform duties that may not directly relate to your assigned daily tasks. You may be asked to:

- serve on committees, review boards, or officer selection boards
- conduct new-hire background checks
- write referral letters
- plan department-wide events or community relations events
- provide peer counseling or mentorship to new officers
- assist the training section with exercises

LESSON VOCABULARY

chain of command

control officer

delegation of authority

insubordination

lateral communication

vertical communication

LEGAL CONCEPTS

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UNIT 1 INTRODUCTION TO THE LAW

LESSON 1 THE UNITED STATES LEGAL SYSTEM

Lesson Goal

At the end of this lesson, you will have a foundational understanding of the United States legal system and the sources of laws.

Objectives

☑ **AL211.1. Describe the foundation of law for the U.S. legal system**

☑ **AL211.2. Explain the concepts of constitutional and statutory law**

☑ **AL211.3. Explain the purpose of criminal, civil, and administrative law**

☑ **AL211.4. Explain how case law impacts the interpretation of statutes and rules and affects an officer's actions**

☑ **AL211.5. Explain the importance of the Bill of Rights as provided in the U.S. Constitution**

☑ **AL211.6. Summarize the basic concepts of due process as provided in the U.S. Constitution**

The Legal System

Laws encourage people to behave in a certain way. In modern societies, laws are necessary to maintain order. They also serve to protect ownership of property, regulate certain businesses, and raise revenue.

SOURCES OF LAW

There are several sources of law that govern the way we live in the United States:

Constitutional law defines our representational government, its powers, and its three-branch structure (executive, legislative, and judicial).

Statutory law is written and enacted by Congress, state legislatures, or local governing authorities in response to a perceived need. Statutory law includes criminal, civil, administrative, and regulatory laws.

Criminal law comprises statutes that define unacceptable behaviors and government prosecution of those who commit these behaviors.

Ordinances are statutes enacted by city or county governments for their jurisdictions. Ordinances regulate matters of narrow application, such as curfews for minors, restrictions on the hours when alcohol may be sold, or parking regulations.

Civil law is the legal action that a person takes to resolve a private dispute with another person. The courts provide a forum for the people involved to resolve disputes through legal action. In civil lawsuits, the person filing the lawsuit must have a recognized cause of action to bring suit against another person.

Administrative law is the body of law that allows for the creation of public regulatory agencies. It contains all the statutes, judicial decisions, and regulations that govern them.

Case law is formed by the decisions of the court system. These decisions are based on the court's interpretation of constitutional provisions, and they clarify the meaning of a statute or a rule as applied to a specific set of facts.

KEEPING CURRENT IN THE LAW

It is important for you to understand that court decisions influence how you perform your duties. Once an appellate court creates a rule, known as precedent, you are required to follow that rule, unless a higher court changes the rule. Additionally, each circuit court ruling is binding on that jurisdiction. Because of this, there could be different case law in neighboring circuits. You must be aware of conflicting rulings and follow the case law in your own jurisdiction.

The laws under which you will operate are constantly changing due to statute revision and case law interpretation. You are responsible for keeping current with these changes.

There are a variety of sources to help you stay current, including police magazines and training bulletins. Official websites from the Florida Department of Law Enforcement, the Florida Attorney General's office, and the Florida Supreme Court also provide information to the law enforcement community. Avoid getting legal news from sources such as newspapers, television, radio, unofficial websites, and word of mouth.

Basic Concepts of the U.S. Constitution

The U.S. Constitution sets parameters within which the government operates and establishes laws. It defines your authority to act. You represent the law, and in any situation, you must be able to determine how to follow the law and abide by the limitations that the Constitution sets.

The Articles of the Constitution form the Constitution's main body. Their purpose is to form a contract with the people and government of the U.S. that spells out the responsibilities and authority of the government. The Amendments to the Constitution affect law enforcement officers more than any other part of the Constitution. Their purpose is to ensure that the government does not infringe on individual rights.

The first ten Amendments to the Constitution make up the ***Bill of Rights***. The Bill of Rights was originally intended to restrict the actions of the federal government only. The Fourteenth Amendment expanded the application of the Bill of Rights to state and local governments with the addition of the due process clause. There are two main components of ***due process***. Substantive due process is the fair and consistent enforcement of the law. Procedural due process refers to the steps that must be followed to protect a person's rights during a criminal justice process.

Amendment	Rights, Freedoms, Powers, and Protections
1st Amendment	• Freedom of Speech • Freedom of the Press • Freedom of Religion • Freedom of Peaceable Assembly • Right to Petition the Government for Redress of Grievances
2nd Amendment	• Right to Bear Arms
3rd Amendment	• Protection Against the Mandatory Housing Soldiers in Civilian Homes
4th Amendment	• Protection Against Unreasonable Search and Seizure • Protection Against the Issuance of Warrants Without Probable Cause
5th Amendment	• Protection Against Trial Without Indictment • Protection Against Double Jeopardy • Protection Against Self-incrimination • Protection Against Deprivation of Life, Liberty, or Property Without Due Process • Protection Against Private Property Being Taken Without Just Compensation
6th Amendment	• Right to a Speedy and Public Trial by an Impartial Jury • Right to Be Informed of Charges • Right to Be Confronted by Witnesses Against Them • Right to Call Witnesses in Their Favor • Right to Legal Counsel
7th Amendment	• Right to Trial by Jury
8th Amendment	• Protection Against Excessive Bail • Protection Against Excessive Fines • Protection Against Cruel and Unusual Punishment
9th Amendment	• Rights Guaranteed in the Constitution Shall Not Infringe on Other Rights
10th Amendment	• Powers not Granted to the Federal Government in the Constitution Belong to the States or to the People
11th Amendment	• Right to Due Process and Equal Protection for All Persons Born or Naturalized in the United States

LESSON VOCABULARY

administrative law

Bill of Rights

case law

civil law

constitutional law

criminal law

due process

ordinance

statutory law

UNIT 1 INTRODUCTION TO THE LAW

LESSON 2 CLASSIFICATION OF OFFENSES

Lesson Goal

At the end of this lesson, you will understand the difference between a criminal and a noncriminal act.

Objectives

☑ **AL212.1. Differentiate between felony and misdemeanor offenses in the Florida Statutes**

☑ **AL212.2. Contrast criminal offenses, non-criminal offenses, and municipal ordinance violations**

Categories and Classes of Offenses

The term ***offense*** broadly describes a criminal or noncriminal act that is punishable under Florida law. Criminal offenses are punishable by imprisonment and classified as either a felony or a misdemeanor. A ***felony*** is any crime where the maximum penalty is death or imprisonment in a state facility for more than one year. A ***misdemeanor*** is any criminal offense with a maximum imprisonment penalty in a county jail of up to one year.

Noncriminal violations, also known as noncriminal offenses or civil infractions, are punishable by fines, forfeitures, or other civil penalties. Municipalities or counties enact ordinances for the protection and well-being of residents and property. Local ordinances apply only to the geographical area of the county or city that enacted them. When in conflict, state and federal statutes take precedence over local ordinances.

Offense	Classification	Facility Type	Degree or Application	Penalties and Fines
criminal offense	felony	state	capital felony	death or life imprisonment without the possibility of parole
			life felony	life imprisonment, a $15,000 fine, or both
			felony—1st degree	30 years to possible life imprisonment, a $10,000 fine, or both
			felony—2nd degree	15 years imprisonment, a $10,000 fine, or both
			felony—3rd degree	5 years imprisonment, a $5,000 fine, or both

Offense	Classification	Facility Type	Degree or Application	Penalties and Fines
criminal offense	misdemeanor	county	misdemeanor—1st degree	imprisonment for up to a year, a $1,000 fine, or both
			misdemeanor—2nd degree	imprisonment for up to 60 days, a $500 fine, or both
municipal ordinance violation	civil or criminal	county or city	can be criminal in nature and require incarceration	civil penalty of up to $500, imprisonment for up to 60 days, or both
non-criminal offense	infraction or violation	none	includes non-criminal traffic violations or infractions	$500 fine, forfeiture or other civil penalty

LESSON VOCABULARY

felony

misdemeanor

non-criminal violation

offense

UNIT 2 LEGAL JUSTIFICATION

LESSON 1 STANDARDS OF LEGAL JUSTIFICATION

Lesson Goal

At the end of this lesson, you will understand the levels of legal justification and the corresponding legal action that you will take for the situation.

Objectives

- ☑ **AL221.1. List the four standards of legal justification**
- ☑ **AL221.2. Explain an officer's legal justification to act**
- ☑ **AL221.3. Describe an officer's possible actions during a consensual encounter**
- ☑ **AL221.4. Explain possible sources of reasonable suspicion**
- ☑ **AL221.5. Describe an officer's possible actions based upon reasonable suspicion**
- ☑ **AL221.6. Explain the legal use of pretext stops**
- ☑ **AL221.7. Explain how to verify if probable cause exists**
- ☑ **AL221.8. List reliable sources of information for developing probable cause**

Officer's Justification to Act

When you restrict a person's liberty or freedom, you need to prove your certainty that a crime has been committed. As a result, you must have a strong understanding of the legal justification levels at each point during a criminal investigation. You must be prepared to explain, in court, your actions and the legal justifications for each of them.

The law recognizes four standards of legal justification: mere suspicion, reasonable suspicion, probable cause, and proof beyond a reasonable doubt. As the certainty level rises, the Fourth Amendment permits you to infringe more on a person's right to be left alone. You may detain them, frisk them during an investigative stop, arrest them, and search and seize their property.

Consensual Encounters and Mere Suspicion

A ***consensual encounter*** occurs when you come into voluntary contact with a person under circumstances in which a reasonable person would feel free to disregard your presence and go about their business. It involves no coercion or detention, and is not a Fourth Amendment seizure.

Mere suspicion is a hunch or gut feeling based on your training and experience. Mere suspicion does not grant any enforcement authority. You may approach a person and ask them a few questions (i.e., "May I

speak with you a moment? Are you willing to answer some questions?"). In these cases, a person must be free to terminate the conversation at any time and leave with no restrictions.

Reasonable Suspicion

Reasonable suspicion is the standard of justification needed to support an investigative stop or detention. The ***investigative stop*** *(Terry* stop) is based on the U.S. Supreme Court case *Terry v. Ohio*. The Florida Legislature incorporated the *Terry* stop guidelines into the Stop and Frisk law, s. 901.151, F.S., which requires probable cause before a weapons pat down is permitted.

Reasonable suspicion means that you must be able to put into words, or articulate, facts that support a suspicion that the person stopped may be involved in a law violation. The facts and circumstances must support the suspicion that a person committed a crime, is committing a crime, or is about to commit a crime. You can establish reasonable suspicion through a number of sources, including personal observations of the person's nervousness, whether the person runs or tries to evade contact with you, whether the person is in a known high-crime area, or the time of day and location of the contact. None of the behaviors alone justifies a stop.

The Supreme Court ruled that a law enforcement officer might frisk the exterior clothing of someone lawfully detained for officer safety if (1) the person is lawfully detained and (2) you have reasonable suspicion to believe that the person possesses a weapon. A frisk is not a full search. The scope of the frisk is limited to outer clothing, containers, and property the person is carrying. If you conduct a frisk and, in the process, feel an item you readily recognize as contraband, you may seize that item. This is the ***plain touch or feel doctrine***, which allows you to seize contraband even if it does not feel like a weapon. ***Contraband*** is anything that is illegal to produce, possess, or transport. Plain touch/feel does not permit any manipulation of an object to identify it, and you must be able to articulate that you immediately recognized the item as contraband. Illegal drugs are the most common examples of contraband.

The duration of a *Terry* stop is limited to the reasonable amount of time necessary to achieve the purpose of the stop. You may ask questions relevant to the stop, but any questioning that prolongs the detention is unreasonable under the Fourth Amendment. During the stop, you may not ask the person to move from the location or the immediate vicinity of the stop. This will turn the stop into an arrest.

You may lawfully use force during an investigative stop if you reasonably believe it protects your safety or the public's safety. You may use handcuffs if reasonably necessary, but you must be able to articulate the reasons why force or restraints were necessary.

PRETEXT STOPS

Sometimes, you may suspect that evidence of criminal activity is in a vehicle, but you will not have enough reasonable suspicion to make a stop. However, if you observe the driver commit a traffic infraction, or if the vehicle shows evidence of a safety issue, such as a broken taillight, you may stop the vehicle on that basis. These are called ***pretext stops***, because you stop the vehicle due to an equipment violation but really want to investigate possible criminal activity.

Probable Cause

Probable cause is required to make an arrest or conduct a search. ***Probable cause*** is a fair probability or reasonable grounds to believe that someone committed a crime, based on the totality of circumstances. You must be able to articulate a specific and objective basis for suspecting the person of criminal activity

and can explain why you trust the probability of criminal activity based upon all available sources of information at the time of the incident.

DEVELOPING PROBABLE CAUSE

The difference between reasonable suspicion and probable cause is the amount and quality of information you have concerning the commission of a crime. Because probable cause justifies greater invasions into a person's privacy, it is a stricter standard than reasonable suspicion. Courts will review all factors known to you at the time of the incident to determine if you met the reasonable suspicion or probable cause standards for the detention or arrest. This is the ***totality of circumstances*** test.

You must rely on a variety of sources of information and evidence in order to establish probable cause for an arrest or a search. ***Evidence*** means anything that may be presented in a court of law to prove or disprove the existence of a fact. Information or evidence used to support reasonable suspicion and probable cause must be specific, and the sources of information must be from those that the court recognizes as reliable.

The ***fellow officer rule*** involves relying on the collective knowledge of other officers when taking law enforcement action against a suspect. Information from a third party such as a citizen informant may also be used for an investigative stop or probable cause. If the source is an anonymous tipster, however, the information must have some indication of reliability and must be corroborated before you may rely upon it to take law enforcement action.

The ***photo array*** is a series of photographs shown to a witness in a non-suggestive manner for identifying a suspect. You must avoid any action that the witness might interpret as an indication of which photo to identify. This will result in the suppression of the photo identification as evidence.

A ***live line-up*** is the presentation of a number of individuals, which may include a known suspect, to a victim or witness in a non-suggestive manner for the purpose of identification.

A ***show-up*** occurs when you locate a suspect a short time after the commission of an offense and attempt to get a one-on-one identification of the suspect in the field by a victim or witness.

Proof Beyond a Reasonable Doubt

Proof beyond a reasonable doubt is the standard used to determine if a defendant is guilty or innocent of a crime. The prosecution must present evidence sufficient to prove guilt of each element of the crime beyond a reasonable doubt. Based on the facts of the case, there can be no other reasonable explanation than that defendant committed the crime.

LESSON VOCABULARY

consensual encounter

contraband

evidence

fellow officer rule

investigative stop

live line-up

mere suspicion

photo array

plain touch or feel doctrine

pretext stop

probable cause

proof beyond a reasonable doubt

reasonable suspicion

show-up

totality of circumstances

UNIT 2 LEGAL JUSTIFICATION

LESSON 2 SEARCH AND SEIZURE

Lesson Goal

At the end of this lesson, you will understand the constitutional requirements for a valid search or seizure.

Objectives

- ☑ **AL222.1. Describe the Fourth Amendment guarantees related to search and seizure**
- ☑ **AL222.2. Differentiate between search and seizure**
- ☑ **AL222.3. Describe the scope of searches legally permitted for a law enforcement officer**
- ☑ **AL222.4. State the legal requirements for a law enforcement officer to obtain a search warrant**
- ☑ **AL222.5. Differentiate between the Exclusionary Rule and the Good Faith Doctrine**
- ☑ **AL222.6. Know the exceptions to the search warrant requirement**

Fourth Amendment Guarantees

The Fourth Amendment of the Constitution protects people from governmental intrusion into areas where they have a reasonable expectation of privacy. It prohibits searches and seizures unless there is probable cause and under reasonable circumstances. A ***search*** occurs when the government or a law enforcement officer examines an area, person, or property for evidence in a place where a person has a reasonable expectation of privacy. A ***seizure*** occurs when the government affects a person's right to have or control personal property, usually by physically taking it. You are required to obtain a search warrant before intruding into a place where an individual has a reasonable expectation of privacy.

Scope of Searches

The scope of constitutional searches is limited to the items being searched, and once the items are found, the search must stop. Whether conducting a search using a warrant or acting under a legally recognized exception, case law and statutes allow officers to search for these items:

- contraband
- dangerous weapons
- evidence
- suspects
- items used by the suspect to commit the crime
- objects obtained by the suspect as a result of committing the crime
- items defined by statute (chapter 933, F.S.—Search and Inspection Warrants)

Search Warrants

A ***search warrant*** is a court order that authorizes you to conduct a search and seizure. The search warrant must be directed to a person or agency with specific jurisdiction over the location of the search. In order to be deemed valid, a search warrant must meet a number of legal requirements:

- It must be authorized and signed by a neutral magistrate or judge.
- The warrant must be based on a probable cause affidavit that states sufficient facts to establish that evidence of a crime will be found in the place to be searched.
- The basis of the information in the affidavit must come from reliable sources.
- The search warrant must describe the person or place to be searched and the items to be seized. The detailed description in the search warrant is designed to prevent wrongful intrusion.
- The search warrant is valid only for the specific location it describes.
- Officers must connect the seized items to criminal activity.

The Supreme Court ruled that evidence obtained by the government in violation of the Constitution cannot be used in court. This is the ***exclusionary rule***, and its purpose is to discourage you from violating a citizen's constitutional rights in criminal investigations. The Fruit of the Poisonous Tree doctrine holds that evidence gathered using illegally obtained information must be excluded from trial. The Good Faith doctrine applies to conducting a search with a warrant later deemed invalid. If you execute a search warrant you believe to be valid and a court later determines the warrant to have a legal error, any seized evidence is still admissible.

Warrantless Search Requirements

If you need to perform a search, and you do not have a search warrant, you must determine if an exception to the search warrant requirement applies. Three of these require probable, four of these do not.

Probable Cause Required	Conditions
plain view doctrine	1. You are lawfully present in the place where you see the item. 2. The item is in plain sight. 3. You believe that the item is contraband or crime evidence.
mobile conveyance	Vehicles are regulated through licensure and registration, so they have a reduced expectation of privacy and may be searched without a warrant. The scope of a search includes the entire vehicle and any spaces where evidence could be found.
exigent circumstances	1. Destruction of evidence—you believe that crime evidence is in immediate danger of being destroyed. 2. Fresh pursuit—chasing a suspect allows you to enter private property if: a. probable cause that the suspect committed a serious crime b. immediate or continuous pursuit of the suspect c. probable cause that the suspect is on the premises 3. Scene of an emergency—you believe a person is in immediate danger, and a warrantless entry is required to preserve life or ensure safety.

Probable Cause Not Required	Conditions
consent	You may ask anyone for consent to search. If the consent is voluntary and the person has authority to do so, the search is valid. Consent may be withdrawn at any time during the search, and can be limited by the grantor. You must stop immediately if consent is withdrawn.
inventory	An inventory is a written list of all valuable property in a vehicle. An inventory search is permitted only if a vehicle is impounded, and the search must occur at about the same time as the vehicle impoundment. The search must be done in compliance with a written agency policy that spells out when and how the inventory search must be done.
administrative	Administrative searches generally do not require a warrant due to the setting or special conditions. Subjects of this type of search include public schools, government offices or property, certain businesses or licensed activities, and people on probation or parole.
incident to arrest	When a person is taken into custody, they may be searched without a warrant if: (1) there is a lawful custodial arrest, and (2) the search occurs at the same time as the arrest.

Two search types that are often considered exceptions to the search warrant requirement are not technically searches because the person does not have a reasonable expectation of privacy in the place to be searched: abandoned property and open fields.

An example of abandoned property is the contents of a trash can that has been put out by the curb for pickup. The owner of the trash has abandoned any expectation of privacy, so you may seize and search it without a warrant.

Open fields are areas around someone's property. The U.S. Supreme Court has made a distinction between the grounds and outbuildings immediately surrounding someone's home (curtilage) and an open field. Fenced and posted fields have a higher degree of constitutional protection than areas that are not improved.

LESSON VOCABULARY

exclusionary rule

search

search warrant

seizure

UNIT 2 LEGAL JUSTIFICATION

LESSON 3 WEAPONS AND FIREARMS POSSESSION

Lesson Goal

At the end of this lesson, you will understand the laws of Florida regarding possession of weapons and firearms.

Objectives

☑ **AL 223.1. Describe the purposes for which a person may own, possess, and use a weapon or firearm**

☑ **AL 223.2. Describe the basic legal requirements for a person to carry a concealed weapon or firearm**

Lawful Ownership and Possession of Weapons and Firearms

Chapter 790 of the Florida Statutes addresses lawful ownership, possession, and use of firearms and weapons. In the state of Florida, a person younger than 21 may not purchase or transfer ownership of a firearm from a licensed importer, manufacturer, or dealer (s. 790.065(13), F.S.). As a result, a licensed importer, manufacturer, or dealer may not make or facilitate the sale or transfer of a firearm to a person younger than 21. These prohibitions do not apply to the purchase of a rifle or shotgun by a law enforcement officer, correctional officer, or a military service member. However, a person younger than 21 can still own or possess a firearm in accordance with chapter 790. For example, a person younger than 21 may own or possess a firearm that has been given to them as a gift, or obtained by other lawful means. A person younger than 21 can also buy a firearm from a private party; however, it would be a criminal offense for a person to sell or otherwise provide a firearm to someone younger than 18 if it is sold or provided without consent from the minor's parent or guardian.

In addition to sales of firearms, the Florida Statutes address seizing firearms in situations where a person poses a danger to themselves or others. Section 394.463, F.S., authorizes a law enforcement officer taking someone into custody for an involuntary examination under the Baker Act to seize and hold any firearm or ammunition the person possesses if the person poses a danger to themselves or others and has made a credible threat of violence against another person. You will learn more about the Baker Act in Chapter 6.

Lawful Uses of Weapons and Firearms

The state of Florida recognizes 17 lawful categories of people who may own, possess, and use firearms and other weapons for lawful purposes. The categories are listed in the following table:

Lawful Ownership, Possession, and Use of Firearms and Other Weapons (s. 790.25, F.S.)	
1	Members of the U.S. armed forces and Florida National Guard when on duty, training or preparing themselves for military duty, or subject to recall or mobilization

2	Citizens of this state subject to duty in the armed forces under s. 2, Art. X of the State Constitution, under chapters 250 and 251, and under federal laws, when on duty or when training or preparing themselves for military duty
3	Persons carrying out or training for emergency management duties under chapter 252
4	Sheriffs, marshals, prison or jail wardens, police officers, Florida highway patrol officers, game wardens, revenue officers, forest officials, special officers appointed under the provisions of chapter 354, and other peace and law enforcement officers and their deputies and assistants and full-time paid peace officers of other states and of the federal government who are carrying out official duties while in this state
5	Officers or employees of the state or United States duly authorized to carry a concealed weapon
6	Guards or messengers of common carriers, express companies, armored car carriers, mail carriers, banks, and other financial institutions, while actually employed in and about the shipment, transportation, or delivery of any money, treasure, bullion, bonds, or other thing of value within this state
7	Regularly enrolled members of any organization duly authorized to purchase or receive weapons from the United States or from this state, or regularly enrolled members of clubs organized for target, skeet, or trap shooting, while at or going to or from shooting practice; or regularly enrolled members of clubs organized for modern or antique firearms collecting, while such members are at or going to or from their collectors' gun shows, conventions, or exhibits
8	A person engaged in fishing, camping, or lawful hunting or going to or returning from a fishing, camping, or lawful hunting expedition
9	A person engaged in the business of manufacturing, repairing, or dealing in firearms, or the agent or representative of any such person while engaged in the lawful course of such business
10	A person firing weapons for testing or target practice under safe conditions and in a safe place not prohibited by law or going to or from such place
11	A person firing weapons in a safe and secure indoor range for testing and target practice
12	A person traveling by private conveyance when the weapon is securely encased or in a public conveyance when the weapon is securely encased and not in the person's manual possession, or an authorized CWL holder or person who meets unlicensed concealed carry requirements
13	A person while carrying a pistol unloaded and in a secure wrapper, concealed or otherwise, from the place of purchase to his or her home or place of business or to a place of repair or back to their home or place of business
14	A person possessing arms at their home or place of business
15	Investigators employed by the several public defenders of the state, while actually carrying out official duties
16	Investigators employed by the Capital Collateral Regional Counsel, while actually carrying out official duties
17	A tactical medical professional who is actively operating in direct support of a tactical operation by a law enforcement agency

Concealed Weapons and Firearms

Except for the lawful uses listed above in s. 790.25 F.S., Florida is not an open carry state. Throughout the United States, open carry refers to the practice of "openly carrying a firearm in public." However, concealed carry is where firearms cannot be seen by the casual observer. Florida law previously required a person to obtain a concealed weapon or firearm license (CWFL) to carry a concealed weapon or firearm. However, effective July 1, 2023, Florida allows the carry of a concealed weapon or concealed firearm if certain conditions are met. The firearm or weapon must be concealed from the ordinary sight of another person, such as in a hidden holster on the body or in a bag, purse, or backpack. A brief, unintentional open display of a firearm by a person authorized to carry a concealed firearm, with or without license, is not an open carry violation.

Although a licensed individual, and unlicensed individuals that meet the criteria, may carry a concealed weapon or firearm, there are certain places where an individual is not authorized to carry a concealed weapon or firearm. The table below specifies the places where possession is not allowed by either licensed or unlicensed individuals:

Possession Restrictions for Concealed Weapons or Firearms (s. 790.06 (12)(a), F.S.)	
1	Any place of nuisance as defined in s. 823.05, F.S.
2	Any police, sheriff, or highway patrol station
3	Any detention facility, prison, or jail
4	Any courthouse
5	Any courtroom, except that nothing in this section would preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his or her courtroom
6	Any polling place
7	Any meeting of the governing body of a county, public school district, municipality, or special district
8	Any meeting of the Legislature or a committee thereof
9	Any school, college, or professional athletic event not related to firearms
10	Any elementary or secondary school facility or administration building
11	Any career center
12	Any portion of an establishment licensed to dispense alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to such purpose
13	Any college or university facility unless the licensee is a registered student, employee, or faculty member of such college or university and the weapon is a stun gun or nonlethal electric weapon or device designed solely for defensive purposes and the weapon does not fire a dart or projectile
14	The inside of the passenger terminal and sterile area of any airport, provided that no person shall be prohibited from carrying any legal firearm into the terminal, which firearm is encased for shipment for purposes of checking such firearm as baggage to be lawfully transported on any aircraft
15	Any place where the carrying of firearms is prohibited by federal law

Stops and Concealed Weapons

There may be times when you stop someone who is legally carrying a weapon or firearm. The Florida Statutes allow anyone to carry a weapon or firearm on their person or in their vehicle without a concealed weapon license, as long as the weapon is securely encased, not readily accessible for immediate use, and possessed for a lawful purpose as defined in chapter 790.

The Florida Statutes define "readily accessible for immediate use" as carried on the person or within such close proximity and in such a manner that it can be retrieved and used as easily and quickly as if carried on the person. "Securely encased" means in a glove compartment, whether or not locked; snapped in a holster, not attached to the person; in a gun case, whether or not locked; in a zippered gun case; or in a closed box or container which requires a lid or cover to be opened for access.

Concealed license holders are allowed to carry a concealed weapon or firearm on their person in a vehicle. When you stop them, many people who carry a CWFL will tell you that they have a weapon on their person or in their vehicle and that they have a license to carry it. They are not required to tell you that they have either a license or a weapon. However, they must carry the license, together with valid identification, at all times when they are in actual possession of a concealed weapon or firearm, and they must display both the license and proper identification upon demand by a law enforcement officer.

Under the new law effective July 1, 2023, persons 21 years or older who meet the criteria for unlicensed carry can also have a concealed weapon or firearm on their person while in a motor vehicle. However, persons 18–20 years of age must have the firearm securely encased or not readily accessible for immediate use.

Any person who carries a concealed weapon or firearm without a license must also carry valid identification at all times when they are in actual possession and must display the identification upon demand by a law enforcement officer. A violation of the identification provision is a noncriminal violation punishable by a $25 fine.

Agency computer devices may give you access to the Florida Crime Information Center database (FCIC) to verify the license, or you might have to verify the information with dispatch. You will learn more about FCIC in Chapter 5.

Law Enforcement Officers Safety Act

The Law Enforcement Officers Safety Act is a federal law that allows qualified and retired law enforcement officers to carry a concealed firearm in any jurisdiction in the United States, regardless of state or local laws. To comply with the Act officers must carry two forms of documentation:

- photo identification issued by the agency for which they are currently employed or were separated from
- documentation which certifies that the officer has met, within the past 12 months, the active duty law enforcement standards for qualification for a firearm of the same type as the one they are carrying

Reciprocity

A law enforcement officer may come in contact with individuals from other states who are in possession of a concealed weapon or firearm. The individual may be able to conceal carry in Florida as a non-resident in two different situations of reciprocity.

RECIPROCITY WITH A LICENSE

The Florida Statutes allow officers in Florida to recognize concealed weapons licenses issued by the state where the non-resident lives. This principle is known as reciprocity. However, some states issue concealed carry licenses to individuals who are not residents of the issuing state. These non-resident licenses are not honored under s. 790.015(1)(b), F.S. To determine Florida's reciprocal agreements, review the list of states on the Florida Department of Agriculture and Consumer Services website. This list is regularly updated and provides the most accurate information on reciprocity. However, the non-resident may still be allowed to carry a concealed weapon or firearm in Florida without a license.

RECIPROCITY WITHOUT A LICENSE

In 2023, the Florida Legislature passed House Bill 543, which allows the carrying of concealed weapons or firearms without a government-issued license. This legislative change also allows a non-resident of Florida to carry a concealed weapon or firearm while in Florida if they are a resident of the United States, are 21 years of age or older, and are not otherwise prohibited from possessing a firearm in accordance with Florida and federal laws. Active service members and honorably discharged veterans aged 18–20 may also carry a concealed firearm unless they are excluded from possessing a weapon for any other reason.

UNIT 2 LEGAL JUSTIFICATION

LESSON 4 LAWS OF ARREST

Lesson Goal

At the end of this lesson, you will understand the authority to make an arrest and the circumstances for making an arrest with or without a warrant.

Objectives

- ☑ **AL224.1. Describe when an officer is authorized to make a legal warrantless arrest**
- ☑ **AL224.2. Understand the statutory exceptions to the misdemeanor arrest requirement**
- ☑ **AL224.3. Explain the concept of a notice to appear**
- ☑ **AL224.4. Explain how a probable cause affidavit is used in the U.S. court system**
- ☑ **AL224.5. Explain the legal application of fresh pursuit during a law enforcement incident**
- ☑ **AL224.6. Recognize the jurisdictional issues of fresh pursuit**

Authority to Arrest

An ***arrest*** is depriving a person of their liberty by legal authority. There are two types of arrests under Florida law: arrest with a warrant, s. 901.02, F.S., and arrest without a warrant, s. 901.15, F.S. An ***arrest warrant*** is a court order authorizing you to take the individual named on the warrant into custody to answer for charges specified in the warrant. A ***capias*** is a legal order for an arrest issued by the clerk of court at the request of the state attorney's office, and a ***pick-up order*** is a court order to take a juvenile into custody.

You are authorized to enter the residence of a wanted person in order to make an arrest. However, the Supreme Court ruled in *Steagald v. United States* 451 U.S. 204 (1981) that you must have a search warrant or a search warrant exception to enter a third party's residence to arrest a subject named in an arrest warrant.

WARRANTLESS ARRESTS

You may make a probable cause arrest without a warrant under the following circumstances:

1. The person commits a felony, a misdemeanor, or an ordinance violation in your presence.
2. The person committed a felony outside of your presence, but you have probable cause to believe that the person committed it.
3. A warrant for arrest exists and is being held by another law enforcement officer or agency.
4. The general rule is that you may not make an arrest for a misdemeanor that does not occur in your presence. The Florida Statutes contain exceptions to this rule, such as for:

- Carrying a Firearm in Violation of an Injunction (s. 790.233, F.S.)
- Battery (s. 784.03, F.S.)
- Retail Theft (s. 812.015, F.S.)
- Traffic Offenses Related to Crash Investigation (ss. 316.645 and 318.17, F.S.)
- Disorderly Conduct on Premises of Establishment (s. 509.143, F.S.)
- Theft from a Dining or Lodging Establishment (s. 509.162, F.S.)
- Trespass on School Grounds (s. 810.097, F.S.)
- Possession of Cannabis <20 grams (s. 893.13(6), F.S.)
- Stalking (s. 784.048, F.S.)
- Transit Fare Evasion (s. 812.015(6), F.S.)
- Criminal Mischief (s. 806.13, F.S.)
- Trespass on Certain Properties (s. 810.08, F.S.)
- Act of Domestic Violence (s. 741.29, F.S.)
- Violation of Injunction for Protection (ss. 741.31 and 784.047, F.S.)
- Sexual Cyberharassment (s. 784.049, F.S.)

Notice to Appear

A ***notice to appear*** is a written order that you may issue in lieu of a physical arrest. It requires the accused to appear in court at a specified date and time. Notices to appear may be used under limited circumstances for misdemeanor offenses, ordinance violations, and criminal traffic violations. You may issue a notice to appear except for the following circumstances:

- The accused fails or refuses to adequately provide identification or required information.
- The accused refuses to sign the notice to appear.
- You have reason to believe that the continued liberty of the accused constitutes an unreasonable risk of bodily injury to the accused or others.
- The accused has no ties to the jurisdiction sufficient to assure his or her appearance, or there is substantial risk that the accused will refuse to respond to the notice.
- You have any suspicion that the accused may be wanted in any jurisdiction.
- The accused has previously failed to respond to a notice or a summons or has violated the conditions of any pretrial release program.

Probable Cause Affidavit

A ***probable cause affidavit***, also called an arrest affidavit, is your sworn, written statement of the facts that outlines why a judge should consent to an arrest or search warrant or why an arrest made during a crime was based on solid evidence that the person in custody is the person who committed the crime. The assistant state attorney will review the document to decide whether to file formal charges for the alleged crime.

Fresh Pursuit

Fresh pursuit is a legal doctrine that permits you to make an arrest of a fleeing suspect who crosses jurisdictional lines. It is an exception to the general rule that your arrest powers are limited to the

jurisdiction of your agency. Fresh pursuit does not necessarily mean high-speed pursuit. It may be very brief and undramatic.

The fresh pursuit doctrine prevents criminals from escaping to the next county or otherwise beyond your jurisdiction. There are a number of statutory and case law conditions and procedures that you must follow while pursuing a suspect into another jurisdiction:

1. The offense must have occurred within your jurisdictional boundaries. If you have probable cause for an arrest, then you may leave your jurisdiction to arrest the suspect.
2. The pursuit must be continuous and uninterrupted, but you do not need to be in constant visual contact with the subject before making the arrest. However, the commission of the offense and the pursuit of the suspect must be closely related in time.
3. If the arrest occurs in another jurisdiction, then you must notify local law enforcement. The suspect must go before a trial judge in the county where the arrest occurred.

LESSON VOCABULARY

arrest

arrest warrant

capias

fresh pursuit

notice to appear

pick-up order

probable cause affidavit

UNIT 2 LEGAL JUSTIFICATION

LESSON 5 USE OF FORCE

Lesson Goal

At the end of this lesson, you will know the legal basis for using force in specific situations.

Objectives

- ☑ **AL225.1. Explain the objective reasonableness standard**
- ☑ **AL225.2. Know when the Florida Statutes permit the use of force in defense of person**
- ☑ **AL225.3. Explain the no retreat or stand your ground law**
- ☑ **AL225.4. Explain the use of force situations for arrest or detention by officers**
- ☑ **AL225.5. Identify when an officer may use deadly force**

Objective Reasonableness

You have certain legal powers as an officer, which includes the ability to use physical force. It is your duty to use the appropriate level of force based on the facts and circumstances of each situation. In *Graham v. Connor*, 490 U.S. 386 (1989), the Supreme Court held that all law enforcement use of force cases are evaluated by an objective reasonableness standard, where the incident is viewed from the perspective of another officer under the same circumstances without the benefit of hindsight.

The Court considered that officers are required to make split-second decisions in situations that are "tense, uncertain, and rapidly evolving." The Court concluded that the objective reasonableness test is not a precise or clear rule but requires a careful review of the facts and circumstances of each case and in consideration of the totality of circumstances for the incident. The objective reasonableness test requires the officer to answer two questions: "Was the action reasonable and necessary?" and "Was the amount of force applied reasonable and necessary?"

Use of Force in the Florida Statutes

Any person may legally use force to defend against the unlawful use of force by another. ***Self-defense*** describes the ***justifiable use of force*** that is reasonable and necessary to defend a person when faced with the imminent threat of unlawful force (s. 776.012, F.S.). The statutes allow a person to use deadly force under two circumstances: if the person has reason to believe that deadly force is necessary to prevent imminent death or great bodily harm to themselves or another or to prevent the commission of a forcible felony.

Forcible felonies (s. 776.08, F.S.) include the following offenses: treason, murder, manslaughter, sexual battery, carjacking, home invasion robbery, robbery, burglary, arson, kidnapping, aggravated assault, aggravated battery, aggravated stalking, aircraft piracy, unlawful throwing, placing or discharging of a

destructive device, or any other felony that involves the imminent use or threat of physical force or violence against any individual.

A person is presumed to be in imminent fear of death or great bodily harm when there is an unlawful and forceful entering of a dwelling or occupied vehicle (s. 776.013, F.S.). This statute, sometimes referred to as the ***no retreat or stand your ground law***, also establishes that a person has "no duty to retreat" when faced with imminent harm, "has the right to stand their ground," and may "use or threaten to use force, including deadly force" in these situations.

Defense of property describes a person's authority to take reasonable steps, including the use of force or threatening the use of force, to the extent that a person reasonably believes it is necessary to protect their possessions from trespass or theft or to stop these acts. A person is justified in using or threatening to use deadly force only if the person reasonably believes that such conduct is necessary to prevent the imminent commission of a forcible felony (s. 776.031, F.S.).

Deadly Force, s. 776.06, F.S.	***Deadly force*** is any force likely to cause death or great bodily harm, including shooting at a fleeing vehicle. You are authorized to use force to conduct an investigative stop (Terry stop) if you reasonably believe the use of weapons is necessary to protect yourself or prevent a suspect's ability to flee.
Defense of Person, s. 776.012, F.S.	A person can use or threaten to use force against an aggressor to defend themselves or another against the aggressor's imminent use of unlawful force. A person can use or threaten to use deadly force to prevent imminent death or great bodily harm to themselves or to another, or to prevent the imminent commission of a forcible felony.
Defense of Property, s. 776.013, F.S.	A person is presumed to be in imminent fear or death or great bodily harm when there is an unlawful and forceful entering of a dwelling or occupied vehicle. This no retreat or stand your ground law states a person has "no duty to retreat" when faced with imminent harm, "has the right to stand their ground," and may "use or threaten to use force, including deadly force" in these situations.
Arrest and Detention, s. 776.05, F.S.	You are justified to use force when: you reasonably believe it is necessary to defend yourself or another from bodily harm while making the arrest, retaking felons who have escaped, or arresting felons fleeing from justice.
Use of Deadly Force in Arrests	Deadly force is authorized to prevent an arrest from being defeated by flight, some warning was given, and you reasonably believe the fleeing felon: poses a threat of great bodily harm to you or others, or has committed a crime involving great bodily harm to another person.

Prevent Escape, s. 776.07, F.S.	You can use force to prevent the escape of an arrest person and to use deadly force to prevent the escape of an inmate from a penal institution.
Forcible Felonies, s. 776.08, F.S.	Forcible felonies include treason, murder, manslaughter, sexual battery, carjacking, home invasion robbery, robbery, burglary, arson, kidnaping, aggravated assault, battery or stalking of any other felony which involves the use or threat of great bodily harm.

In situations like this, state law authorizes people to commit acts that usually would lead to criminal liability, but only when their use of force is justified (s. 776.032, F.S.). “A person who uses or threatens to use force is justified in such conduct and is immune from criminal prosecution and civil action for the use or threatened use of such force.” As used in this statute subsection, the term “criminal prosecution” includes arresting, detaining in custody, and charging or prosecuting the defendant.

You are justified in the use of any force when you reasonably believe it to be necessary to defend yourself or another person from bodily harm while making an arrest, for retaking felons who have escaped, and in arresting felons fleeing from justice (s. 776.05, F.S.).

There are specific conditions required before you may use deadly force (s. 776.06, F.S.) in stopping a fleeing felon (s. 776.05(3), F.S.). You must believe that deadly force is necessary to prevent the suspect from escaping after a warning has been given, when feasible; and

- you reasonably believe that the fleeing felon poses a threat of death or serious physical harm to you or others; or
- the fleeing felon has committed a crime involving the infliction or threatened infliction of serious physical harm to another person.

You can use reasonable and necessary force in order to prevent the escape of an arrested person (s. 776.07, F.S.). Furthermore, the statute authorizes law enforcement and corrections officers to use deadly force to prevent the escape of an inmate from a penal institution (prison or county jail).

You will learn more about the use of force in Defensive Tactics.

LESSON VOCABULARY

deadly force

defense of property

forcible felonies

justifiable use of force

no retreat or stand your ground law

self-defense

UNIT 3 CRIMINAL LAW CONCEPTS

LESSON 1 INTENT AND CRIMINAL INVOLVEMENT

Lesson Goal

At the end of this lesson, you will be able to identify the role of each person involved in an incident and know the significance of intent in determining whether an act is criminal.

Objectives

- ☑ **AL231.1. Distinguish between the witness, victim, and suspect in a criminal incident**
- ☑ **AL231.2. Distinguish between a principal in the first degree, an accessory, and an accessory after the fact**
- ☑ **AL231.3. Understand the concept of criminal intent**
- ☑ **AL231.4. Know the meaning of criminal attempt**
- ☑ **AL231.5. Understand the elements of solicitation**
- ☑ **AL231.6. Understand the elements of conspiracy**

Identifying People Involved in a Crime

You must identify people at an incident and determine what they know about the crime. You will also determine whether the person participated in the crime, was a victim, or merely witnessed it.

A ***complainant*** is a person who reports a crime or alleges that a crime has been committed.

A ***witness*** is any person who has information about some element of the crime or about evidence or documents related to the crime. A witness may have heard statements or observed events before, during, or after the crime. A witness may have information about a piece of physical evidence associated with the crime or knowledge of some document related to the crime.

A ***confidential informant*** is someone who provides information about a crime, either from a sense of civic duty or in the expectation of some personal benefit or advantage, and whose identity is withheld until required by law.

A ***victim*** is a person or entity that suffers an injury because of a crime. The injury may involve physical harm, loss of money, loss of property, or damage to property.

A ***suspect*** is the person believed to have committed a crime. You may identify a suspect directly by observing that person commit the crime, indirectly through statements or observations that witnesses provide, through the suspect's own statements, or by learning of the person's identity based on evidence collected while investigating the crime.

A ***principal in the first degree*** is a person who commits a criminal offense against the state, or who helps or hires someone to commit an offense. If the offense is actually committed, or attempted to be

committed, then the person may be charged, convicted, and punished, whether or not he or she is actually or constructively present at the commission of the offense.

An ***accessory*** is a person who aids or contributes in the commission or concealment of a crime.

An ***accessory after the fact*** is an offense with all of the following elements:

1. An offender commits a felony.
2. After committing the felony, another person maintains or assists the offender.
3. While giving assistance, the person knows that the offender committed the felony.
4. The person assists the offender to avoid or escape detection, arrest, trial, or punishment.

Proving a Criminal Offense

Before a person can be charged with a criminal offense, you must have evidence that a crime has been committed. This is the legal principle known as ***corpus delicti*** or "body of the offense." You must determine whether the elements of a criminal act are present and that you have probable cause to believe that the person knowingly and intentionally committed the crime.

In most cases, a criminal offense requires a person to take some physical action or act toward committing the crime. However, a person may also commit a criminal act by failing to act, or by omission, but you must first prove that the person had a legal duty to act and not simply a moral duty.

Before charging a person with a crime, you need to determine whether a statute specifically prohibits an alleged act or an omission to act. Similarly, to determine the requisite intent to commit a crime, you need to determine what specific acts or facts must be present.

INTENT

For a suspect to be guilty of a criminal offense, the offense must be defined by specific conduct or a specific result. ***Intent*** is purposely doing what the law declares to be a crime, whether the person's purpose was to commit the crime or to meet its outcome.

ATTEMPT

Attempt is an offense when either the person did some act toward committing the crime that went beyond just thinking or talking about it; or the person would have committed the crime except that someone or something prevented him or her from doing so, or the person failed. Voluntary abandonment is not a defense to a crime when the suspect decides not to pursue the crime because of unforeseen difficulties in completing the crime or when detection of the criminal activity is imminent.

SOLICITATION

The State must prove the following elements to convict a suspect of ***solicitation***:

1. The suspect solicited a person to commit a certain offense.
2. During solicitation, the suspect commanded, encouraged, hired, or requested the other person to engage in specific conduct that would constitute the commission of the offense or attempt to commit the offense.

CONSPIRACY

The state must prove the following elements to convict a suspect of ***conspiracy***:

1. The intent of the suspect was that the offense would be committed.
2. The suspect agreed, conspired, combined, or confederated with the person(s) alleged to cause the crime to be committed either by them, or by some other person.

Conspiracy requires two or more parties with a criminal intent. It is not necessary that the agreement to commit be expressed in any particular words or that words pass between the conspirators. It is not necessary that the suspect do any act to further the offense conspired.

LESSON VOCABULARY

accessory

accessory after the fact

attempt

complainant

confidential informant

conspiracy

corpus delicti

intent

principal in the first degree

solicitation

suspect

victim

witness

UNIT 3 CRIMINAL LAW CONCEPTS

LESSON 2 ELEMENTS OF CRIMES

Lesson Goal

At the end of this lesson, you will know the statutory elements of common crimes.

Objectives

☑ **AL232.1. Differentiate between the crimes of theft and robbery**

☑ **AL232.2. Explain the elements of trespass on property or in a structure or conveyance**

☑ **AL232.3. Explain the elements of burglary**

☑ **AL232.4. List the elements of loitering and prowling**

☑ **AL232.5. Explain the elements of assault**

☑ **AL232.6. Explain the elements of battery**

☑ **AL232.7. Explain the meaning of domestic violence**

☑ **AL232.8. List the various types of homicide**

☑ **AL232.9. List the elements of disorderly conduct**

☑ **AL232.10. Explain the elements of drug offenses**

☑ **AL232.11. Explain the elements of sexual battery**

☑ **AL232.12. Explain the elements of criminal mischief**

☑ **AL232.13. Explain the elements of abuse offenses**

☑ **AL232.14. Explain the elements of false imprisonment**

☑ **AL232.15. List the elements of kidnapping**

☑ **AL232.16. Explain the elements of human trafficking**

☑ **AL232.17. Explain the elements of human smuggling**

☑ **AL232.18. Explain the elements of terrorism and agroterrorism**

☑ **AL232.19. Explain the elements of written threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism**

☑ **AL232.20. Explain the elements of use of a scanning device or re-encoder to defraud**

☑ **AL232.21. Explain the elements of criminal use of personal identification information**

Theft, s. 812.014, F.S., Misdemeanor/Felony

1. The defendant knowingly and unlawfully obtained, used, or endeavored to obtain or use the property of another.
2. The defendant did so with intent to deprive the victim of his or her right to the property or any benefit from it, or appropriate the property of the victim to his or her own use or to the use of any person not entitled to it.

Retail Theft, s. 812.015, F.S., Misdemeanor/Felony

1. The defendant knowingly did one of the following:
    a. took possession of or carried away merchandise
    b. altered or removed a label or price tag from merchandise
    c. transferred merchandise from one container to another
    d. removed a shopping cart from a merchant's premises
2. The defendant intended to deprive the merchant of the possession, use, benefit, or full retail value of the merchandise or shopping cart.

Robbery, s. 812.13, F.S., Felony

1. The defendant took the money or property from the victim or from custody of the victim.
2. Force, violence, assault, or putting in fear of violence was used in the course of the taking.
3. The property taken was of some value.
4. The taking was with the intent to permanently or temporarily deprive the victim of his or her right to the property or any benefit from it.

The difference between theft and robbery is that robbery involves the use of force against a person.

Carjacking, s. 812.133, F.S., Felony

1. The defendant took the motor vehicle from the victim or custody of the victim.
2. Force, violence, assault, or putting in fear was used in the course of the taking.
3. The taking was with the intent to permanently or temporarily deprive the victim of his or her right to the vehicle or any benefit from it.

Trespass—In Structure or Conveyance, s. 810.08, F.S., Misdemeanor/Felony

1. The defendant, without being authorized, licensed, or invited, willfully entered or remained in any structure or conveyance, or, having been authorized, licensed, or invited, was warned by the owner, lessee, or a person authorized by the owner or lessee, to depart and refused to do so.
2. The structure or conveyance was in the lawful possession of the owner, lessee, or other person authorized by the owner or lessee.

Trespass—On Property Other than a Structure or Conveyance, s. 810.09, F.S., Misdemeanor/Felony

1. The defendant willfully entered upon or remained in the property.
2. The property was owned by or was in the lawful possession of the owner, lessee, or other person authorized by the owner or lessee.

3. Notice against entering or remaining was given, either by actual communication to the defendant or via posting, fencing, or cultivation of the property; or the property was unenclosed ***curtilage*** (the ground and outbuildings immediately surrounding a structure) of a dwelling and the defendant entered or remained with the intent to commit a crime thereon other than trespass.
4. The defendant's entering or remaining in the property was without permission, expressed or implied, of the owner, lessee, or any other person authorized to give that permission.

Burglary, s. 810.02, F.S., Felony

1. The defendant entered in a structure or conveyance owned by or in the possession of the victim.
2. At the time of entering the structure or conveyance, the defendant had the intent to commit the crime that is listed in the charge.
3. The defendant was not licensed or invited to enter the structure or conveyance, or the premises were not open to the public at the time of the entering.

Loitering or Prowling, s. 856.021, F.S., Misdemeanor

1. The defendant loitered or prowled in a place at a time or in a manner not usual for law-abiding individuals.
2. Such loitering and prowling was under circumstances that warranted justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity.

Assault, s. 784.011, F.S., Misdemeanor

1. The defendant intentionally and unlawfully threatened, either by word or act, to do violence to the victim.
2. At the time, the defendant appeared to have the ability to carry out the threat.
3. The act of the defendant created in the mind of the victim a well-founded fear that the violence was about to take place.

The level of the crime can be enhanced when it is done on certain individuals or professions, such as a law enforcement officer or a firefighter.

Aggravated Assault, s. 784.021, F.S., Felony

1. The defendant intentionally and unlawfully threatened, either by word or act, to do violence to the victim.
2. At the time, the defendant appeared to have the ability to carry out the threat.
3. The act of the defendant created in the mind of the victim a well-founded fear that the violence was about to take place.
4. The assault was made with a deadly weapon, or the assault was made with a fully formed, conscious intent to commit the crime charged upon the victim.

The level of the crime can be enhanced when it is done on certain individuals or professions, such as a law enforcement officer or a firefighter.

Battery, s. 784.03, F.S., Misdemeanor/Felony

1. The defendant intentionally touched or struck the victim against the victim's will.
2. The defendant intentionally caused bodily harm to the victim.

The level of the crime can be enhanced when it is done on certain individuals or professions, such as a law enforcement officer or a firefighter.

Felony Battery, s. 784.041, F.S., Felony

1. The defendant actually and intentionally touched or struck the victim against the victim's will.
2. The defendant caused the victim great bodily harm, permanent disability, or disfigurement.

Aggravated Battery, s. 784.045, F.S., Felony

1. The defendant intentionally touched, struck, or caused bodily harm against the victim's will.
2. The defendant, in committing the battery,
    a. intentionally or knowingly caused great bodily harm, permanent disability, or disfigurement to the victim, or
    b. used a deadly weapon, or
    c. knew or should have known that the victim was pregnant.

The level of the crime can be enhanced when it is done on certain individuals or professions, such as a law enforcement officer or a firefighter.

Domestic Violence

There is not a specific charge of domestic violence, but rather an enhancement added to a charge, such as battery or aggravated battery. There is a detailed description of domestic violence in Chapter 4.

Homicide

All criminal homicides are felonies. See chapter 782 of the Florida Statutes for the specific elements of the offenses.

- **Murder**, s. 782.04, F.S.
- **Felony Murder**, s. 782.04, F.S.
- **Manslaughter**, s. 782.07, F.S.
- **Aggravated Manslaughter**, s. 782.07, F.S.
- **Vehicular Homicide**, s. 782.071, F.S.
- **DUI Manslaughter**, s. 316.193, F.S.

Breach of Peace/Disorderly Conduct, s. 877.03, F.S., Misdemeanor

1. The act was of a nature to corrupt the public morals.
2. The act outraged the sense of public decency.
3. The act affected the peace and quiet of persons who witnessed it.
4. The person charged engaged in brawling or fighting.
5. The person charged engaged in conduct to create a breach of peace or disorderly conduct.

Drug Offenses—Sale, Purchase, Manufacture, Delivery, or Possession with Intent, s. 893.13(1)(a), F.S., Felony/Misdemeanor

1. The defendant sold, purchased, manufactured, delivered, or possessed with intent to sell, purchase, manufacture, or deliver a certain substance.
2. The substance was the specific substance alleged.
3. If possession is charged, the defendant had knowledge of the presence of the substance.

Drug Abuse—Possession, s. 893.13(6)(a), F.S., Felony and s. 893.13(6)(b),(d), F.S., Misdemeanor*

The State must prove the following elements to convict a suspect of drug possession:

1. The defendant had knowledge of the presence of the substance.
2. The defendant exercised control or ownership over that substance.
3. The substance was the specific substance alleged.

*for possession of 20 grams or less of cannabis or possession of a controlled substance listed in s. 893.03(5), F.S. Under s. 381.986, F.S., it is legal for qualified persons to possess medically prescribed marijuana.

Drug Trafficking, s. 893.135, F.S., Felony/Capital Felony

The State must prove the following elements to convict a defendant of drug trafficking:

1. The defendant knowingly possessed, sold, purchased, manufactured, delivered, or brought into Florida a certain substance.
2. The substance was the specific substance alleged.
3. The substance weighed or exceeded a specific amount.

Substances include cannabis, cocaine, opium, oxycodone, amphetamines, fentanyl, or any other illegal chemical compound or derivative of these drugs. The determination between a felony and a capital felony depends upon the amount of controlled or illegal substance the violator possesses. Each type of substance has a description of the various significant weights that constitute the felony classification. The complete list of controlled substances is given in s. 893.03, F.S.

Trafficking means when a person knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of illegal substances at or beyond the threshold trafficking level weight or amount for the specific substance.

Use or Possession of Drug Paraphernalia, s. 893.147(1), F.S., Misdemeanor

The State must prove the following elements to convict a suspect of use/possession of drug paraphernalia:

1. The defendant knew of the presence of drug paraphernalia.
2. The defendant used or had in his or her possession, with intent to use, the drug paraphernalia.

Sexual Battery, s. 794.011, F.S., Felony

Sexual battery is the oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object. This does not include an act done for a bona fide medical purpose. There are several factors to determine the charge during a sexual battery investigation, including:

- the victim's age
- the offender's age
- consent
- injuries to the victim
- types of threats made to the victim
- whether the victim was drugged by the offender
- whether the victim was physically incapacitated
- whether the victim is mentally defective
- whether the victim is in custody or control of an offender who is a law enforcement officer.

Criminal Mischief, s. 806.13, F.S., Misdemeanor/Felony

1. The defendant injured or damaged property.
2. The property belonged to someone else.
3. The injury or damage was done willfully and maliciously.

Elder or Disabled Adult Abuse, s. 825.102, F.S., Felony

1. Intentional infliction of physical or psychological injury upon an elderly or disabled adult
2. An intentional act that could reasonably be expected to result in physical or psychological injury to an elderly or disabled adult
3. Active encouragement of another person to commit an act that results or could reasonably be expected to result in physical or psychological injury to an elderly or disabled adult
4. At the time, the victim was an elderly or disabled adult.

Child Abuse, s. 827.03, F.S., Felony

1. The defendant committed at least one of the following:
    a. intentionally inflicted physical or mental injury upon the victim
    b. committed an intentional act that could reasonably be expected to result in physical or mental injury to the victim
    c. actively encouraged another person to commit an act that results in or could reasonably have been expected to result in physical or mental injury to the victim
2. The victim was under the age of 18.

False Imprisonment, s. 787.02, F.S., Felony

1. The defendant forcibly, by threat, or secretly confined, abducted, imprisoned, or restrained the victim against his or her will.
2. The defendant had no lawful authority.

Kidnapping, s. 787.01, F.S., Felony

1. The defendant forcibly, secretly, or by threat confined, abducted, or imprisoned the victim against his or her will.
2. The defendant had no lawful authority to do so.
3. The defendant acted with intent to:
    a. hold the victim for ransom or reward or as a shield or hostage, or
    b. commit or facilitate commission of (applicable felony), or
    c. inflict bodily harm upon or to terrorize the victim or another person, or
    d. interfere with the performance of any governmental or political function

Human Trafficking, s. 787.06, F.S., Felony

Human trafficking means transporting, soliciting, recruiting, harboring, providing, enticing, maintaining, or obtaining another person for the purpose of exploitation of that person.

1. The defendant knowingly or in reckless disregard of the facts engaged in human trafficking, attempted to engage in human trafficking, or benefited financially by receiving something of value from participation in a venture that subjected a person to human trafficking.
2. The defendant did so knowing or in reckless disregard of the fact that a person would be subject to human trafficking.

Human Smuggling, s. 787.07, F.S., Felony

Human smuggling transporting into this state an individual who the person knows, or should know, is illegally entering the United States from another country; an offense against the integrity of the United States borders.

1. The defendant transported into this state a person from another country who does not have authorization to enter the United States legally.
2. The defendant knew or should have known that the person does not have authorization to enter the United States legally.

Terrorism s. 775.30, F.S., Felony/Life Felony

The State must prove the following elements to convict a defendant of terrorism:

1. The defendant committed a violent act or an act dangerous to human life that is a violation of criminal laws; or committed a violation of s. 815.06, F.S. (computer-related crimes).
2. The act intended to intimidate, injure, or coerce a civilian population; influence the policy of government by intimidation or coercion; or affect the conduct of government through destruction of property, assassination, murder, kidnapping, or aircraft piracy.

Agroterrorism, s. 775.35, F.S., Felony/Life Felony

To convict a defendant of agroterrorism, the State must prove that the defendant intentionally disseminated or spread any type of contagious, communicable, or infectious disease among crops, poultry, or livestock.

Written Threats to Kill, Do Bodily Injury, or Conduct a Mass Shooting or an Act of Terrorism, s. 836.10, F.S., Felony

To convict a defendant of this crime, the State must prove one of the two following elements:

1. The defendant wrote or composed any letter, inscribed communication, or electronic communication containing a threat to kill or do bodily injury to the victim or any member of the victim's family. The defendant sent or procured the sending of the letter, inscribed communication, or electronic communication to the victim.
2. The defendant made, posted, or transmitted a threat in writing or other record, including an electronic record, to conduct a mass shooting or an act of terrorism, in any manner that would allow another person to view the threat.

Use of a Scanning Device or Re-encoder to Defraud, s. 817.625, F.S., Felony

The State must prove the following elements to convict a defendant of this crime:

1. The defendant used a scanning device or re-encoder to access, read, obtain, memorize, or store, the information encoded on a payment card.
2. The defendant did so without the permission of the authorized user of the card and with the intent to defraud the authorized user, the issuer of the payment card, or a merchant.

Criminal Use of Personal Identification Information, s. 817.568, F.S., Felony

1. Any person who willfully and without authorization fraudulently uses or possesses with intent to fraudulently use the personal identification information concerning an individual without first obtaining that individual's consent. The degree of the felony depends upon the dollar amount of the fraud.

2. Examples of personal identification include the following:
    a. name, postal or electronic mail address, telephone number, social security number, date of birth, mother's maiden name, official state-issued or United States-issued driver license or identification number, alien registration number, government passport number, employer or taxpayer identification number, Medicaid or food assistance account number, bank account number, credit or debit card number, or personal identification number or code assigned to the holder of a debit card by the issuer to permit authorized electronic use of such card
    b. unique biometric data, such as fingerprint, voice print, retina or iris image, or other unique physical representation
    c. unique electronic identification number, address, or routing code
    d. medical records
    e. telecommunication identifying information or access device
    f. other number or information that can be used to access a person's financial resources

Personal identification information means a name or number that may be used, alone or in conjunction with any other information, to identify a specific person.

LESSON VOCABULARY

curtilage

human smuggling

human trafficking

personal identification information

sexual battery

trafficking

PATROL AND PROFESSIONAL COMMUNICATION

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UNIT 1 PROFESSIONAL EXPECTATIONS

LESSON 1 EFFECTIVE COMMUNICATION

Lesson Goal

At the end of this lesson, you will know the elements of effective communication.

Objectives

☑ **AL311.1. Describe the characteristics of effective communication**

☑ **AL311.2. Describe the role of listening and speaking in effective communication**

☑ **AL311.3. Describe how to effectively bridge communication and language barriers when interacting with the public**

Communication involves the exchange of messages, verbally and nonverbally. The desired outcome of any communication process is for all people involved to understand the information exchange. In interpersonal communication, the speaker transmits a message, such as a request or a question, to the listener. It is important for the speaker to use a form of communication that the listener understands. Listeners are most likely to understand when the speaker uses a clear voice with an appropriate tone and rate of speech.

When interacting with the public, you should try to relate spoken words to non-verbal messages, as this should help you to understand the situation. Interpersonal communication is not just about what is said, but also how it is said through tone of voice, facial expressions, and body language.

Characteristics of Effective Communication

PROFESSIONAL ATTITUDE

Your beliefs and values help establish your attitude and level of respect for others. Never allow your attitude to affect your listening skills. Your positive attitude is evident when you professionally ask appropriate questions and plan appropriate responses to situations.

SELF-KNOWLEDGE AND SELF-TALK

Sometimes you may encounter people who react negatively to your presence as someone representing a law enforcement agency. This is not an attack on you as a person, but on what you represent. ***Self-knowledge*** is the understanding of your own nature, character, abilities, motives, and limitations. Self-knowledge promotes self-control, especially when you are dealing with emotional triggers such as attacks on your personal and professional reputation, self-respect, or other beliefs.

Self-talk is the practice of talking to yourself as you anticipate, encounter, or evaluate an event. Having an internal conversation can help you remain objective in a difficult situation. Self-talk enables you to

keep thoughts, verbal and nonverbal communications, and emotional responses in check while you assess a situation and complete tasks.

COURTESY AND RESPECT

Courtesy is how you display professional conduct or show respect for others. Courtesy is essential when speaking with members of the community and other officers. Treat all people with dignity and courtesy, regardless of their attitude or behavior toward you. Demonstrate your professionalism through thoughtful words and actions. Showing respect is not a reflection on the character of the other person in a conversation, but on who you are as an auxiliary officer.

ACTIVE LISTENING

Active listening is more than merely hearing words. It takes practice, hard work, and often requires much more energy than talking. A good listener concentrates on what the speaker says, focusing on the words, ideas, and important information related to the topic. Listen carefully, evaluate the statement, and state back key points to show that you understand what the speaker is saying.

SPEAKING

You should adjust how you are speaking to accommodate the needs of your listeners. Always maintain good eye contact with your listeners. Use common words when speaking, and keep your sentences short and to the point. Give clear and specific directions in a calm tone of voice, especially in stressful, confusing, or noisy situations. Use open-ended questions to encourage the exchange of information without limiting the other person's responses to short or one-word answers.

BRIDGING COMMUNICATION AND LANGUAGE BARRIERS

Because language barriers can impede your communication ability, you must determine a person's ability to understand you during a community contact. For example, many Florida drivers may not understand English. They are concerned about being stopped, what you are doing or expect, and what they are supposed to do. Consider requesting an interpreter if the language barrier makes it difficult for you to be understood. To avoid communication barriers, remember to do the following:

- Be patient.
- Speak clearly.
- Show respect.
- Take adequate time when speaking.
- Avoid talking down to anyone or being demeaning.
- Listen carefully and explain fully what is expected and what you are doing.
- Refer the driver to other resources in the department to answer any additional questions.

LESSON VOCABULARY

active listening

communication

courtesy

self-knowledge

self-talk

UNIT 1 PROFESSIONAL EXPECTATIONS

LESSON 2 OFFICER SAFETY AND SURVIVAL

Lesson Goal

At the end of this lesson, you will understand the role of observation and the factors that affect observation, and the importance of practicing officer safety.

Objectives

- ☑ **AL312.1. Distinguish between observation and perception**
- ☑ **AL312.2. Describe the uses of observational skills**
- ☑ **AL312.3. Understand the importance of using the senses while performing official duties**
- ☑ **AL312.4. Explain the benefits of physical fitness when performing official duties**
- ☑ **AL312.5. Understand how to maintain situational awareness while on patrol**
- ☑ **AL312.6. Describe the relationship between anger, violence, and conflict resolution**
- ☑ **AL312.7. Describe strategies for conflict resolution an officer may use in a volatile incident**

Observational Skills

Every situation presents various safety concerns, such as unpredictable encounters with individuals, the use of makeshift weapons, and situations that restrict your view or ability to communicate with dispatch. Officer deaths and injuries can occur due to a lack of training, poor planning, carelessness, and, complacency.

Observation is recognizing a fact or occurrence using the five senses by keeping in view, noticing, or giving attention to persons, things, or circumstances. Observational skills improve through practice, such as memorizing car descriptions, people, and details at a scene. When observing others, note their appearance, height, weight, hair, clothing, approximate age, and other personal details. Focus on situations or behaviors that are of interest, including what is usual or unusual activity within a specific area. Do not get distracted by a few elements. Observe the entire scene before making a judgment.

Perception is the impression you form of a person, a group of people, or events based on experiences, biases, beliefs, assumptions, and observations. Various factors that affect perception are your gender, race, past, education, maturity, bias, mental and physical condition, and location. Perception is important because it can affect the way you judge situations, distort your observations, and cause you to miss important information.

Using the Senses

Sight is often the starting point for observation. Be aware that environmental and physical factors could affect vision. Lighting from sources like streetlights or fluorescent lamps can distort color perception. Darkness can greatly affect vision, as dimly lit objects tend to blend into the background and are harder to distinguish.

Hearing that is affected by background noises, such as traffic, noise from residences, or environmental sounds may prevent you from recognizing specific sounds that indicate that a crime or incident is in progress.

Smell can help you identify dangerous or illegal substances. You may smell gasoline, natural gas, or gunpowder and determine that there is a potential threat. Substances with strong odors can temporarily deaden the sense of smell. Some easily identifiable hazardous materials, such as chlorine gas or ammonia, are harmful if inhaled; however, other substances are not easily recognized. One example is fentanyl, which in a fine-powdered form, can be fatal if inhaled and left untreated. Use caution when opening and closing containers (coolers, boxes, thermos style containers) to identify contents. Do not smell the contents of the container, especially when dealing with any unknown substance.

Use touch to identify items during a search or pat down. Always wear gloves and appropriate personal protective equipment (PPE) to avoid touching something hazardous, such as biohazardous materials or fentanyl-laced drugs. Wearing gloves will also ensure you do not disturb the crime scene.

While taste is a sense, **NEVER use taste as a way to identify any unknown substance**. If you taste a hazardous substance, such as a drug or poison to identify it, you can become very ill or die.

Cover and Concealment

When arriving at a scene, immediately identify cover and concealment areas. ***Cover*** protects you from incoming gunfire. Examples of cover may include automobile engine blocks, brick walls, hills, concrete embankments, steel beams, and thick wood. ***Concealment*** is an object or environment that provides camouflage for you but will not stop incoming gunfire. Examples of concealment may include shrubs, fences, or other objects that keep you hidden and provide an observation position. You will receive more information on cover and concealment in Firearms.

Factors That Compromise Officer Safety

OFFICER PREPAREDNESS

Responding to a call without the appropriate mindset or attitude may cause you to become complacent during a potentially life-threatening situation. The ability to remain alert and observe surroundings is crucial for your safety and survival. Rely on training and experience, not emotional reactions, to perform your duties safely.

You should be in good physical condition to handle the demands of the job. Being in poor condition endangers you, other officers, and the public. An exercise and wellness program is an important part of your fitness for duty, as well as a proper amount of rest.

Your ability to observe hazards and signs of criminal activity is an integral part of patrolling. If you are preoccupied or distracted, you can miss potential danger signs and cause injury or death to yourself and others.

OFFICER SAFETY AND SURVIVAL DURING STRESSFUL SITUATIONS

You will revert to your training during a stressful situation. Recall your training and maintain survival readiness; this might include drawing upon your firearms proficiency, physical fitness, situational awareness, stress management, and first aid skills. Use mental conditioning and practice tactical preparedness to respond quickly and safely to a situation. On or off duty, you must plan and put this training into action. The circumstances of a situation will dictate the tactics you will use. Be alert and use your observational skills to analyze the scene for potential dangers.

Tunnel vision is the narrowing of the field of view during a stressful event such as a vehicle pursuit, a foot pursuit, or an armed confrontation. Tunnel vision can cause you to ignore other potential hazards. To avoid tunnel vision, scan your surroundings, and practice controlled breathing and self-talk.

Identify yourself as a law enforcement officer and give direct commands, such as “Stop!” or “Don’t move!” Speak in a tone appropriate for the situation. If you believe a suspect is armed, coordinate with backup units and use appropriate tactics to contact, control, and disarm the suspect.

Disarm a suspect before leaving cover, if possible. Order the suspect to turn away from you and drop any weapons; then order the suspect to step away. If you shoot a suspect, notify dispatch as soon as possible. Even after a suspect is shot, they may still be a threat. Do not holster your weapon or rush to the injured suspect until you have deemed the suspect is no longer a threat. Watch the suspect for unusual actions, especially hand movements. Handcuff the suspect and provide first aid as needed.

While in a patrol vehicle, you may face attack from sniper fire, firebombs, rocks, or other missiles. If this occurs, accelerate away from the area, roll up the windows, and turn off air conditioning to prevent chemicals from getting into the vehicle. Abandon the vehicle if it becomes disabled or there is no other avenue of escape. If you are on foot and come under sniper fire, seek immediate cover, call for assistance, and determine a safe approach for responding officers.

Conflict Resolution

Understanding how to manage and resolve conflicts is an essential skill for all officers. It is important to know the law, the extent of your authority, and how to apply both to any situation.

Law enforcement frequently responds to mediate conflicts. ***Conflict resolution*** involves managing and resolving a dispute rationally and effectively. It increases the awareness and understanding of everyone involved and how they can accept a decision or situation. It provides individuals with an understanding of what is most important to each of them.

When managing a conflict, first identify the cause of the conflict. Determine if the conflict can be resolved or only managed. Know the limitations of your skills, how to use the resources available to manage the conflict, and how to conclude it safely. It is your responsibility to steer the people involved in a potentially dangerous incident away from resorting to violence. You should remain unbiased and calm when helping people resolve conflicts. A guideline for conflict resolution is:

1. Separate the involved people, making sure they are in a safe location.
2. Assess the needs of the people while gathering information from all sides.

3. Explore possible options within the boundaries of the law.
4. If possible, implement a solution, explaining your action.

LESSON VOCABULARY

concealment

conflict resolution

cover

observation

tunnel vision

UNIT 1 PROFESSIONAL EXPECTATIONS

LESSON 3 COMMUNITY INTERACTION

Lesson Goal

At the end of this lesson, you will know how to present a positive self-image when you interact with the public to assist in solving community-based problems.

Objectives

☑ **AL313.1. Explain the importance of a positive self-image during a community interaction**

☑ **AL313.2. Understand command presence as a form of non-verbal communication**

☑ **AL313.3. Meet the community's expectations of professionalism and courtesy for an officer**

☑ **AL313.4. Explain bias-based or discriminatory policing as it relates to an officer's treatment of people while performing official duties**

☑ **AL313.5. Explain the legal equal protections guaranteed by the Fourteenth Amendment**

☑ **AL313.6. Recognize the perception by minorities of unfair treatment by law enforcement**

☑ **AL313.7. Explain the concept of community-oriented policing**

☑ **AL313.8. Understand the purpose of problem-solving models in community-oriented policing**

Command Presence and Self-Image

Adopt a positive self-image during community interactions. The professional appearance you present to the public can make a difference in the outcome of an incident. Improve your self-confidence, self-image, and credibility through physical training, career development education, and life experiences.

Command presence is your demeanor and confidence exhibited by a personal appearance, erect posture, alertness, and awareness of your surroundings. It is your most valuable non-verbal tool, and you develop it through a combination of training and self-confidence. Project competence and ability while remaining compassionate and courteous when interacting with the community. You will learn more about command presence in Defensive Tactics.

Community Expectations

Community refers to the people and locations that make up the neighborhoods, institutions, and businesses in the area where you work. Law enforcement officers are important resources that protect

the community from criminal elements. The community expects you to behave in a courteous, efficient, and accessible manner.

Professional behavior when interacting with the community is an important skill. Making a slur or disparaging comment can inflict emotional harm on the person who hears it. It can also undermine your reputation and the law enforcement profession as a whole, or incite negative behavior that could escalate into a threatening situation.

COMMUNITY PERCEPTIONS OF LAW ENFORCEMENT

Negative perceptions of law enforcement are a frequent topic of community discussion between the public and law enforcement. Your unprofessional reaction to a situation can destroy goodwill that took years to build. People who experience a negative contact with law enforcement might view all officers unfavorably, and therefore resist collaborating with law enforcement on community projects and cooperating with criminal investigations.

The need for public respect, support, and cooperation is essential when providing effective law enforcement services. The badge you wear symbolizes trust and respect; you may be the only face of law enforcement some people ever encounter.

DISCRIMINATORY OR BIAS-BASED POLICING

Discriminatory or bias-based policing is the unequal treatment of any person, including stopping, questioning, searching, detaining, or arresting a person because of the person's race, ethnicity, religion, gender, sexual orientation, or socioeconomic status. This behavior is illegal and can bring criminal or civil penalties against you.

A ***minority*** is a smaller segment of a population, differing from the majority by one or more characteristics. Because of past unequal treatment of minorities, most law enforcement agencies in the U.S. now require officers to report traffic data, including race and gender data, on their traffic stops. This data assists agencies in investigating possible allegations of bias-based policing. Various laws and court rulings require this information to detect and eliminate unfair policing. It is your responsibility to treat everyone within the community equally.

EQUAL PROTECTION

The Fourteenth Amendment guarantees equal protection under the law for all people within the United States. The fact that a person is of a particular racial or ethnic group is not a basis for suspicion of wrongdoing. Suspected violators may be targeted based only on their conduct.

It is wrong, legally and ethically, to use race, ethnicity, religion, gender, sexual orientation, or socioeconomic status as the sole basis for stopping a person. However, you may focus attention on a person of a particular race or background if you have specific suspect information. For example, if an alert is issued for an elderly Asian female suspect wearing a red shirt, you are justified in stopping elderly Asian females in red shirts because they fit that specific description.

Community-Oriented Policing

The goal of community-oriented policing is to examine issues that are characteristic of specific neighborhoods and to form partnerships with the community to address these problems. Community-

oriented policing has two core components: community partnerships and problem solving. Community partnerships increase understanding and trust between law enforcement agencies and community members. These community partnerships are essential in developing problem-solving strategies.

The second part of community-oriented policing is problem solving. Community partnerships allow law enforcement agencies to develop long-term, proactive programs and ways to address local problems. Positive and professional relationships let law enforcement agencies know about local crime-related issues. These relationships also establish a bond with the community and help the public learn about the methods that law enforcement agencies use to fight crime.

SARA

The ***SARA*** model is a problem-solving component of community-oriented policing. Its key elements are:

Scanning

Look for patterns in crimes, victims, or geographic locations. Scanning takes an intensive view of an area or series of events to understand the community's problems accurately.

Analysis

Determine the cause of the problem by collecting information from various sources and from everyone affected by the issue. Always consider community perspectives and interpretations of the problem.

Response

Respond to the problem by working with people who live and work in the area, local businesses, and public agencies. This phase focuses on developing long-term solutions by thoroughly collecting and analyzing data, then putting these solutions into practice.

Assessment

If there is still no resolution to the issue, then the cycle continues until you solve the problem. This may indicate the presence of more than one problem or that other factors are needed to solve the issue.

LESSON VOCABULARY

command presence

community

discriminatory or bias-based policing

minority

SARA

UNIT 1 PROFESSIONAL EXPECTATIONS

LESSON 4 ELEMENTS OF PATROL

Lesson Goal

At the end of this lesson, you will know the importance of patrolling your assigned area and maintaining your equipment. You will also understand non-criminal calls for service.

Objectives

- ☑ **AL314.1. Understand the importance of patrol to detect or deter criminal activity**
- ☑ **AL314.2. Understand the importance of maintaining equipment and training schedules**
- ☑ **AL314.3. Describe a safe response to a call for service that is non-criminal in nature**
- ☑ **AL314.4. Determine the level of service to provide by assessing the circumstances at the scene**

Patrol

Patrolling is a duty that you will perform daily. The primary reasons to patrol are to maintain a public presence, to enforce laws, and to deter crime. Patrolling an assigned area also includes developing resident and community contacts and providing information to residents. There are two aspects to patrol—reactive and proactive patrol.

Reactive patrol is taking responsive action to a call for service. It requires immediate action to catch a suspect. This strategy has officers answer calls for service and take reports about incidents in the community. Proactive patrol discourages criminal activity through presence and visibility. You continuously travel through your patrol area to get to know the residents and the neighborhoods. Making contacts outside of a call for service gives you the opportunity to make connections within your patrol area that can provide potential sources of information and assistance.

DUTY EQUIPMENT INSPECTION AND TRAINING

The equipment you use while on patrol is vital to your safety and effectiveness. If you do not routinely maintain your equipment, you could be injured or killed during a community contact. At the beginning of your shift, check all of the items on your duty belt to make sure all of the equipment is present and functional. You should have a working flashlight for every shift. Inspect patrol vehicles to make sure that all equipment is working, and make sure that the preventive maintenance on your vehicle is up to date. Regularly check the functionality of emergency equipment, such as fire extinguishers, biohazard gear, and first-aid kits. Never assume that others have maintained equipment.

BECOMING FAMILIAR WITH THE PATROL AREA

One of the first things you will learn is the layout of your assigned area, district, or jurisdiction. Knowing your patrol area allows you to recognize suspicious activity that is abnormal for a specific time of day. Become familiar with your assigned area by learning major roadways, landmarks, and community resources. Your patrol area may remain the same or change daily depending upon factors related to staffing, call volume, and individual assignments.

Your patrol status will change throughout the day, and you will notify dispatch of any changes to your availability and location while on duty. For safety, you should vary your patrol routine to keep others from predicting your patrol patterns.

There are various methods of patrol. The three most common types are vehicle, foot, and bicycle. Other forms of specialized patrol include marine, mounted, air, ATV, and motorcycle patrols.

Respond to a Non-criminal Call for Service

You will respond to many non-criminal calls for service. Each situation requires a different response. Requests for assistance that are non-criminal in nature may not be urgent at the time of the call, but the incident can become critical or dangerous at any time. Upon arriving at the scene, locate the complainant and introduce yourself in a professional manner. While listening to the complainant, gather information to determine what course of action to take. Keep in mind that the complainant may not understand that the situation does not require law enforcement intervention, such as power outages, parenting assistance, and keys locked in a vehicle. In situations where you are unable to resolve the issue, refer the complainant to an appropriate resource by providing pamphlets or other agency contact information.

UNIT 2 ELECTRONIC COMMUNICATIONS

LESSON 1 MOBILE COMMUNICATION DEVICES

Lesson Goal

At the end of this lesson, you will know the uses of mobile communication devices, understand how to use the radio, and recognize the importance of BOLOs.

Objectives

- ☑ **AL321.1. Explain the uses of mobile communication devices in conducting official functions**
- ☑ **AL321.2. Identify the importance of radio usage in the performance of an officer's duty**
- ☑ **AL321.3. Describe the duties of dispatch personnel when sending or receiving information**
- ☑ **AL321.4. Explain appropriate protocol when constructing and transmitting radio messages**
- ☑ **AL321.5. Describe the standard procedures for radio communication during a patrol shift**
- ☑ **AL321.6. Describe the function of a BOLO**
- ☑ **AL321.7. List the criteria to include in an effective BOLO**

Mobile Communication Devices

You will use mobile communication devices every day during your duty shift. You may use radios, laptops, tablets, and smartphones. You will use these devices to access criminal records, verify driver histories, submit electronic reports to a supervisor, and to perform routine tasks, such as responding to calls for service, and receiving dispatch information.

Be professional when utilizing any form of electronic communication, including text messaging, radio communication, and email. Database access agreements and agency policy regulate the dissemination of information. All computer activity is recorded and subject to review under public records law and you should have no expectation of privacy.

Make sure that you protect all criminal justice information in the vehicle before you provide transport or while you are detaining someone during an active incident. This includes closing the lids on digital terminals, covering any printed information from view, using a headset, or lowering the volume on your radio. It is your obligation to safeguard this information, and to prevent it from being seen or heard by people who do not need to know the details of an active investigation.

Communications Personnel

Public safety telecommunicators, also known as dispatchers, are non-sworn personnel who operate the radio and telecommunications systems. They usually work in a centralized area with access to telephones and other resources to assist public safety personnel. Their duties include receiving and transferring criminal justice information and the dispatching functions related to 911 calls.

Using the Radio

Throughout your shift, you will use radios to send and receive vital information, call for backup, or identify a suspect or wanted person. Basic police radio communication relies on three types of radio equipment:

- dispatch console or base station used by the 911 public safety telecommunicator
- vehicle-mounted radio
- portable/handheld radio

RADIO CONDUCT

Conduct all radio communication in a professional manner. Maintain proper volume levels on portable radios, so they are loud enough for you to hear but not so loud they are disruptive. You should not transmit sensitive information or criminal history details by radio. The Federal Communications Commission (FCC) prohibits people who use police radios, including dispatch personnel and law enforcement officers from:

- transmitting non-essential or excessive signals, messages, or communication
- using profane, indecent, or obscene language
- willfully damaging or permitting damage to radio apparatuses
- maliciously interfering with another unit's radio transmission
- making unidentified transmissions
- transmitting before the air is clear and interfering with other transmissions
- transmitting a call signal, letter, or numeral not assigned to the station or unit
- adjusting, repairing, or altering a radio transmitter (except by agency radio technicians)

All transmissions should only relate to law enforcement business to relay the following:

- law enforcement-related messages to other agencies within the state or in another state
- driver license status and driver history
- calls for service
- criminal records checks
- hazardous material queries
- vehicle, boat, and aircraft registration queries
- road condition and weather queries

RADIO PROTOCOL

Radio protocol describes the customs and regulations for transmitting radio messages. It also includes the proper use of codes and signals, which varies among agencies and regions. Some agencies use a phonetic alphabet or uniform codes; others prefer "plain talk." Radio codes and signals save airtime and convey precise meanings, help maintain professionalism, and promote uniform radio communications.

Listen to make sure there is no other radio traffic before transmitting a voice message. Clear radio transmissions depend on good speech habits. Speak with an even tone of voice. You should plan messages before transmitting them, and include essential information, such as your identification, current location, the reason for the call, and details specific to the situation.

CHECKING IN AND OUT

When you check in or out of service (go on or off duty), you must notify dispatch and receive an acknowledgement of the transmission.

RECEIVING AND ANSWERING CALLS

When you receive a call from dispatch, respond with your assigned identification and current location. Be prepared to write down the information that dispatch provides. Advise dispatch upon your arrival at the call and request backup or additional resources.

SELF-INITIATED ACTION

Sometimes, you may observe a situation that needs further investigation, known as a self-initiated action. If you take a self-initiated action, transmit the following information to dispatch:

- your identification and location
- type of action (such as, vehicle crash, fire, or disturbance)
- other assistance needed (such as, backup, ambulance, or tow truck)
- description of involved parties
- description of vehicle

BOLO

BOLO is an abbreviation for "Be on the Look Out." Local, state, or national agencies issue BOLOs for missing or wanted persons, stolen property, suspicious activity, or areas needing extra patrols. There is no standard format or content for a BOLO message, and they may include printed information, photographs, verbal reports, electronic messages, or internet postings. If you do not have sufficient information on a suspect, run a criminal justice database check (discussed in the next lesson) for outstanding warrants, criminal history, and any additional information to include in the BOLO. Contact dispatch to cancel the BOLO when the subject of the alert has been found.

If you need to issue an immediate BOLO, relay the following information to dispatch:

- the person's name and identifying information
- location of the incident

- reason for the BOLO
- alleged violation or reason the person is wanted
- last known mode and direction of travel
- person, vehicle, or property description or photograph

BOLOs are also issued for:

- Amber Alerts for missing and endangered children
- Silver Alerts for missing and endangered adults
- Blue Alerts for violent criminals who kill or seriously injure law enforcement officers

LESSON VOCABULARY

Be on the Look Out (BOLO)

radio protocol

UNIT 2 ELECTRONIC COMMUNICATIONS

LESSON 2 ELECTRONIC SOURCES OF INFORMATION

Lesson Goal

At the end of this lesson, you should understand the uses and restrictions of criminal justice information systems.

Objectives

☑ **AL322.1. Explain what information is available in the FCIC, NCIC, and NLETS databases for a records check**

☑ **AL322.2. Identify the policies governing data available through FCIC**

☑ **AL322.3. Explain what information is available in DAVID, FALCON, CJNET, and other online sources for a records check**

Electronic Sources of Information

The following terms mean gathering information for law enforcement purposes—***querying***, entering, running, vehicle check, records check, wants and warrants check, and criminal justice database check. Any information obtained from criminal justice databases is for official law enforcement use only. Abuse of the system will result in disciplinary action, decertification, or criminal charges. Agencies are liable for their officers' misuse of criminal justice information. Criminal justice databases maintain access logs for all transactions.

The Florida Crime Information Center (FCIC)

The ***Florida Crime Information Center (FCIC)*** is the state of Florida's central database for tracking crime-related information, including:

- statewide information on people and property
- driver's license and registration information
- wanted and missing persons
- stolen guns, vehicles, and other property
- suspect status files and computerized criminal histories

FCIC connects to the ***National Crime Information Center (NCIC)***. NCIC is a national database of criminal justice information for the United States and Canada. The FCIC and NCIC systems enable you to gather information on stolen property files for general articles, boats, guns, license plates, parts, securities, and vehicles. NCIC also contains the National Sex Offender Registry, supervised release files, protection orders, foreign fugitives, immigration violators, and known or suspected terrorists or gang members.

FCIC also connects to the National Law Enforcement Telecommunication System (NLETS), an international justice and public safety network. It supports inquiries into out-of-state motor vehicle and driver's license files, criminal histories, agency identification information, aircraft tracking and registration, out-of-state weather information, and hazardous materials.

Only agencies that maintain a 24-hours-a-day, seven-days-a-week operation can make entries into the FCIC systems. The entering agency is responsible for the accuracy, timeliness, and completeness of the records entered and the removal of the information when it is no longer valid. The agency can also provide details and safety concerns, depending on the location of the person or property. Agencies are encouraged to enter all warrants into both state and national systems. Due to the sensitive nature and volume of information included in the FCIC systems, follow agency policy when running a query.

QUERYING FOR INFORMATION

Queries related to a person require name, race, date of birth, and sex. Stolen property checks require basic information relative to the item. For firearms, you must have the serial number and the manufacturer. A vehicle check requires the vehicle registration, the vehicle identification number (VIN), or the registration decal number. For a vessel, the hull identification number (HIN), the vessel registration number, or registration decal number is required. For other stolen property, provide information such as manufacturer, property description, and any distinct markings or identifiers.

The FCIC database will return a list of possible matches for items that are similar or the same as your query. An exact match or ***hit*** requires confirmation from the entering agency before you arrest a wanted person or recover a missing person or stolen property. Contact the entering agency to verify the information is still valid and to prevent an erroneous arrest based on outdated or invalid warrants.

Other Electronic Sources of Information

CRIMINAL JUSTICE NETWORK

Members of the criminal justice community use the secure Criminal Justice Network (CJNet) to access many other valuable information databases. These include the FDLE InSite (gang-related information), Florida's Integrated Criminal History System (FALCON), Child Abduction Response Team (CART), and the Florida Sexual Offender and Predator databases.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The Florida Highway Safety and Motor Vehicles (DHSMV) maintains the Driver and Vehicle Information Database (DAVID) to authorized users for enforcement and investigative purposes. DAVID provides detailed information about vehicles or boats registered in Florida:

- driver images and signatures
- state-issued identification cards and identification documents used by non-citizens
- driving and vehicle history for motorists
- insurance and registration information
- traffic crash information and reports

FLORIDA'S INTEGRATED CRIMINAL HISTORY SYSTEM

FALCON is a search and report system that cross-matches fingerprints and criminal histories; contains photographs (including faces and tattoos); searches national and other criminal justice databases; and allows for instant updates of criminal justice information systems.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida Department of Agriculture and Consumer Services (DOACS) issues concealed weapon permits. You can make inquiries on concealed weapons permits through dispatch.

LESSON VOCABULARY

Florida Crime Information Center (FCIC)

hit

National Crime Information Center (NCIC)

querying

UNIT 3 INTERVIEW SKILLS

LESSON 1 FIELD NOTE BASICS

Lesson Goal

At the end of this lesson, you will be able to take thorough, factual, and complete field notes.

Objectives

☑ **AL331.1. Explain the importance of accurate note taking during an interview**

☑ **AL331.2. Identify the basic types of information to include in field notes during an interview**

Importance of Good Field Notes

Field notes are the primary documents you will use when writing reports, because they help you to recall the events of an incident, document information for further or follow-up investigations, and complete the final incident report. In some cases, these notes hold up as evidence in court, or help you to prepare for deposition or trial. Good notes also help others who might become involved in an investigation to understand the facts and circumstances of the case.

Your field notes should contain facts about specific events, information gathered from investigations, evidence that might aid in future investigations, and facts regarding the results of the investigation. Remember to include the case number in your field notes. All names, addresses, and other personal identification information should be spelled and recorded correctly. Compare any collected information with the person's legal identification.

Table 3-1 Basic Questions to Ask During an Interview

WHO	WHERE
was involved?	did the incident occur (exact physical location)?
are the victims, witnesses, suspects?	were all persons and officers during the incident?
reported it (complainant)?	WHEN
is the reporting officer?	did the incident occur (date and time)?
are the other officers involved?	did the officer arrive at the scene?
WHAT	WHY
happened (in chronological order)?	did the incident occur?
activity, violations, or crimes occurred?	What were the motives behind the incident?

action was taken?	What is the evidence to support the motives?
items were lost, stolen, damaged, or recovered?	HOW
weapons or tools were used or recovered?	did the incident start?
evidence was collected?	did the incident progress?
was the make/model/color of the vehicle?	was the incident reported?

UNIT 3 INTERVIEW SKILLS

LESSON 2 UNDERSTANDING *MIRANDA* RIGHTS

Lesson Goal

At the end of this lesson, you will recognize when Miranda warnings are required.

Objectives

- ☑ **AL332.1 Explain the importance of the *Miranda* decision for conducting a legal interrogation**
- ☑ **AL332.2. Identify the key aspects of the *Miranda* decision as provided in case law**
- ☑ **AL332.3. Know how to administer *Miranda* warnings to a suspect during an interrogation**
- ☑ **AL332.4. Describe the concept of custody in relation to the *Miranda* decision**
- ☑ **AL332.5. Explain the elements of interrogation in relation to the *Miranda* decision**
- ☑ **AL332.6. Explain the importance of a suspect understanding their *Miranda* rights**
- ☑ **AL332.7. Explain the importance of administering a waiver of rights prior to an interrogation**
- ☑ **AL332.8. Know the actions to take when a suspect invokes their *Miranda* rights**

A majority of the interaction you will have with the community will be in an interview—or non-custodial—setting. Interrogations, on the other hand, occur in custodial settings and are usually conducted by experienced and trained officers who understand *Miranda* warnings and can apply the limitations of those warnings. You may encounter situations, however, that will require you to know and understand the fundamental principles of giving a suspect the *Miranda* warnings to preserve constitutional rights. For instance, you may encounter a person covered in blood at the scene of a domestic disturbance call, or another officer may ask you to give *Miranda* warnings to a suspect during a large-scale incident or riot.

Miranda Decision

The Supreme Court decision, Miranda v. Arizona, 384 U.S. 436 (1966), was important to law enforcement's treatment of suspects. Until the *Miranda* case, the law presumed that people knew their constitutional rights. In *Miranda*, the Court decided that when an officer questions a suspect in custody, they must advise the person of their Fifth and Sixth Amendment rights. If an officer does not follow the *Miranda* requirements, any statement or admission gained from the suspect cannot be used in court.

There are four elements to the *Miranda* decision: custody, interrogation, understanding, and voluntary waiver of rights. The *Miranda* warnings apply when an officer conducts a custodial interrogation.

CUSTODY

Custody means the person is deprived of freedom in a significant way. Generally, interviews at the scene—such as *Terry* stops, traffic stops, and field sobriety exercises—are not considered custody because they are typically brief in nature. Handcuffing the person or otherwise restricting their movement so that they are not free to leave is considered custody.

If it appears that the person was not free to terminate the interrogation and leave, and a reasonable person in the individual's place would have believed that they were not free to leave, then the person was in custody and *Miranda* warnings were required. The most common custody situations involve subjects who are physically placed under arrest.

INTERROGATION

An ***interrogation*** occurs when an officer directly or indirectly questions a person with the intent to elicit an incriminating response. A suspect who is in custody might voluntarily give information without questioning. These ***spontaneous statements*** are admissible even if the officer does not advise the person of their *Miranda* rights. An officer may allow the person to continue talking but may not ask the them any questions without giving *Miranda* warnings. Not all questions posed to a suspect, such as biographical data, are part of an interrogation, and therefore are not subject to *Miranda* rules.

UNDERSTANDING

Officers must ensure that the person understands their rights before questioning begins. The person's age, national origin, education, mental or physical disability, and whether or not they are under the influence of an intoxicating substance are important to be documented in field notes, so that there is a clear record of any modifications, accommodations, or translations taken to address these issues for any future court proceedings.

WAIVER OF RIGHTS

Once the suspect is advised of their *Miranda* rights, they must waive those rights freely and voluntarily before the interrogation begins. The waiver ensures that the suspect understands those rights and that they have agreed to speak with the officer. A written waiver is preferred but not required, and field notes should document how the subject waived their rights. The officer may not make any promises or coerce the suspect in any way in order to obtain a confession.

Giving *Miranda* Warnings

Officers are only required to read *Miranda* warnings to a suspect during a custodial interrogation. When *Miranda* warnings are required, the officer should read the rights one at a time from a *Miranda* card or form. Always read the rights from a *Miranda* card or form. Not only will this guarantee that none of the rights are forgotten or mixed up, this will also solidify courtroom testimony.

MIRANDA CARDS

Your agency will issue a *Miranda* card to use when reading the *Miranda* rights to a suspect.

Miranda Warning	Acknowledgment of Rights
1. You have the right to remain silent. 2. Anything you say can and will be used against you in court. 3. You have the right to call or obtain an attorney at this time and have one present now or at any time during questioning. 4. If you cannot afford an attorney and you want one before or at any time during questioning, one will be provided to you. 5. If you decide to answer questions now, you have the right to stop answering at any time during questioning.	*After the warning and in order to secure a waiver, the following questions should be asked and an affirmative reply secured for Questions 1 and 3.* *If the individual has previously asked for an attorney, no valid waiver may be obtained, unless he or she initiated the conversation.* 1. Do you understand each of the rights I have explained to you? 2. Have you previously asked any law enforcement officer to allow you to speak to an attorney? 3. Having these rights in mind, do you wish to make a statement?

Invocation of *Miranda* Rights

The interrogation must immediately stop if the suspect makes a clear and unequivocal request to invoke any of their rights under *Miranda*. If the suspect invokes only their right to remain silent, the interrogation may re-initiate after "a significant lapse of time," as stated by the U.S. Supreme Court. On the other hand, if the suspect requests an attorney, no further questioning is allowed unless the suspect's attorney is present. If an in-custody suspect, in response to *Miranda* warnings, invokes their right to counsel, law enforcement may re-initiate contact with the suspect if the suspect experiences a break in police custody of at least 14 days. *Miranda* warnings should be provided to the suspect again (*Maryland v. Shatzer,* 559 U.S. 98 (2010)). The right to counsel contained in the *Miranda* warnings is crime specific, so the officer cannot question the suspect about a burglary when the suspect was arrested on completely unrelated charges.

LESSON VOCABULARY

custody

interrogation

spontaneous statements

UNIT 3 INTERVIEW SKILLS

LESSON 3 THE INTERVIEW PROCESS

Lesson Goal

At the end of this lesson, you will know how to prepare for an interview.

Objectives

- ☑ **AL333.1. Identify the purpose of an interview during an incident investigation**
- ☑ **AL333.2. Identify the important people to interview regarding an incident**
- ☑ **AL333.3. Choose a comfortable and safe environment suitable for interviewing**
- ☑ **AL333.4. Determine the order of people to interview based upon the factors of the incident**
- ☑ **AL333.5. Gather initial information about the incident from the people at the crime scene**
- ☑ **AL333.6. Direct victims, witnesses, and suspects to a separate location at a crime scene**
- ☑ **AL333.7. Gather information related to injuries sustained at the crime scene**
- ☑ **AL333.8. Identify the limitations on what an officer may say or do during an interview**

Interviewing for Information

The purpose of an interview is to collect facts and establish what occurred during an incident. The topic of the interview depends on the person's knowledge of the events or involvement in an incident. You should try to conduct interviews at the scene of an incident. Talk to all people who can provide the most information about the incident in simple language. Ask evenly spaced, non-threatening, open-ended questions about the event. The person is likely to answer open-ended questions with more detail. Ask questions aimed at establishing the elements of a crime. Avoid asking leading questions as they evoke a specific response from the interviewee.

Classes of Interviewees and Interview Order

You must identify all parties at a crime scene, including complainants, victims, and witnesses. The same person can belong to more than one category, as the victim may also be the complainant, or a person initially identified as a witness may become a suspect as the investigation progresses. Decide which people to interview by seeking information from bystanders at the incident. Interviewing all people with knowledge of the incident is important, but if a person is not interviewed, explain the reasons for not doing so in your field notes. The people you will interview belong to these five categories, and are usually interviewed in the following order: complainants, victims, witnesses, and suspects.

People on the Scene

Make sure that you take complete and careful notes for each interviewee. Be patient and professional at all times. Remember to keep complainants, victims, and witnesses separated in a criminal investigation. You are responsible for creating an atmosphere that will encourage participation by the interviewee. Isolating an interviewee prevents outside influences, and privacy helps build rapport and gain trust. Choose a safe location away from other interviewees in order to discourage the discussion or rehearsal of their accounts. Multiple witnesses who have viewed or experienced the same event never recall the same details. You can schedule follow-up interviews with people if they are not able to give an accurate account of what happened.

Separating family members during a crisis is a difficult decision. Use your best judgment in assessing whether separation is necessary. In a child abuse incident, for example, separation of certain family members from each other may be unavoidable or may not be appropriate.

When there are injured people at the scene, you might have to provide first aid. If the victim does not require immediate first aid, ask direct, fundamental questions about how the victim sustained the injury. Record detailed observations of the injuries in your field notes, including photographs of the injuries as part of your report. Verify if the information the victim provides appears to be consistent with the injuries and evidence at the scene. Note specific information regarding the location, size, and type of injury. Tell the victim to notify you for further documentation and if the injuries or bruising intensify.

If an interviewee suffers from a serious injury and requires medical assistance, make a note to interview this person later when they have recovered.

Interview Considerations

You must be alert during interviews. Be mindful of your safety, consider the situation, and remember that an interviewee may be armed with a weapon. Your firearm should be positioned on the side that is away from the interviewee. When possible, avoid sitting or standing with your back to a door.

Florida law allows you a substantial amount of discretion when conducting interviews, but there are limitations on what you may say or do during an interview. You may never:

- make threats
- promise leniency
- create physical evidence for use during an interview

These are examples of deceptive tactics and may suppress the legitimacy of admissions, confessions, and evidence that result from the interview. Such tactics can also result in administrative discipline and civil liability for you and your agency.

UNIT 3 INTERVIEW SKILLS

LESSON 4 CONDUCTING THE INTERVIEW

Lesson Goal

At the end of this lesson, you will be able to conduct an interview and document the information.

Objectives

- ☑ **AL334.1. Describe the three stages involved in an interview process**
- ☑ **AL334.2. Describe the basic types of interview techniques used during questioning**
- ☑ **AL334.3. Describe what officers can do to evaluate their interviewing skills**
- ☑ **AL334.4. Respond to common signs of deceptive responses exhibited by an interviewee**
- ☑ **AL334.5. List effective officer responses to different types of interviewee behaviors**
- ☑ **AL334.6. Describe how to administer an oath to obtain a written sworn statement**
- ☑ **AL334.7. Explain the importance of reviewing an interviewee's statements for completeness**
- ☑ **AL334.8. Explain the importance of an interviewee's signature on a written statement**

Stages of the Interview Process

There are three stages of a planned interview: warm-up, primary, and closing. In the warm-up stage, you establish rapport and build understanding with the interviewee. Introduce yourself and ensure that the interviewee is physically comfortable. Explain the purpose of the interview, why the information is important, and how it will be collected and used.

During the primary stage, you obtain information about the incident from the interviewee. The goal of an interview is to gather all pertinent information, so you should use simple language that the interviewee can easily understand.

The closing stage concludes the interview. Express an appreciation for the interviewee's time. Verify contact information from the interviewee in case additional questions come up in the future, and then summarize all information collected for the report.

Basic Interview Techniques

There are three types of basic interview techniques:

- ***Mirroring:*** by assuming a posture similar to the interviewee, you indicate that you are actively listening. You repeat what the interviewee says but rephrase responses as questions and statements that help clarify information or elicit a more detailed response.
- ***Minimal encouragers:*** use brief statements that indicate you heard what the interviewee said and want to hear more. Examples include “Okay,” and “Go on,” and “Then what?”
- ***Cognitive interviewing:*** ask questions to reveal information from sensory experience. Examples include “What did you see? “or “Who wore the red jacket?” or “ When did you hear the noise?”

Evaluate your approach, adjust where necessary, and continue the interview. Assess your performance by determining if the information from the interview is suitable for submission in court. If you do not believe you have obtained enough information from the interviewee, plan for a follow-up interview.

Common Signs of Deception During an Interview

Physiological and behavioral signs of nervousness, stress, and possible deception may include:

Physiological

- increased perspiration, pulse rate, or breathing rate
- changes in skin color
- dry mouth

Behavioral

- change in tone of voice, volume of speech, rapidity of speech, pauses or silence
- inability to sit still (foot tapping, leg shaking, finger tapping, pacing)
- refusing to look at you or looking for an escape route
- giving answers that appear rehearsed or giving too much or too little clarification
- giving verbal responses that are inconsistent with non-verbal responses
- attempting to change the line of questioning
- being overly eager to help
- responding to questions with questions
- asking for simple questions to be repeated or repeating the question you asked

Officer Response to Interviewee Behaviors

Once you understand the interviewee’s normal base line behavior, you should transition to asking questions related to the incident. Consider all aspects of an oral statement when an interviewee is providing information, such as a suspect making incriminating statements or confessing guilt. Innocent people have made untruthful admissions and confessions, so all statements must be corroborated.

Type of Interviewee	Behavior to Model with Interviewee
Cooperative	• Establish rapport. • Confirm the interviewee's observations and statements. • Ask direct questions. • Do not confuse or frustrate the interviewee.
Uncooperative	• Establish control of the interview. • Keep your composure. • Be polite and direct.
Reluctant	• Establish rapport. • State the purpose of the interview. • Speak in a subdued tone of voice.
Hostile	• Establish control of the interview. • Maintain a neutral demeanor. • Do not argue with the interviewee. • Follow safety precautions, including checking for a weapon. • Ask direct questions. • Try to reduce the interviewee's stress and anxiety.
Talkative	• Establish the purpose of the interview. • Be patient. • Ask closed-ended questions to return to the subject of the interview. • Keep on topic, and prevent them from steering the conversation.
Victim	• Decide if the victim can physically and mentally be interviewed. • Build rapport. • Be aware of the victim's verbal and non-verbal cues. • Prompt the victim with primary and follow-up questions. • Maintain a relaxed and calm interview environment.
Suspect	• Usually questioned by a career officer with interrogation experience. • Consider the safety of all concerned. • Give *Miranda* warnings, when applicable. • Do not stereotype, pre-judge, ridicule, or bully the suspect. • Be cautious about what you say. Make no threats or promises.
All Interviewees	• Listen carefully to the interviewee. • Be polite, patient, and understanding. • Encourage the interviewee to disclose information.

Obtaining Sworn Statements

A ***statement*** is a verbal or written record of a person's account of an incident. Statements may be taken from anyone who has information about a crime, incident, or occurrence. A ***sworn statement*** is written or oral facts that are stated under oath or penalty of perjury. These statements are preserved as

evidence. If a person refuses to give a statement, indicate it in your notes. You cannot force someone to provide a statement, but they can be required to appear in court to give testimony at a later time.

WHEN AND HOW TO GIVE AN OATH

Inform the interviewee that you require a sworn written statement, and that you can administer an oath or an affirmation. An ***oath*** is a solemn and formal promise, often invoking God as a witness, to tell the truth regarding what one says or intends to do. An ***affirmation*** is a solemn and formal declaration or assertion made in place of an oath, usually taken to avoid the religious implications of an oath. Advise the interviewee it is perjury to give false information in a statement. Ask the interviewee, "Do you swear or affirm that the statement you are about to give is true and accurate to the best of your knowledge?" The law does not require people to raise their right hand when giving an oath or affirmation.

WRITTEN STATEMENTS

When asking a person to provide a written statement, explain the reason for the request and be clear about what information the person should include. You may not tell interviewees what to write in their statements. This is their official version of the facts of the incident, and you may not influence or compel them to say anything else.

Individual Writes Statement

Individuals should describe, to the best of their recollection, every event, person, weapon, and vehicle involved in the incident. Read the statement and compare its content with notes taken during the person's first verbal report of the incident. People who cannot speak English can write a statement in their own language, but you will need a certified translator to assist you. You should follow agency policy regarding the use of translators.

Officer Writes Statement

If the interviewee does not read or write, or has another limitation, write the statement for them. Ask questions or have the person relay the information in their words to you while you write the statement. Read the statement back to the interviewee, make any needed corrections, and then ask the interviewee to sign and date the statement or make a thumb mark. A witnessing officer should also notarize the statement. At the end of the written statement, annotate the following phrase: "*Dictated by ____ and written by Officer ____.*"

SIGNING THE STATEMENT

Check to see if a written statement is complete before the interviewee signs the document. The interviewee signs the statement to confirm that the content is factual, correct, and complete. In some situations, an interviewee may be injured, sick, incapacitated, and unable to sign the statement. Document the reason why the person was unable to sign the statement in your field notes. If possible, you can ask a witness to sign the statement. If the person gives a statement, but refuses to sign it, write that the person "refused to sign" in your field notes.

LESSON VOCABULARY

affirmation

cognitive interviewing

minimal encouragers

mirroring

oath

statement

sworn statement

UNIT 4 WRITING SKILLS

LESSON 1 INCIDENT REPORTS

Lesson Goal

At the end of this lesson, you will be able to write effective incident reports.

Objectives

- ☑ **AL341.1. Describe the critical job functions of an incident report**
- ☑ **AL341.2. Describe the two common methods of organizing information for report writing**
- ☑ **AL341.3. Review field notes to ensure correctness and accuracy prior to writing a report**
- ☑ **AL341.4. Apply the Standard English elements of clear and effective report writing**
- ☑ **AL341.5. Review a completed incident report for errors using Standard English grammar rules**

The Importance of a Good Report

It is important to write clear, concise, and effective reports. Reports are used in many proceedings as official representations of the facts surrounding an incident. Reports can assist in prosecutions, reduce legal liability for both you and your agency, and provide an accurate record of an incident.

Reports become public records under Florida law once they are submitted and approved. They are retained long after the active case is completed. Keep in mind that if you are using a body camera, you may request to review the recorded footage from the body camera before writing a report or providing a statement regarding any event pertaining to your duties.

A report must withstand the test of time because it could be referenced as fact years after an incident happens. You must consider the potential readers and purpose of each report. The majority of people who will read your reports are not police officers. The readers will have varying life experiences, education, and reasons for reading the report.

There are a variety of reports you may write while on duty, such as offense reports, incident reports, traffic reports, and follow-up interviews. Regardless of the purpose, you should endeavor to write well. Incidents that require written reports include:

- all crimes
- use of force by an officer
- suicide
- death
- found property

- runaway juvenile
- missing or endangered person
- traffic crashes as required by law
- miscellaneous non-criminal or suspicious incidents
- probable cause affidavits
- additional or supplemental information
- possible terrorist threats or activities

Elements of an Effective Incident Report

ORGANIZING INFORMATION

Organizing your field notes will make writing a report more efficient. You can organize field notes in two ways: chronologically or by category. Organizing chronologically means sorting information by date and time. Chronological order is especially useful when writing a narrative and allows you to easily explain a sequence of events. Information can also be grouped by category, such as by witnesses, victims, suspects, weapons used, and crime elements. This method of organization helps when completing report forms or for incidents that involve multiple witnesses or victims.

INTRODUCTION, BODY, AND CONCLUSION

To present a clear narrative, a report must contain an introduction, a body, and a conclusion. The introduction usually includes the basic information of the incident. The body of the narrative is the detailed chronological account of the incident. This section includes the investigative actions that you took. The body of the report may contain one or more paragraphs, depending on the complexity of the case and the number of people involved. The conclusion explains how you resolved the situation. It also includes any citations issued or arrests made, and documents appropriate criminal charges.

STANDARD ENGLISH

Make sure to review your field notes to verify that all facts are available before you start your report. Use Standard English grammar rules when writing your reports to make sure that your sentences are complete, your words are spelled correctly, and your content is clear in meaning. Write in active voice to tell the reader who or what is performing the action, what the action is, and who or what is receiving the action. Always write reports in past tense, because the events have already happened.

Include all relevant facts and specific details from your field notes in your incident report. Record your observations of all witnesses, suspects, victims, and other officers involved in an incident. Include every witness account in your report, even if the information is contradictory. If a person uses jargon, slang, racial slurs, or offensive language, report exactly what they said using quotation marks. These statements are valuable to the investigation to establish the person’s frame of mind.

If handwriting a report or a form, print clearly and neatly. You should use a black or dark blue ballpoint pen for legibility. In some cases, writing in all capital letters is a good solution to poor penmanship. A perfectly written report is of no value if no one can read it.

FACTUALITY, PROPER IDENTIFICATION OF STATUTES, AND ELEMENTS OF THE CRIME

Your incident report must be factual. Do not alter any information obtained about an incident. Doing so is considered falsifying a report and is a criminal offense. Properly identify the correct name of the crime and statute violated. If the narrative accurately describes and outlines the elements of the crime but does not state the crime or crimes, the entire report may be questioned.

TIMELINESS

Complete your reports as soon as possible after the incident. This helps you avoid forgetting important details, especially for facts that may not have been recorded in the field notes. If further investigation is required, you may have to write supplemental reports. Late reports impede investigations and delay prosecution preparations.

Review and Submit Your Incident Report

Once your incident report is finished, review it to make sure it is complete. Proofread the report to confirm that you used correct spelling, punctuation, capitalization, and grammar. Take your time in examining the content of your report, and correct any errors. Verify that you have included all of the facts from your field notes. Ensure that the elements of the crime are clearly detailed and you recorded all the procedures that you followed, including BOLO notifications, victims and witness pamphlets, and domestic violence information.

INTERACTIONS IN A DIVERSE COMMUNITY

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UNIT 1 COMMUNICATING IN A DIVERSE SOCIETY

LESSON 1 DISABILITY AWARENESS AND PROTECTION

Lesson Goal

At the end of this lesson, you will recognize a disability as defined by the Americans with Disabilities Act (ADA) and use the guidelines to maintain the rights of a disabled person. You will also know the criminal elements of abuse, neglect, or exploitation of an elderly or disabled adult.

Objectives

☑ **AL411.1. Explain how the requirements of the ADA affect an officer's duties**

☑ **AL411.2. Explain how officers can protect the rights of a person with a disability**

☑ **AL411.3. Describe the officer guidelines for interacting with a person who has disabilities**

☑ **AL411.4. Know the signs of abuse, neglect, and exploitation for an elderly person or disabled adult**

☑ **AL411.5. Know how to assist a DCF investigator to investigate an elderly person or disabled adult abuse incident**

☑ **AL411.6. Know how to document incidents of abuse, neglect, and exploitation of an elderly person or disabled adult**

Americans With Disabilities Act

The Americans with Disabilities Act (ADA) is a federal civil rights law that prohibits discrimination against persons with disabilities. According to the ADA, a person with a disability has a physical or mental impairment that substantially limits a major life activity, has a record of such impairment, or is regarded as having such impairment. People with disabilities vary in age and levels of impairment.

Protecting the Rights of People With Disabilities

People with disabilities have the same rights as everyone else, and you must protect these rights. Some individuals with disabilities may not understand their *Miranda* rights, and may need you to explain the rights in terms the person can understand. You will need to inform the receiving facility of the disability if the person is taken into custody.

Guidelines for Interacting With People With Disabilities

Be sensitive and aware of people's differences while demonstrating respect for their limitations. Treat people with disabilities the same way you treat others. Maintain eye contact with and speak directly to

the person, even when an interpreter is present. Speak in a normal tone of voice unless the person has a hearing impairment; then, speak clearly and distinctly and write notes if necessary. Be patient because it may take extra time for a person with a disability to say, do, or show something.

If the person requests assistance, follow the person's instructions on what and how they need you to perform a task. Some people with disabilities use a service animal to assist them with daily activities. In the event that a person with a disability is arrested, care must be arranged for the service animal. Try to place the animal with a family member, a friend, or a kennel rather than calling animal control.

Abuse, Neglect, and Exploitation of a Person Who Is Elderly or Disabled

People with disabilities or of an advanced age tend to be more dependent on others, due to their limitations and needs. This increases their vulnerability to neglect and certain types of crime, such as fraud or exploitation. Given the dependent relationship with their caregivers or others who may victimize them, people in these positions may be reluctant to report crimes committed against them.

ABUSE

To establish probable cause for abuse, document that the victim was elderly or disabled and the suspect knowingly or willfully:

- inflicted physical or psychological injury upon the victim,
- committed an intentional act that could reasonably be expected to result in physical or psychological injury to the victim, or
- actively encouraged another person to commit an act that resulted in or could reasonably have been expected to result in physical or psychological injury to the victim.

AGGRAVATED ABUSE

To establish probable cause for aggravated abuse of a person who is elderly disabled, document that the suspect did at least one of the following:

- committed aggravated battery upon the victim,
- willfully tortured, maliciously punished, or willfully and unlawfully caged the victim, or
- knowingly or willfully abused the victim and caused great bodily harm, permanent disability, or permanent disfigurement

NEGLECT

To establish probable cause for neglect, document that the victim was an elderly person or disabled adult, the suspect was a caregiver for the victim, and:

- the suspect willfully failed or omitted to provide the care, supervision, and services necessary to maintain the victim's physical or mental health, or
- the suspect failed to make a reasonable effort to protect the victim from abuse, neglect, or

exploitation by another person.

EXPLOITATION

To establish probable cause for exploitation, document that the victim was an elderly person or disabled adult and:

- the suspect knowingly obtained or used, attempted to obtain or use, or conspired with another to obtain or use funds, assets, or property of an adult who is elderly or disabled, or
- the intent was to deprive them of the use, benefit, or possession of the funds, assets, or property temporarily or permanently, or
- doing this benefits someone other than the adult who is elderly or disabled, or
- the subject can be in a position of trust and confidence or has a business relationship with the adult who is elderly or disabled, or
- the subject knows or reasonably should know that the adult who is elderly or disabled lacks the capacity to consent.

DCF Collaborative Investigation

You may become aware of suspected abuse or neglect of an elderly or disabled adult during the course of a separate investigation, by direct contact with a person in the community, or through dispatch. Section 415.1034, F.S., outlines that you are legally required to report abuse, neglect, or exploitation of an elderly or disabled adult to the Department of Children and Families (DCF) by calling the Abuse Hotline at 1-800-96-ABUSE or for law enforcement use only, 1-866-LE-ABUSE.

The DCF investigator will conduct a social services investigation, which is separate from a criminal investigation. You will be able to use the same information in your criminal investigation to prove the elements of abuse, neglect, or exploitation of an elderly or disabled adult. Information may include sworn statements from a physician indicating the victim has suffered abuse, transcripts of interviews with the victim, and the family history including previous neglect or abuse complaints. You might need to transport or call for assistance for the victim if they are to be removed from the scene of the incident for medical or safety reasons.

UNIT 1 COMMUNICATING IN A DIVERSE SOCIETY

LESSON 2 PHYSICAL DISABILITIES

Lesson Goal

At the end of this lesson, you will recognize the characteristics of physical disabilities and will learn the techniques for responding to a person with a physical disability.

Objectives

- ☑ **AL412.1. Understand the different types of physical impairments**
- ☑ **AL412.2. Explain how an officer should interact with a person who is visually impaired**
- ☑ **AL412.3. Explain how an officer should interact with a person who is hearing impaired**
- ☑ **AL412.4. Explain how an officer can protect the rights of the hearing impaired during an arrest**
- ☑ **AL412.5. Explain how an officer should interact with a person who is speech impaired**

Mobility Impairment

A person with a mobility impairment may have limited use of one or more of their extremities for walking, grasping, or lifting objects. Do not assume that a person who has a mobility impairment needs assistance. Some activities may appear to be difficult, but the person may not need or want help. When speaking to someone in a wheelchair, sit down to be at eye level with the person, while maintaining officer safety.

Vision Impairment

Vision impairment is a loss or partial loss of eyesight. Provide special accommodations for victims, witnesses, and suspects who are visually impaired. Give someone with a visual impairment a large-print version of any written documents that require a signature, or read the documents to them.

Hearing Impairment

A hearing impairment is any degree of hearing loss. Face the person, maintain good eye contact, and speak clearly, slowly, and distinctly, using an appropriate volume without shouting. Shouting or exaggerated mouth movements distort speech, making your words difficult to understand.

If interviewing a person who relies on sign language, speak to the hearing-impaired person, not to the sign-language interpreter. If an interpreter is not available, you may need to ask the person to make a written statement of the events of the incident. When advising a hearing-impaired person of *Miranda*

rights, the ADA requires you to consider the person's choice of communication assistance, and whether that requires an interpreter, or a communication aid such as a TDD, depends on the nature of the communication, the needs of the person, and your agency policy.

Speech Impairment

A speech impairment is a physiological condition that causes someone to have difficulty in producing sound or understandable language. Common examples of speech impairments include stuttering and slurring of words. If you are having difficulty understanding the person's speech, ask if there is a family member, friend, or neighbor who may provide assistance. If no one is available, ask the person to repeat what was said or ask them to make a written statement of the events of the incident.

UNIT 1 COMMUNICATING IN A DIVERSE SOCIETY

LESSON 3 DEVELOPMENTAL DISABILITIES

Lesson Goal

At the end of this lesson, you will recognize behaviors associated with different types of developmental disabilities and determine how to intervene appropriately.

Objectives

- ☑ **AL413.1. Describe the characteristics of a developmental disability**
- ☑ **AL413.2. Describe the functional limitations of a person with a developmental disability**
- ☑ **AL413.3. Know how to respond with assistance to a person with a developmental disability**
- ☑ **AL413.4. Know how to use available resources to assist people with developmental disabilities**

Developmental Disabilities

A developmental disability is an incurable intellectual, physical, or behavioral impairment. This disability causes substantial functional limitations in major life activities such as learning, mobility, self-care, the capacity to live independently, and the ability to be economically self-sufficient. Individual capabilities and independence are possible using modifications and accommodations. Depending upon the person's level of disability and access to available resources and caregivers, a person with a developmental disability may be vulnerable to crimes of opportunity.

Autism Spectrum Disorders

Autism spectrum disorders are a type of developmental disorder. Autism is characterized by communication and social skill deficits and includes a range of functioning levels with varying degrees of independence. When faced with adverse situations, people with autism may engage in repetitive coping skills, including rocking, humming, pacing, or other behaviors.

Regardless of the functioning level of independence, people with autism may not know how to read facial expressions and body language and may not have a concept of personal boundaries. They also may be unable to understand abstract uses of language, such as humor, sarcasm, and metaphors. In addition, they may show an obsessive interest in a particular subject, about which they may carry on lengthy, one-sided conversations with a high degree of knowledge.

People with autism who are less independent have pronounced deficiencies in language development and may even be non-verbal. They may have varying degrees of mental challenges and may be unable to behave appropriately in a social setting. Often these individuals prefer to be alone, may avoid eye contact with others, and can exhibit unpredictable behavior.

Interacting With People With Developmental Disabilities

You may respond to situations involving a person who has a developmental disability. When interacting with a person with a developmental disability, a parent or caregiver will provide reassurance and assistance for the person. If the person is alone, they may have a personalized piece of technology or some other form of identification, such as a medical alert bracelet, that can assist you in contacting the caregiver.

Directing People With Developmental Disabilities

People with developmental disabilities have difficulty following verbal commands and interpreting body language. Be patient and treat the person with dignity. When responding:

- Maintain a calm presence.
- Speak clearly.
- Use direct phrases, avoid slang expressions.
- Be patient, and allow extra time for responses.
- Verbalize your actions before initiating them.
- Model the behavior you wish for them to follow.
- Give praise and encouragement when appropriate.
- Avoid quick movements and large hand or arm gestures.
- Be alert for possible verbal or behavioral outbursts.
- Allow repetitive coping skills to continue if the situation allows.
- Be aware that touching a person with autism may cause a “fight or flight” reaction.
- Decrease sensory input for hypersensitive persons.

In Custody

Self-injurious behaviors and medical issues such as seizure disorders can be problematic when taking a person with a developmental disability into custody. Remember the following safety concerns:

- Maintain a reactionary gap.
- Evaluate the person for any injuries.
- Remain alert to the person having an outburst or acting impulsively.
- The person may have poor muscle tone, so positional asphyxia is a concern.
- Alert jail authorities that you have a person with a developmental disability.

If there is a need for services, refer people with developmental disorders to DCF, the local mental health facility, the Center for Autism and Related Disorders (CARD), or the Autism Society of Florida.

When interviewing a person with a developmental disability, be aware that the person may be easily intimidated, eager to please, and may generally be in agreement with all authority figures. There are special statutory considerations for interviewing people with autism. See s. 943.0439, F.S., for the requirements for interviewing a victim, suspect, or defendant with an autism spectrum disorder.

LESSON VOCABULARY

autism spectrum disorders

UNIT 1 COMMUNICATING IN A DIVERSE SOCIETY

LESSON 4 MILITARY VETERANS

Lesson Goal

At the end of this lesson, you will be able to identify characteristics, behaviors, and concerns for engaging veterans who are having difficulty transitioning to life outside the military.

Objectives

- ☑ **AL414.1. Describe characteristics of veterans in a civilian environment**
- ☑ **AL414.2. Describe the characteristics of a person with post-traumatic stress disorder (PTSD)**
- ☑ **AL414.3. Describe the characteristics of traumatic brain injuries (TBI)**
- ☑ **AL414.4. Identify challenges that veterans face after returning to civilian life**
- ☑ **AL414.5. Describe an officer's response to an incident involving a veteran with a TBI or PTSD**

Military Veterans in Transition

Veterans transitioning from active duty to civilian life carry unique experiences from military culture and combat that may not transfer well to civilian life.

Injuries and Disorders Common for Veterans

Because of their exposure to traumatic experiences, some veterans may have pronounced physical and psychological disabilities. People suffering from injuries or psychological disorders are likely to have prescribed medication or be self-medicating with drugs or alcohol, which is a concern for your safety when engaging them in conversation. Be courteous and cautious, and maintain situational awareness at all times.

POST-TRAUMATIC STRESS DISORDER

Post-traumatic stress disorder (PTSD) is a severe anxiety disorder that develops after experiencing an extremely terrifying event. The person may display symptoms such as depression, anxiety, flashbacks, and recurring nightmares. They may become emotionally unresponsive or have an unpredictable outburst of anger due to intrusive thoughts of re-experiencing the event. Avoidance of reminders or anything associated with the event may be a coping mechanism to relieve stress.

Hypervigilance is one of the symptoms of PTSD. ***Hypervigilance*** is an enhanced state of awareness or "being on guard" that impedes one's ability to relax and disengage from a stressful situation. Symptoms

of PTSD can cause significant impairment, socially and professionally, in a person's day-to-day functioning. PTSD is a common anxiety disorder experienced by combat veterans and law enforcement.

TRAUMATIC BRAIN INJURIES

A ***traumatic brain injury (TBI)*** is structural damage sustained by the brain resulting in temporarily or permanently impaired brain function. Head injuries can originate from a concussion or a rapid movement of the brain inside the skull. An injury that causes the inside of the skull to be exposed to the outside air is an open head injury, often caused by an injury related to combat.

Depending upon the severity and the location of the TBI, the result can be permanent cognitive and physical disabilities. Some common signs and symptoms of TBI are loss of balance, slurred speech, disorientation, and irritability. As an officer, you need to be aware that symptoms of TBI may mimic behaviors of being under the influence of drugs or alcohol.

Family Relationships and Career Challenges

The inability to easily transition to civilian life is an underlying stressor for veterans. While on duty, survival techniques included swift and strong mental and physical reactions, but in civilian life, these techniques can interfere with the foundation of relationships and interpersonal interactions. These differences in lifestyle become emotional triggers that can easily escalate ordinary situations into a crisis where the veteran may react suddenly and possibly violently.

Safety Reminders When Interacting With a Veteran

All veterans have undergone extensive defensive and offensive training, and are familiar with a wide assortment of weapons. This can pose a threat to your safety if you are unaware that the person you are dealing with is a veteran in crisis. Veterans with a TBI or PTSD may have issues with substance abuse, mood changes, social judgment, and impulse control that can lead to erratic behavior.

LESSON VOCABULARY

hypervigilance

post-traumatic stress disorder (PTSD)

traumatic brain injury (TBI)

UNIT 1 COMMUNICATING IN A DIVERSE SOCIETY

LESSON 5 JUVENILES

Lesson Goal

At the end of this lesson, you will be familiar with crimes committed against or by children, and be able to identify the appropriate communication and intervention methods to use when interacting with juveniles.

Objectives

☑ **AL415.1. Differentiate between child abuse, neglect, and abandonment when conducting an initial investigation**

☑ **AL415.2. Determine if an incident is abusive head trauma**

☑ **AL415.3. Determine if the incident involves sexual performance of a child**

☑ **AL415.4. Understand when sexual battery of a child is also child abuse**

☑ **AL415.5. Know how to assist a DCF investigator to investigate a child abuse incident**

☑ **AL415.6. Determine if the parent or caregiver is the subject of a child protective investigation or under judicial supervision**

☑ **AL415.7. Know how to document and report incidents of child abuse, neglect, and abandonment**

☑ **AL415.8. Identify common characteristics of juvenile offenders that an officer may encounter**

☑ **AL415.9. Identify attributes that an officer needs to interact with juveniles effectively**

☑ **AL415.10. Explain the purpose of using conflict resolution skills in disputes with a juvenile**

☑ **AL415.11. Determine if the suspect of a sexual offense is a juvenile sex offender**

☑ **AL415.12. Describe the procedures for processing a juvenile in an adult detention facility**

Crimes Against Children

Child abuse, neglect, abandonment, and sexual battery of a child are some of the most difficult situations to investigate, given the age and dependency of the victim on the abuser.

CHILD ABUSE, NEGLECT, AND ABANDONMENT

Behaviors that may indicate child abuse include a child who:

- fears remaining at home, or returning to the home
- is wary of adult contact or is withdrawn
- startles easily
- appears overly affectionate or exhibits inappropriate sexual behavior
- acts violently or aggressively
- cries uncontrollably

Signs of child neglect can be the absence of necessities such as food, nutrition, clothing, shelter, medicine, and medical services essential for the well-being of a child, regardless of the age.

A parent does not commit child abandonment or neglect, or contribute to a child's dependency, if the parent leaves an infant approximately 30 days old or younger at a hospital, EMS station, fire station, or brings an infant to an emergency room and expresses intent to leave the infant and not return. Unless there is actual or suspected child abuse or neglect, a parent has the right to remain anonymous when surrendering an infant. You may not pursue or follow a parent that surrenders their infant to a designated Baby Safe Haven.

Abandonment is a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, has made no significant contribution to the child's care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both.

ABUSIVE HEAD TRAUMA

In a child, a traumatic brain injury is an injury to the head and brain of an infant or child younger than six years of age, usually as the result of violent shaking or blunt impact. This type of head trauma is child abuse. The National Center on Shaken Baby Syndrome estimates that between 1,200 to 1,400 children are injured or killed by head trauma that is child abuse each year. It is the primary cause of death and disability from child abuse in infants and young children. This affects infant boys more than girls and occurs more often to children between the ages of 2 weeks and 15 months.

It is very common for an infant who suffers from head trauma to struggle with breathing or stop breathing. Symptoms of head trauma include:

- difficulty staying awake
- body tremors
- trouble breathing
- seizures
- coma
- poor eating
- vomiting
- discolored skin
- paralysis

First Aid teaches you how to recognize and provide emergency help to an infant or child younger than six with head trauma and brain injury. Once the infant or child is in the care of EMS, your role shifts to conducting the initial investigation for child abuse. The role of the parent or caregiver in abusive head trauma is considerable and may be difficult to understand if they seem pleasant and forthcoming with information.

Parents or caregivers sometimes do not respond appropriately to normal childhood behaviors, such as crying. Caregivers can become frustrated and angry and begin to shake an infant with a degree of force that results in severe brain damage in as little as five seconds. Most caregivers do not intend to kill or injure their child, just punish or get them to stop crying; however, these caregivers are still responsible for their actions.

Some parents or caregivers intend to injure or kill a child by shaking or slamming them. Over half of these suspects are the child's father or the mother's boyfriend, a quarter are the female babysitter or the mother, followed by the stepfather or male babysitter. Suspects may offer reasons for the injury, such as the child:

- fell off a bed
- gagged or choked with a feeding
- had an earlier minor injury that was made worse by a later injury
- had a reaction to immunizations or vitamins

Studies have shown that these events do not cause abuse head trauma in infants and children.

SEXUAL PERFORMANCE OF A CHILD

To establish probable cause for arresting a person for the use of a child in a sexual performance, document that the victim was less than 18 years of age at the time that the suspect employed, authorized, or induced the victim to engage in a sexual performance, and knew the character and content of the performance.

To establish probable cause for using a child in a sexual performance with the consent of a parent or guardian, document that at the time the victim was less than 18, and that the suspect employed, authorized, or induced the victim to engage in a sexual performance and knew the character and content of the performance.

To establish probable cause for promoting a sexual performance by a child, document that the performance included sexual conduct by a child less than 18, and the suspect produced, directed, or promoted a performance and knew the character and content of the performance.

To establish probable cause for possession of material including sexual conduct by a child less than 18, document that the suspect possessed a photograph, motion picture, exhibition, show, or representation and knew that the content included, in whole or in part, sexual conduct by a child less than 18.

To establish probable cause for possession of material including sexual conduct by a child with intent to promote, document that the suspect possessed a photograph, motion picture, exhibition, show, or representation with intent to promote, and knew that the content included, in whole or in part, sexual conduct by a child less than 18.

SEXUAL BATTERY OF A CHILD

Sexual battery is a felony that varies in degree depending upon the age and the mental and physical capacity of the victim, the type of force used, the threat or use of a deadly weapon, and the type of injuries received. Sexual battery occurs when the suspect commits an act upon or with the victim, in which the sexual organ of the suspect or victim penetrated or had union with the anus, vagina, or mouth of the victim or suspect. Alternatively, the suspect commits an act upon the victim in which an object, including fingers, penetrates the anus or vagina of the victim.

Any sexual battery on a child is considered child abuse if the suspect is a person who has familial or custodial authority. Child abuse also is any solicitation of a child less than 18 to engage in an act that constitutes sexual battery by a person in a familial or custodial authority.

DCF Collaborative Investigation

You may become aware of suspected child abuse, neglect, or abandonment during the course of a separate investigation, by direct contact with a person in the community or through dispatch. Section 39.201, F.S., states that you are legally required to provide your name when reporting child abuse, neglect, or abandonment to DCF by a parent, legal custodian, caregiver, or other person responsible for the child's welfare. If you are conducting an investigation of child abuse prior to DCF notification, contact the abuse hotline at 1-800-96-ABUSE or 1-866-LE-ABUSE (law enforcement only) to mobilize additional resources.

A bruise, burn, or mouth injury in an infant younger than seven months who is not mobile is called a sentinel injury. It is a relatively minor abusive injury that cannot be reasonably explained. Sentinel injuries can precede severe physical abuse, such as abusive head trauma. Recognizing and reporting sentinel injuries so that they can be investigated can prevent injuries and death in children.

If your interactions with a parent or caregiver result in having concerns about a child's health, safety, or well-being, you are responsible for gathering information related to whether they are:

- the subject of a child protective investigation for alleged child abuse, abandonment, or neglect or
- a parent or caregiver of a child who has been allowed to return to or remain in the home under judicial supervision after an adjudication of dependency.

Report all relevant details of the interaction to the DCF Abuse Hotline immediately, even if the requirements of s. 39.201, F.S., relating to a person having actual knowledge or suspicion of abuse, abandonment, or neglect, are not met. The Hotline will conduct an FCIC query and provide the following information:

- the CPI, if the parent or caregiver is the subject of a child protective investigation, or
- the child's case manager and the attorney representing DCF if the parent or caregiver has a child under judicial supervision after an adjudication of dependency

You should be able to use much of the information from the DCF investigator in your investigation to prove the elements of child abuse, neglect, or abandonment. Information may include sworn statements from a physician indicating that the victim has suffered child abuse, transcripts of interviews with the child victim, and the family history including previous neglect or abuse complaints.

Crimes Committed by Children

JUVENILE DELINQUENT BEHAVIOR

Juveniles like to push the boundaries of the rules, both at home and in public, and may show a high degree of irresponsibility, little respect for authority, and unpredictable behavior patterns. They may also be manipulative and defiant when interacting with anyone, including law enforcement. Many delinquent juveniles engage in behaviors such as bullying, violence, aggression, and petty crimes, and have a higher incidence of drug or alcohol involvement.

A juvenile younger than 7 years of age may not be arrested or charged unless the violation is a forcible felony or a third-degree felony of burglary or trespassing with burglary tools.

Each situation involving a juvenile is unique. Some situations may require more patience and understanding, while others may require a firmer, more direct approach. A high degree of self-control, patience, flexibility, and understanding is required to work effectively with youthful offenders. You must be able to adapt to whatever situation arises with a juvenile, such as truancy, rebellion, or dangerous behavior.

JUVENILE CONFLICT RESOLUTION

You may need to act as a neutral third party to provide conflict resolution between a juvenile and a parent or caregiver. It may be necessary to separate both parties to reduce the tension. Be aware of the juvenile's non-verbal messages, like eye rolling, using a defensive body posture, or using an unsuitable tone of voice. If a juvenile's body language is in conflict with their statements, ask for clarification.

Encourage participants to express their differences and disagreements calmly and then talk about their shared understanding of the situation. Work towards establishing common goals, and find steps to achieve those goals. By modeling healthy conflict resolution to solve the current issue, you may provide a foundation to limit further calls for service.

JUVENILE SEXUAL OFFENDERS

Juvenile sexual abuse is any sexual behavior a minor engages in, that occurs without consent, without equality, or because of coercion. Juvenile sexual offender behavior ranges from non-contact sexual behavior to varying degrees of direct sexual contact. Non-contact behavior can include making obscene phone calls, exhibitionism, voyeurism, and the showing or taking of lewd photographs. Direct sexual contact can include frottage (the obtaining of sexual pleasure by rubbing the clothed body against that of others, usually strangers in crowded places), fondling, digital penetration, rape, fellatio, sodomy, to various other sexually aggressive acts.

Section 985.475, F.S. defines a juvenile sexual offender as a child 12 or younger who is alleged to have committed a violation of sexual battery, prostitution, lewdness, indecent exposure, abuse of a child, obscenity, or any violation of law or delinquent act involving juvenile sexual abuse.

Any person who knows or has reasonable cause to suspect that a child is the victim of a known or suspected juvenile sexual offender should contact the Abuse Hotline at 1-800-96-ABUSE or for law enforcement use only, 1-866-LE-ABUSE.

PROCESSING A JUVENILE

You cannot transport a juvenile to a holding facility in the same vehicle with an adult suspect unless they are codefendants. Juvenile arrest information cannot be released to the public.

You may take juveniles to a secure booking area of a jail or an adult jail for temporary custody for no more than six hours, or for the purpose of fingerprinting and photographing, as long as the juvenile is out of the sight and hearing of adult arrestees. Most juveniles in adult jails are awaiting transport to an appropriate facility or are in pre- or post-court holding. Exceptions apply to a juvenile charged as an adult, or when the court has emancipated or adjudicated the juvenile as an adult. Verify a juvenile's legal adult status through the Department of Juvenile Justice, court records, or criminal histories.

Make thorough efforts to notify parents within a reasonable time after their child's arrest. A juvenile cannot be released on their own recognizance when custody is terminated. An adult relative or a qualified adult or organization must take custody of the child and acknowledge this by signing booking forms or charging documents. You are responsible for a juvenile who suffers from a medical condition, mental illness, or the effects of substance abuse until a parent, guardian, or representative of the Department of Children and Families assumes responsibility.

UNIT 1 COMMUNICATING IN A DIVERSE SOCIETY

LESSON 6 THE ELDERLY

Lesson Goal

At the end of this lesson, you will recognize and respond to the special needs and medical conditions related to the elderly.

Objectives

- ☑ **AL416.1. Describe the elderly and their various types of living arrangements**
- ☑ **AL416.2. Identify common physical and emotional characteristics of an elderly person**
- ☑ **AL416.3. Identify ways to communicate effectively with an elderly person**

Age-Related Medical Conditions

Florida has a large elderly population, and you will interact with them in a variety of settings. Elderly people can be more vulnerable to neglect and crimes such as fraud or exploitation, but they may be more reluctant to report crimes committed against them. Many older people are active and healthy throughout their lives; however, common characteristics of an elderly person may include lack of strength, bone deterioration, memory loss, or limited mobility, vision, or hearing.

Some elderly people suffer from chronic medical conditions, such as dementia or Alzheimer's disease. They can become confused and can wander away from their homes or living facilities. The Silver Alert is a public notification system that assists law enforcement in recovering lost elderly people reported as missing.

Communicating With the Elderly

Always treat the elderly with dignity, respect, and patience. Speak directly to the person, maintain eye contact, use a conversational tone, and only speak loudly if necessary. Use caution when allowing caregivers to speak on behalf of the elderly person to eliminate confusion. Include the person in all discussions about their welfare and adjust your speech based on any disabilities or limitations. There are services available to assist elderly people and their families. The Florida Elder Helpline (1-800-96-ELDER) provides a wide range of information regarding local social services.

UNIT 1 COMMUNICATING IN A DIVERSE SOCIETY

LESSON 7 PEOPLE WHO ARE HOMELESS

Lesson Goal

At the end of this lesson, you will understand the issues of people who are homeless.

Objectives

☑ **AL417.1. Describe the types of crimes associated with people who are homeless**

☑ **AL417.2. Describe the possible enforcement options an officer can provide to a person who is homeless instead of arrest**

Crimes Involving People Who Are Homeless

Homelessness lends itself to a variety of nuisance crimes such as loitering, panhandling, or soliciting. People who are homeless may commit thefts, burglaries, or other crimes of opportunity. Homeless juveniles can be runaways or be truant from school, littering, urinating in public, or defacing public areas. People who are homeless can also become the victims of crime by appearing to be an easy target. It is common for crimes against people who are homeless to go unreported because victims don't know their options for reporting or simply want to avoid contact with the police.

Law Enforcement Interaction With People Who Are Homeless

As the population of people experiencing homelessness increases, calls for law enforcement services also increase. These encounters may take place at interstate rest stops, public parks, or homeless camps in rural areas. People who are homeless may also be found congregating in downtown areas or sleeping in their vehicles. Some may occupy vacant buildings or homes without the owner's permission; others occupy transient housing (hotels or motels) or shelters.

When interacting with people who are homeless, you may have opportunities to provide information about services. Transporting a person experiencing homelessness to an organization with outreach or shelter services may eliminate a concern that could have led to an arrest. Many communities have established programs for helping people experiencing homelessness in an effort to centralize services and offer safer locations for them. Become familiar with your local resources, including shelters and social programs.

UNIT 2 CRISIS INTERVENTION

LESSON 1 PEOPLE IN CRISIS

Lesson Goal

At the end of this lesson, you will be able to identify the characteristics of a crisis and determine an appropriate crisis management intervention resolution.

Objectives

- ☑ **AL421.1. Describe the factors that can influence how a person responds to a crisis**
- ☑ **AL421.2. Describe the behavioral characteristics and reactions of a person in crisis**
- ☑ **AL421.3. Explain the role of a law enforcement officer during a crisis**
- ☑ **AL421.4. Describe an officer's response to a call for service for a crisis**

Characteristics of a Crisis

A crisis is a situation that is uncertain, difficult, or painful, especially when the person in crisis feels unprepared and pressured to take action or make a decision. A crisis is also defined by the person's perception of the event as significant and threatening. If the person has used all of their coping strategies without success, and is unaware of or unable to pursue other alternatives, then a state of crisis exists. Economic, personal and social dynamics, physical issues, or psychological factors that the person may be experiencing all have a significant influence on how the person responds to a crisis.

Behavioral Characteristics of People in Crisis

Some people in a crisis may display behavioral characteristics that include anger, cursing, making threats, and shouting. Physical signs can include a flushed face, heavy or rapid breathing, clenching and unclenching of fists, pacing, pointing fingers, tightening the lips, clenching the teeth, or sweating. Reactions to crisis may cause a diminished capacity for thinking and decision-making.

The Role of Law Enforcement in Crisis Intervention

There are several options available to you when determining how to engage a person in crisis. Observe the person's behavior before taking any legal action, such as arrest or commitment to a treatment facility under the Baker or Marchman Acts. Remember that not every instance requires action, and that some crises can be resolved through effective communication. Your goals during a crisis are to ensure the safety of all parties, to assist the person or people in distress, to act on any law violations, and to document the incident.

RESPONDING TO THE CALL

Calls for service involving someone in crisis may include a suicide attempt, a person who is distraught over a divorce, or a public disturbance. Calls can come from dispatch or you may observe a crisis while on patrol, or an incident may also develop out of another call. The goal in these situations is to safely restore or maintain order.

ASSESSING THE SCENE

The person experiencing the crisis may not be immediately obvious when you arrive at the scene. Identify the person through observation; ask questions to assess their physical, intellectual, and emotional well-being, and how likely they are to become violent. Determine if the person is sick, injured, under the influence of drugs or alcohol, has committed or has been the victim of a crime. The person may appear disoriented, incoherent, unfocused, or exhibit abnormal behavior, may be unresponsive, or may require additional assistance from EMS.

MANAGING THE SCENE

Manage any immediate threats first and then stabilize the situation. Sort out all people involved and remove the person in crisis from others if possible. When you separate the involved parties in a crisis, it breaks eye contact, refocuses their attention on you, and can reduce tension and calm the situation.

Ask the person in crisis to sit to reduce physical tension and help them to be calm and focus on what you are saying. Establish rapport with the person by expressing genuine interest and concern. Start with open-ended questions, and ask more specific questions if necessary. Ask one question at a time, using simple vocabulary and a calm tone.

Gather information about the crisis by talking to each witness separately. Ask questions to help identify the problem and determine what action to take. Keep in mind the concepts of proximity and personal space. Each person has different boundaries regarding personal space, and may become uncooperative or violent if you stand too close.

Loud sounds can elevate the tension of the situation and make it difficult to communicate. Lower the noise level on radios and televisions, and ask bystanders to step away to reduce tension.

UNIT 2 CRISIS INTERVENTION

LESSON 2 MENTAL ILLNESS AND SUICIDE PREVENTION

Lesson Goal

At the end of this lesson, you will recognize the symptoms of mental illness and how to take action to help a person with mental illness or at risk for suicide.

Objectives

☑ **AL422.1. Describe how to respond to a mentally ill person during the intervention process**

☑ **AL422.2. Identify characteristics of an individual who is at a high risk for suicide**

☑ **AL422.3. Describe how to communicate with a suicidal person during the intervention process**

Encountering People With Mental Illnesses

Mental illness is an impairment of the mental or emotional processes that exercise the conscious control of one's actions. Mental illness impairs one's ability to perceive or understand reality. Mental illness occurs in people of all intellectual abilities. It requires psychiatric evaluation and can be managed or treated with counseling or medication. You should ask individuals who display the symptoms of having a mental illness if they have a diagnosis of mental illness. Ask if they are taking any medications and whether they are currently taking their medication to manage their symptoms.

RESPONDING TO PEOPLE WITH MENTAL ILLNESSES

When responding to a call or disturbance involving a person who may have a mental illness, determine the nature of the environment, setting, or context of the situation, what has happened, and who is involved. Defuse the intensity of the situation. Be aware of your body language to avoid a threatening and intimidating posture. Use a calm, low voice, casual eye contact, and maintain your reactionary gap. Be aware of behaviors, statements, and the effects of drugs or alcohol. Observe the environment around you, and the physical condition of the person, such as the presence of injuries.

Interacting With People at Risk for Suicide

Calls regarding suspected suicidal attempts are volatile and require a cautious response. The person, a family member, or a member of the public may initiate these calls. People with suicidal intentions have a diminished value of life and may use deadly force on others.

Communicating with a suicidal person is a vital part of the intervention process. Try to establish rapport and keep the person talking. Listen carefully to what the person is saying and how they are saying it. Show support, empathy, and interest by talking directly to the person without being judgmental. Listen to the suicidal person's words and responses, so you can learn how serious and immediate the suicide threat is, and possibly what method the person plans to use.

RESPONDING TO PEOPLE AT RISK FOR SUICIDE

Responding to a situation in which a person is suicidal can change drastically during the course of the incident. Determine if the person has access to weapons, and if you need to respond with an appropriate level of force to reduce the person's reactions. Use communication to de-escalate the situation, and defensive tactics if needed for your safety. Some individuals attempt to end their lives by intentionally provoking officers to use deadly force, known as suicide by cop.

Understand that in some suicidal situations, it does not matter what you say or do; the person may react badly to any intervention. It might be necessary for you to remove the person from danger to a place of safety, and remove any aggravating stimuli and onlookers. A suicidal person needs evaluation from a medical or mental health service provider as soon as possible. In cases where the person is confirmed to be suicidal, take the person into custody under the provisions of the Baker Act.

AVAILABLE RESOURCES

The National Suicide Prevention Lifeline is a service available to anyone and may be contacted at any time by calling 1-800-273-TALK (8255). Other community resources, friends, religious leaders, and relatives may also be available to assist a person contemplating suicide.

UNIT 2 CRISIS INTERVENTION

LESSON 3 THE BAKER ACT AND THE MARCHMAN ACT

Lesson Goal

At the end of this lesson, you will be able to recognize the behaviors that require a person to be committed for treatment under the Baker or Marchman Acts.

Objectives

☑ **AL423.1. Decide if a person should be released, arrested, or referred for voluntary or involuntary psychiatric evaluation in an incident involving mental illness**

☑ **AL423.2. Determine if the individual should be released, arrested, or referred for voluntary or involuntary substance abuse services**

You have the following response options available when managing a person in a mental health or substance abuse crisis: release, voluntary examination, involuntary examination under the Baker or Marchman Acts, and arrest. How the person interacts with you and with other people on the scene will help you determine if taking the person into custody is the appropriate course of action.

The Baker Act

The Florida Mental Health Act of 1971, (Baker Act), s. 394.463, F.S., allows for emergency service and temporary detention for evaluation and voluntary or involuntary short-term community inpatient treatment for those experiencing mental health problems, whether juvenile or adult.

CRITERIA FOR TREATMENT UNDER THE BAKER ACT

A person may be taken to a receiving facility for involuntary examination if there is reason to believe that the person has a mental illness and because of their mental illness, the person:

1. has refused voluntary examination after receiving a thorough explanation and disclosure of the purpose of the examination; or is unable to determine for him- or herself whether examination is necessary; and
2. without care or treatment, the person is likely to:
    a. suffer from neglect or refuses to care for him- or herself; such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and it is not apparent that such harm may be avoided through the help of willing family members or friends or the provision of other services; or
    b. there is a substantial likelihood that without care or treatment the person will cause serious bodily harm to him- or herself or others in the near future, as evidenced by recent behavior.

The Baker Act provides for several options for initiating a mental health evaluation, including the following:

1. the person volunteers to receive treatment, or
2. the court can be petitioned for an ex parte order (a court order issued and signed by a judge that is initiated by one person in the absence of and without representation or notification of other parties), or
3. the officer takes the person into custody, initiating an involuntary admission, and transports the person to the nearest receiving facility for a mental health evaluation, or
4. the execution of a certificate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker stating that the person meets the criteria for a Baker Act

The Marchman Act

The Florida Substance Abuse Impairment Act of 1993 (Marchman Act), s. 397.675, F.S., is a means of providing a person with substance abuse issues with emergency services and temporary detention for substance abuse evaluation and treatment. You may respond to a call for service involving a person that is significantly impaired by drugs or alcohol to the extent that they may cause harm to themselves or others and refuse assistance. The Marchman Act provides for the assessment and stabilization of a person allegedly abusing substances and provides for treatment of substance abuse.

CRITERIA FOR TREATMENT UNDER THE MARCHMAN ACT

A person may be taken to a receiving facility for involuntary admission for alcohol or substance abuse if that person:

1. has lost the power of self-control because of substance abuse, and either
    a. has inflicted, attempted or threatened to inflict or, unless admitted, is likely to inflict physical harm on himself, herself, or another, or
    b. is in need of substance abuse services; his or her judgment has been so impaired that they are incapable of appreciating the need for services and of making a rational decision regarding the need for services.

The Marchman Act provides several options for you to take a person into protective custody or deliver them to a treatment facility. These options may include:

1. the person volunteers to receive treatment, or
2. the court can be petitioned for an ex parte order (s. 397.695, F.S.), or
3. the officer takes the impaired person into protective custody or initiates an involuntary admission for alcohol or substance abuse.

UNIT 2 CRISIS INTERVENTION

LESSON 4 SPECIAL INTERVENTIONS

Lesson Goal

At the end of this lesson, you will be able to understand, recognize, and provide limited response to special intervention situations for abuse or violence victims.

Objectives

☑ **AL424.1. Differentiate between kidnapping and false imprisonment**

☑ **AL424.2. Determine if the facts and circumstances of the incident meet the statutory requirements to make an arrest for false imprisonment or kidnapping**

☑ **AL424.3. Describe the role of the officer when assisting with the investigation of a missing or endangered person**

☑ **AL424.4. Describe the law enforcement response to a runaway child**

☑ **AL424.5. Determine if the facts and circumstances of the incident meet the statutory requirements to make an arrest for sexual battery**

☑ **AL424.6. Determine the need to transport a victim of a sexual offense to a medical facility**

☑ **AL424.7. Know when to initiate the victim advocate process while conducting an initial investigation for a sexual offense incident**

☑ **AL424.8. Describe the process to evaluate the official documentation for sexual offenses, to include a victim review of any statements or reports**

☑ **AL424.9. Differentiate between human smuggling and human trafficking**

☑ **AL424.10. Determine if the facts and circumstances of the incident meet the statutory elements required when making an arrest for human smuggling**

☑ **AL424.11. Determine if the facts and circumstances of the incident meet the statutory elements required when making an arrest for human trafficking**

☑ **AL424.12. Know how to document a human trafficking situation related to reporting child abuse**

☑ **AL424.13. Determine when an incident meets the criteria for domestic violence according to the Florida Statutes**

☑ **AL424.14. Determine if the facts and circumstances meet the elements required when making an arrest for a domestic violence qualifying offense**

☑ **AL424.15. Know how to apply investigative findings to determine the primary aggressor in a domestic violence incident**

☑ **AL424.16. Describe a possible course of action the officer can suggest in a domestic violence incident where an arrest is not necessary**

☑ **AL424.17. Document a domestic violence incident according to Florida Statutes and agency policy**

☑ **AL424.18. Determine if a domestic violence incident meets the requirements for an injunction to protect a victim**

☑ **AL424.19. Know when to provide a victim's rights and remedies brochure or arrange for transportation to a shelter to assist a victim of domestic violence**

It is important for you to be familiar with the different types of crisis interventions and be able to determine if people involved in a crisis should be removed from the situation, if they can care for themselves, or if they are a threat to themselves or others. You might assist in a criminal investigation where there is evidence of abuse. You should be knowledgeable of available resources and help the person get needed services by providing transport or contact information.

False Imprisonment, Kidnapping, and Missing Persons

It is very important to determine the validity of this type of complaint and use all your resources and abilities to determine if a person has been falsely imprisoned, kidnapped, or is a missing person.

FALSE IMPRISONMENT

False imprisonment occurs when a suspect forcibly, by threat, or secretly confines, abducts, imprisons, or restrains another person without lawful authority and against their will with any purpose other than those referred to in kidnapping. False imprisonment is a common occurrence in domestic violence, armed robbery, and sexual battery crimes. To establish probable cause for false imprisonment, document the fact that the suspect had no lawful authority and that the suspect forcibly, secretly, and by threat confined, abducted, imprisoned, or restrained the victim against their will.

KIDNAPPING

Kidnapping occurs when the suspect forcibly, secretly, or by threat confines, abducts, or imprisons another person against their will. Kidnapping is both a statutory and federal violation. To establish probable cause for kidnapping, document that the suspect had no lawful authority and that the suspect forcibly, secretly, by threat confined, abducted, or imprisoned the victim against their will. Kidnapping occurs without lawful authority and with intent to hold for ransom or reward, hold as hostage or shield,

facilitate commission of a felony, interfere with governmental or political function, or confine a child less than 13 without the consent of the custodial parent.

MISSING AND ENDANGERED PERSONS

A ***missing and endangered person*** is any one of the following:

- missing child, younger than 18 years old
- missing adult, younger than 26 years old
- missing adult, older than 26 years and believed to be in danger or the victim of a crime
- missing adult, older than 18 years that meets the criteria for a Silver Alert

The initial search should include buildings and areas where someone last saw the missing person. Make sure the person is not inside the residence, especially when you are searching for children. It is somewhat common to find children sleeping or hiding in the residence from which the caregiver is reporting them missing.

Obtain information regarding how far the missing person could travel based on their physical condition and where the missing person was seen last to determine the scope of the search. It is important to secure the area where someone last saw the person, and control entry and exit points if the situation seems to be a criminal abduction or if you suspect foul play.

Missing and Runaway Children

Children who run away are missing and at considerable risk of falling prey to heinous crimes. These children are typically running away from an abusive home situation. Presume the runaway child is in danger. A ***missing child*** is a person younger than 18 whose temporary or permanent residence is in, or believed to be in, this state. The missing child's location has not been determined and someone reported the child as missing to a law enforcement agency.

Sexual Battery

Your attitude during a sexual battery investigation can assist the investigation by being humane, empathetic, patient, sensitive, letting the victim feel that they are in control, and reassuring the victim that you are there to help and develop facts for legal purposes.

Historically, sexual battery is one of the most underreported crimes because the victim may be embarrassed or may actually have a continuing relationship with the assailant. A victim may feel that law enforcement may not be able to apprehend the suspect or be afraid the assailant will take revenge. Sexual battery victims also fear further victimization during the investigation and in subsequent courtroom proceedings.

LAW ENFORCEMENT RESPONSE

When responding to a sexual battery case, obtain the victim's consent for immediate medical treatment. Section 794.052, F.S., requires that you provide or arrange for transportation of victims of sexual battery to an appropriate medical facility or rape crisis center. The Sexual Battery Victims' Access to Services Act, as outlined in s. 794.055, F.S., provides victims access to crisis-intervention and recovery services, advocacy, and medical intervention.

To establish probable cause for sexual battery, document that the victim was 12 years of age or older, and the act was committed without the consent of the victim. The suspect committed an act upon or with the victim in which the sexual organ of the suspect or victim penetrated or had union with the anus or vagina of the victim or suspect, or the suspect committed an act with an object that penetrated the anus or vagina of the victim.

Only medical personnel may perform a physical and sexual battery examination. The exam results may later provide evidence and information to further the investigation. Follow agency policy when arranging for a sexual battery exam, collecting clothing, and notifying a special victims investigator. Keep in mind that medical personnel's priority is to provide medical treatment to the victim, not collect evidence. Contact and coordinate with a victim advocate to calm the victim. Advise the victim that they can also contact a certified rape crisis center to receive services.

If you determine the offender is a family member or custodian of a child victim, immediately contact DCF. Initiate a BOLO if suspect information is available and the suspect is not already in custody.

REPORTING REQUIREMENTS

Get preliminary information from any witnesses and then interview the victim privately, with the victim advocate if possible. Allow them to respond in their own words, and do not ask the victim any questions that insinuate willingness or blame on the victim's part. You will probably only start the interview process in order to obtain basic information, and then turn over the investigation to a special victims' unit investigator. The investigator will be required to obtain all of the documentation for the sexual battery, including the forensic report, the medical report, and any other field reports. Your incident report will be included in the documentation the investigator submits as the final report.

Your report should include what occurred, your involvement, and how you maintained any chain of custody of the evidence. Document the victim's condition to include any torn or stained clothing, smeared makeup, disarrayed hair, bruises, scratches, and defense wounds, as well as the victim's emotional state.

Statute protects the identity of a victim of sexual battery and exempts the victim from Florida public records law. Law enforcement officers are required by s. 794.052, F.S., to present the victim of a sexual offense with a *Notice of Legal Rights and Remedies for Victims of Domestic Violence, Dating Violence, Repeat Violence, Sexual Violence, Stalking* and a *Sexual Battery: Your Rights and Services* brochure from the Florida Council against Sexual Violence. The victim has the right to review the final report, and provide a statement as to the accuracy of the final report.

Human Smuggling and Human Trafficking

You are most likely to encounter these situations on a domestic disturbance call or during a traffic stop, but you may also respond to calls for service from the community. The difference between smuggling and trafficking is that human trafficking is an offense against a person. Section 787.06, F.S., defines human trafficking as transporting, soliciting, recruiting, harboring, providing, enticing, maintaining, or obtaining another person for the purpose of exploitation of that person. ***Smuggling*** is an offense against the integrity of the United States borders. The victim may be foreign born or a U.S. citizen and male or female.

RECOGNIZING THE SIGNS OF HUMAN TRAFFICKING

Human trafficking victims are often:

- fearful of police or other authorities, especially in uniform
- fearful of the trafficker, believing their lives or family members' lives are at risk if they escape
- physically and psychologically traumatized
- fearful of telling others about their situation
- unaware they have been trafficked and believe they are simply in a bad job
- limited in freedom of movement
- unpaid or paid very little
- limited in access to medical care
- worried about being in debt to someone or to a "company" store
- without a passport or mention that someone else is holding their passport
- regularly moved to avoid detection

Vehicles transporting trafficking victims are usually large vans or converted school buses, and:

- may have non-functioning or covered windows
- victims may not look directly at you if you board the vehicle
- victims may not speak to you, or there is a "spokesman" for the group due to poor English skills
- occupants may not have a significant amount of possessions

Properties containing trafficking victims may have:

- windows that are permanently covered from the inside
- the property owner visiting the property at unusual times
- a significant number of people living in a small space
- unusual noises or large numbers of people coming from the property
- pungent smells or large amounts of garbage coming from the property

COURSE OF ACTION

To establish probable cause for human smuggling, document that the suspect transported into this state a person who the suspect knows, or should know, is illegally entering the United States from another country. Human smuggling is a crime against the sovereignty of the United States, and not a crime against a person. Some instances of human smuggling can lead to human trafficking, but it is possible to have one without the other.

To establish probable cause for human trafficking, document that the suspect knowingly, or in reckless disregard of the facts, engages in, or attempts to engage in, or benefits financially by receiving anything of value from participation in a venture that has subjected a person to human trafficking. The suspect uses coercion for labor, services, or commercial sexual activity.

Domestic Violence

In Florida, domestic violence is not a criminal charge. In domestic violence cases, the relationship between the perpetrator and the victim classifies these charges as domestic violence. Section 741.28, F.S., defines ***domestic violence*** as "any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member."

Family or household member means "spouses, former spouses, people related by blood or marriage, people who are presently residing together as a family or have resided together in the past as a family, and people who are parents of a child in common… With the exception of people who have a child in common, the family or household members must be currently residing, or in the past have resided together in, the same single dwelling unit."

DETERMINE THE PRIMARY AGGRESSOR

Evaluate each person's statements separately to determine whether there is probable cause for arrest. If probable cause exists to believe that two or more people have committed a misdemeanor or felony or if two or more people make complaints, try to determine the primary aggressor. Determine who the primary aggressor is by analyzing the circumstances of the incident. You should be able to identify the primary aggressor in the incident using the following factors:

- Compare physical evidence to statements.
- Compare injuries to statements.
- Consider evidence or patterns of assault and coercion; include physical, sexual, and psychological abuse.
- Compare the victim, witness, and suspect's statements.
- Assess the verbal and non-verbal communication of involved parties.
- Consider the emotional state, use of physical stature for intimidation, and fearfulness of involved parties.
- Consider violent physical acts such as the following:
    - Who damaged property?
    - Who injured animals?
    - Who smashed the television to the floor?
    - Does the injury fit the story of the person who claims self-defense?
- Look for typical defensive wounds, including bruises or cuts on outer forearms, back, backs of legs, palms, or inside fingers or fingertips.

DOCUMENTING EVIDENCE

The victim and suspect may be the only people present at the scene of a domestic violence incident. Sometimes, obtaining the details of the incident from the victim and suspect is difficult because of the intensity of emotion. If either or both refuse to provide adequate information about the incident, turn to witnesses who were in the room during the incident, or to the people closest to the incident to obtain more information if there were no witnesses.

If children are present, obtain information from them if they witnessed the incident. Contact DCF if you determine the home is not safe for the children, if there are no other relatives available to care for them, or if you decide to arrest both combatants.

Physical evidence is very important to this type of investigation. Document all evidence carefully. Physical evidence can help solve a case involving uncooperative witnesses. Additionally this documentation can help reduce or identify false claims of domestic violence. Victims of domestic violence do not have to consent or cooperate with the investigation before you can make an arrest. Evidence can also help to corroborate the accounts of witnesses or participants.

COURSE OF ACTION

Make an arrest if you determine that probable cause exists for a crime meeting the domestic violence criteria. Arrest is the preferred response only with respect to the primary aggressor, but not with respect to a person who acts in a reasonable manner to protect themselves, or other family member from violence. Most agencies have pro-arrest policies that make arrest mandatory if probable cause exists. Tell the victim the reason for the arrest and where you will transport the suspect.

A suspect arrested for an act of domestic violence must remain in custody until brought before the court for a bail determination. This prevents the offender from immediately returning to the household or reinitiating contact with the victim, and gives the victim time to obtain an injunction for protection without the suspect's interference. It also provides the victim time to seek help and a safe place to stay. When determining bail, the court will consider the safety of the victim, children in the home, and any other person who may be in danger if the court releases the defendant. Before the court releases the offender, the correctional facility will notify the victim.

Section 741.29, F.S., requires you to document a domestic violence incident with a written report, indicating why you made an arrest or your alternative actions if you did not make an arrest. Section 741.29, F.S., states that no law enforcement officer is liable in any civil action for an arrest based on probable cause, enforcement of a court order, or service of process in good faith arising from an alleged incident of domestic violence.

When probable cause for arrest does not exist, and the people involved in the incident are calm enough to be reasonable, bring them together to explain the options available, such as:

- obtaining counseling
- acting on information provided on handouts covering domestic and dating violence and injunctions
- seeking assistance from social service agencies
- arranging for transportation or safe haven

No Contact Order

Section 903.047, F.S., provides victims of domestic violence, repeat violence, sexual violence, or dating violence with notification of the conditions of pretrial release of the defendant, which may include a no contact order that is effective immediately upon their release. A no contact order prohibits any oral communication with the victim (or person named in the order), physical or violent contact with the victim, or being within 500 feet of the victim's residence, vehicle, or place of employment or specified place frequented by the victim (or person named in the order).

Domestic Violence Injunctions

An ***injunction*** is a court order that requires a person to do or cease doing specific acts. Inform the victim that they can go to the courthouse and file for an injunction. The victim must complete an affidavit, explaining why they need the protection. All forms are free of charge from the clerk of court. A judge reviews the affidavit and grants or denies the request. The victim is not assessed filing fees for an injunction. Civil injunctions have implications that are actionable by law enforcement. Injunctions from another state or country (foreign) are valid here, but advise the victim to notify the local clerk of the court to issue a new injunction if the victim now resides in Florida. An injunction for protection against domestic violence (s. 741.30, F.S.) is for someone who meets the statutory definition of family or household member and is the victim of domestic violence.

DATING VIOLENCE

Dating violence is violence between persons who have or have had a continuing and significant relationship of a romantic or intimate nature. This type of relationship is determined based on the following:

- There was a dating relationship within the past six months.
- The character of the relationship includes the expectation of affection or sexual involvement.
- The frequency and type of interaction must have occurred over time and on a continuous basis.

This term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context. The investigation of dating violence is similar to domestic violence as per s. 784.046 (11–16), F.S.

An injunction for protection against dating violence according to s. 784.046, F.S., is for the protection of a victim who has had a continuing and significant relationship of a romantic or intimate nature and the relationship has become violent.

REPEAT VIOLENCE

Repeat violence means two incidents of violence or stalking, committed by the suspect, one of which must have been within six months of the filing of the petition, directed against the victim or the victim's immediate family member. If you know the suspect is in violation of an existing injunction for protection against repeat violence, arrest the suspect based on the nature of the violation.

An injunction for protection against repeat violence according to s. 784.046, F.S., is for people who do not meet the statutory definition of family or household member, but who have been victims of at least two incidents of violence or stalking by the alleged abuser within the last six months.

SEXUAL VIOLENCE

Sexual violence means any one incident of sexual battery. This includes luring or enticing a child, sexual performance by a child, or any other forcible felony where a sexual act is committed or attempted, regardless of whether the state attorney filed, reduced, or dismissed the criminal charges based on the incident. An injunction for protection against sexual violence according to s. 784.046, F.S., is available for victims of sexual violence.

VICTIM ECONOMIC SECURITY

Victim economic security is a term associated with violence against women, and a significant reason for remaining in an abusive situation. Abusers use economic abuse as a tool of power and control, such as unauthorized use of finances, falsification of records, and coercion into crime. These financial aspects of violence can thwart a victim's ability to reestablish their life and move forward. Victims may feel as if it is impossible to leave the situation due to:

- debt from healthcare, damaged property and security or relocation costs
- dependency on the abuser for basic needs
- job loss or lost wages
- unfinished education or training
- eviction and damaged tenant history
- loss of personal property

Detail the full scope of the violence, including economic abuse and crimes. Connect victims with advocates to identify financial services, counsel them on economic relief options, and support them through the criminal justice system process. Assist the lead investigator to search for incidents of:

- economic abuse or dependency at the scene, such as whether the offender took the only credit card or set of keys
- whether the offender destroyed any property needed for immediate safety (getting to work/school, safe housing, paying bills, etc.)
- evidence of stolen or damaged property, electronic surveillance, economic crimes and financial threats or intimidation

Victims' Rights Brochures

Marsy's Law requires that you provide all victims and their families basic information advising the victim of their rights. Domestic violence situations require you to present a *Notice of Legal Rights and Remedies for Victims of Domestic Violence, Dating Violence, Repeat Violence, Sexual Violence, and Stalking* brochure, per s. 741.29, F.S. Document in the incident report the victim received the brochure. If the situation involves a sexual battery, present a *Sexual Battery-Victim's Rights and Services* brochure from the Florida Council Against Sexual Violence, as per s. 794.052, F.S.

LESSON VOCABULARY

dating violence

domestic violence

false imprisonment

family or household member

injunction

kidnapping

missing and endangered person

missing child

repeat violence

sexual violence

smuggling

UNIT 2 CRISIS INTERVENTION

LESSON 5 REFERRALS AND TRANSPORTATION

Lesson Goal

At the end of this lesson, you will understand how to transport a person in a crisis or how to provide service in a non-custodial community contact.

Objectives

☑ **AL425.1. Know how and when to transport a person under the Baker Act or the Marchman Act to a medical facility**

☑ **AL425.2. Determine the need for a non-custodial transport based on urgency and available resources**

☑ **AL425.3. Describe restrictions and limitations for non-custodial transport**

Referrals

It is important for you to understand the type of intervention required for the crisis. You may need to:

- relocate the person to a safe environment
- take the person into custody if he or she has committed a crime
- initiate an involuntary treatment referral via the Baker or Marchman Acts
- make a referral for services
- arrange for or provide transportation

Situations that involve domestic violence, child abuse, disabled adult or elder abuse, and suicide risks all require a referral by law. The Florida Statutes require that law enforcement officers follow appropriate agency policy to assist the Department of Children and Families.

Know the available resources in your community and refer the person in crisis to the appropriate services. The referral agency will attempt to mitigate the crisis and give the person assistance. Referral sources cover a wide range of service types from employment to medical assistance.

Custodial Transportation

You may have to transport a person to another location if you determine that the Baker or Marchman Acts apply to a situation. Your agency may have a memorandum of understanding with receiving facilities that reflects a set of protocols for the safe and secure transportation of the person and transfer of custody to a responsible person.

Non-custodial Transport

A ***non-custodial transport*** is the process of providing transportation to a person that is not under arrest. Non-custodial transports are performed for a variety of reasons, such as assisting crime victims, aiding people with disabled vehicles, and transporting witnesses for interviews or show-ups.

You are not legally required to provide non-custodial transport in situations such as a ride to the gas station or to a bus stop. Prioritize requests for transport based on circumstances such as legal duty, call volume, and availability of resources. Identify the additional appropriate resources to assist the person based on the request and the information you obtain during an informational interview.

You are legally required to conduct non-custodial transport for situations that involve domestic violence, child abuse, disabled adult or elder abuse, and suicide risks. In certain cases of abuse, the law mandates the removal of the endangered person and custodial arrest of the abuser. You might provide transport to a mental health facility, hospital, substance abuse treatment facility, corrections facility, a shelter, or safe house.

Transport Considerations

Remember to call in your mileage at the beginning and the end of transport, and report to dispatch the person's gender and juvenile status. Prior to placing a person in the patrol vehicle, verify the person's identity and conduct a pat down for weapons. Ensure that the person's seat belt is securely fastened. Advise dispatch of any changes during the non-custodial transport of the person.

CALLS FOR SERVICE AND ARREST PROCEDURES

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UNIT 1 RESPONDING TO CALLS FOR SERVICE

LESSON 1 INITIAL RESPONSE

Lesson Goal

At the end of this lesson, you will understand how to respond to calls for service, assess a situation upon arrival, and contact complainants and witnesses at the scene.

Objectives

☑ **AL511.1. Know how to evaluate and use the information received from dispatch prior to arriving at the scene**

☑ **AL511.2. Communicate officer status with dispatch upon arrival and throughout the incident**

☑ **AL511.3. Determine what to do after surveying the scene for threats, injuries, and the need for additional resources**

☑ **AL511.4. Explain how to identify what happened, who was involved, and possible suspects by interviewing the complainants, witnesses, or victims**

☑ **AL511.5. Determine if the scene merits an emergency or non-emergency backup response**

☑ **AL511.6. Describe the type of assistance a primary officer may need when providing backup**

Responding to the Call

Identify the safest and quickest route to the location. The most direct route may not be the quickest because construction projects, street closings, or special events may present obstacles. Consider traffic, the time of day, school zones, and congested areas before determining which route to take.

Collect as much information as possible about the call before you arrive. Identify the complainant's name and relationship to the location. Be cautious when approaching the scene. Plan for a non-criminal incident, but be prepared in case the situation changes. Determine if there have been other incidents at this location, the nature of those incidents, and any potential threats at the incident, such as weapons or domestic abuse. The type of call and agency policy will determine if you use emergency equipment.

Arriving at the Scene of the Call

Transmit the descriptions of suspicious vehicles or people leaving the immediate area to dispatch. Be aware of parked cars with motors running and look for hidden suspects, evaluating for potential problems. An accomplice could be acting as a lookout or waiting in the area. If the call is a crime in progress, look for fleeing suspects. Check for obvious clues, such as a vehicle parked in a lot that is normally empty at that time of day or the absence of a vehicle usually parked in a specific location.

Officer Safety When Approaching the Scene

Close the door gently and quietly when you exit the vehicle. Pause and listen for any activity around you. Use the following safety techniques when preparing to approach the scene:

- secure the contents of your pockets and equipment on your duty belt
- turn cell phone to silent mode
- avoid backlighting or silhouetting other officers
- identify and use cover and concealment—vehicles, landscape, fencing, or shadows
- scan the environment for potential threats
- maintain contact with dispatch throughout the incident
- maintain a tactical position, especially if you are waiting for backup
- look for places where a suspect could be hiding, such as rooftops or nearby vehicles
- approach suspicious vehicles on foot and check for occupants
- feel the hood of a vehicle for heat to determine if the vehicle was driven recently

You can get close to buildings by moving behind parked cars, fences, trashcans, or shrubbery. Survey the building entrances and surrounding areas to ensure safety. When checking the exterior perimeter of a building, use caution in approaching corners, windows, and doors. Remain conscious of animals, clotheslines, garbage cans, sprinkler heads, swimming pools, and other possible hazards.

When using a flashlight to examine the perimeter of a building, carry the flashlight in your support hand and hold it away from your body to avoid presenting a clear target. Be aware of the presence and location of other officers, making sure the light does not illuminate them. Know where to aim the light before turning it on to avoid blinding other officers.

Determine if there are any injuries and the severity of the injuries. Apply first-aid procedures and request appropriate medical assistance through dispatch. If you need to preserve the area for crime scene investigative purposes, use resources available to you.

Gathering Information From Complainants, Victims, and Witnesses

Gather information about the incident from complainants, victims, and witnesses. Identify how much time has passed since the incident occurred. If the suspect is not on the scene, you can begin interviewing to identify the suspect. When interviewing a complainant, victim, or witness, request identification and personal information such as proper names, addresses, phone numbers, and contact information. Ask the victim or witness to describe what happened. These questions will help establish probable cause in the investigation. If victims or witnesses know the suspect, they may also know other information that can help locate that individual. Issue a BOLO based on the information.

Responding as Backup

You may receive calls to aid fellow officers during calls for service. Calls for backup assistance may involve non-life-threatening, high-risk, or life-threatening situations. Non-life-threatening situations can range from assisting with administrative paperwork to providing additional equipment. High-risk situations may include assisting with serving a warrant or responding to a vehicle pursuit. Life-threatening situations may include an active shooter or a vehicle crash with serious injuries.

Plan your response based on the nature of the call, the type of assistance needed, your familiarity with the area, or the demeanor of the requesting officer. Constantly monitor communications, and as additional information is provided, determine whether to elevate or downgrade your response. For instance, you might respond in emergency mode to assist another officer engaged in a foot pursuit. If the primary officer advises dispatch that the suspect has been apprehended and the situation is under control, you will downgrade your response.

Survey the scene and maintain situational awareness. The type of call will dictate your approach. You should be quiet and minimize flashlight use. Doing so ensures the safety of other officers on the scene. Make visual or verbal contact with the primary officer to determine what type of assistance is needed.

UNIT 1 RESPONDING TO CALLS FOR SERVICE

LESSON 2 ESTABLISHING A PERIMETER

Lesson Goal

At the end of this lesson, you will understand how and why to establish a perimeter.

Objectives

- ☑ **AL512.1. Identify how to establish a perimeter to ensure public safety**
- ☑ **AL512.2. Identify resources available to establish a perimeter**
- ☑ **AL512.3. Describe how to monitor a perimeter for any change of status**

Establishing a Perimeter

A perimeter is the area surrounding an incident, cordoned off to prevent unauthorized people from leaving or entering. These situations may include pursuing suspects, securing a crime scene, high-risk situations, special events, or any incident where access to an area needs to be restricted. The primary officer or scene supervisor will determine the scope and duration of a perimeter. The size and scope of the perimeter is determined by the nature of the incident. As the situation changes, the perimeter can adjust as necessary.

Sustaining an effective perimeter will involve the coordination of multiple officers and resources. Vehicle headlights, spotlights, barricades and natural boundaries help to maintain a perimeter when resources are limited. Maintain visual contact with other assigned officers along the perimeter line to prevent anyone from entering or leaving the area without clearance. Remain at your assigned post until you are relieved, relocated, or released.

UNIT 1 RESPONDING TO CALLS FOR SERVICE

LESSON 3 CONDUCTING BUILDING AND GROUNDS SEARCHES

Lesson Goal

At the end of this lesson, you will understand how to conduct a legal building or grounds search.

Objectives

☑ **AL513.1. Review safety concerns for conducting a thorough search of a building or grounds for a suspect**

☑ **AL513.2. Ensure the safety of non-involved people while searching the building or grounds for a suspect**

☑ **AL513.3. Describe effective techniques for conducting a search of a building or grounds for a suspect**

Building Searches

You may be required to conduct building searches, including calls for alarms, open doors, burglaries, and trespassing. Conduct a thorough, methodical search of any building. The greatest threat in a building search is the possibility of a hiding suspect. Always consider suspects armed and dangerous. If necessary, secure the exterior of the building with a perimeter. Uninvolved people should be directed to a safe location. Try to gain access through the owner or a representative of the property.

Entering and Clearing a Building

Before entering a building, draw your firearm, knock, and announce your presence to allow occupants to exit or suspects to surrender. When practical, assume a low position on either side of the door and avoid being an exposed target to someone inside. Never enter too quickly. Stop, look, and listen. If someone answers the door, visually check that person for weapons.

As you move through a building, remain aware of narrow spaces that restrict movement, such as ***fatal funnels***, which are typically doorways, hallways, and windows. Be aware of the presence of other officers, making sure that your flashlight does not illuminate them. Use hand signals to communicate and avoid becoming separated. Use these methods to reduce the risk of crossfire.

Officers working in pairs should establish a plan to search and secure the building. You should maintain visual contact and communicate, and be aware of each other's actions. Do not assume that your partner sees and hears everything you do. If you encounter a threat, give loud verbal commands. This will alert your partner to the situation and the threat.

Deep corners are areas that you cannot visually clear from a doorway and you must check before entry. Stand to one side of the door and scan as many parts of the room as you can to ensure that the area is clear of threats before entering the room. This is called “cutting the pie” or “edging.”

Two common methods for entering a room are the crisscross and button hook techniques. In the crisscross technique, start on opposite sides of the doorway and enter rapidly one after the other, crossing to the opposite sides. In the buttonhook technique, you and a partner enter the room by hooking around the corner at the point of entry. They stand on opposite sides or on the same side of the door. They should wrap around the wall and into the room.

Figure 5-1 Crisscross diagram

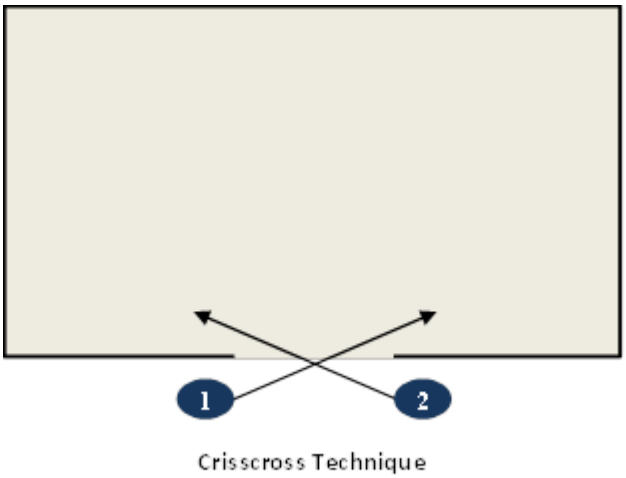
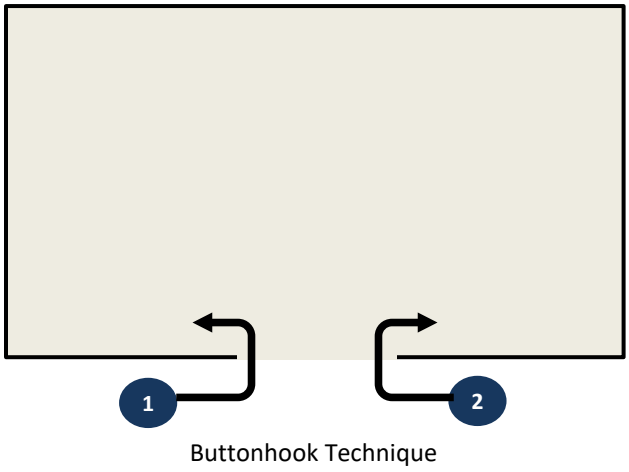


Figure 5-2 Buttonhook diagram



Move deliberately when you enter a room. Watch for suspects that may be hiding behind doors. Upon entry, clear the room for any immediate threats, starting with the deep corners. It is important to stay together and search each room thoroughly before moving to the next. After searching each room, secure the room by closing the door or keeping the room under observation.

Encountering People During a Search

During a search, you may encounter people who have a legitimate reason to be in the building, including employees, residents, and cleaning personnel. Consider any people in the building a potential threat until you or another officer detains the person and confirms their identity and status. Even if a suspect is located, continue to search and clear the remainder of the building.

Grounds Searches

Often suspects will flee into an open area, the grounds surrounding a structure, into a neighborhood, or a business area. Exterior searches are more difficult to contain than a building search. Maintain the perimeter accordingly and be aware of all potential avenues of escape. The techniques for searching grounds are similar to building searches:

- Working with a partner is safer than working alone.
- Avoid exposing yourself as a target.

- Use available cover and concealment.
- Be aware of the noise you are making; move only as fast as you can to remain safe.
- Coordinate with other officers to avoid crossfire situations.
- Be aware of higher threat areas, such as low light or potential hiding areas.

Additional concerns that may complicate outside searches can include:

- uneven and varying terrain
- ambient lighting
- access to elevated hiding areas
- members of the public walking into the area
- weather

LESSON VOCABULARY

deep corners

fatal funnel

UNIT 2 COMMUNITY SERVICES

LESSON 1 WELL-BEING AND SECURITY CHECKS

Lesson Goal

At the end of this lesson, you will know how to check the well-being of a person and the security of a building or grounds.

Objectives

☑ **AL521.1. Gather background information from dispatch on the subject of a well-being check**

☑ **AL521.2. Make contact with the subject of the well-being check to determine their status**

☑ **AL521.3. Determine if forced entry is required during a well-being check**

☑ **AL521.4. Notify the interested parties of the outcome of the well-being check**

☑ **AL521.5. Investigate indicators of criminal activity during a security check**

☑ **AL521.6. Provide incident information and recommendations to the owner of the property after conducting a security check**

Well-Being Checks

There are occasions when you might observe a situation that requires a well-being check, such as a residence that shows lack of activity with newspapers or mail piled on the doorstep, or very high grass in the yard. A person with medical issues may also ask you to conduct a well-being check at their home, or dispatch may receive a request from an individual's neighbor or relative.

Upon arrival at the location, relay to dispatch if any vehicles are present and verify the ownership of the vehicles. Conduct a brief search of the premises for signs of breaking and entering or inactivity. Attempt to contact the person by knocking on the door or calling them on the phone. If appropriate, contact the property owner or management to obtain information about the individual and access to the location. Look into the windows to determine the status of the person or indicators of distress.

Dispatch should be able to research and identify if the resident has a medical alarm service or a call history at the location. You should try to determine if the subject of the check has been transported to a medical facility or has been arrested. If you are unable to make contact with the person and there are no immediate signs of distress, contact dispatch and wait for instructions. If you have a reasonable belief the person is in immediate danger, notify dispatch that a forced entry and search of the premises is required and additional backup or resources are needed.

If necessary, provide first aid to the person, contact dispatch to relay their status, or request additional emergency resources. Contact the complainant, relative, or neighbor who initiated the well-being check

to update them on the outcome of the check. If you initiated the well-being check, interview the person to determine whom to contact for follow-up.

Security Checks

While patrolling an assigned area, you will often conduct security checks of residences, buildings, or grounds. Security checks may be requested by citizens, dispatch, or your control officer. Upon arrival, notify dispatch and park your vehicle in a safe location while observing the area. Use your vehicle spotlights or a flashlight to conduct a security check. Maintain situational awareness while looking for indicators of criminal activity, such as open or unlocked doors, broken windows, or damaged security equipment. Other indicators of suspicious activity may be damaged vegetation or items such as outdoor furniture or planters that have been knocked over or moved. Check suspicious vehicles and interview people in the area regarding recent activity.

Walk the perimeter of the building, look through the windows, and ensure all points of entry are secure with no signs of tampering. If you observe suspicious circumstances, notify dispatch. You will initiate investigative action if there are indications of criminal activity, property damage, or loss. In the event a property owner or representative is unavailable and there is no indication of a crime, secure the premises and leave written notice of law enforcement action. Upon completion of a security check, you should transmit necessary information to dispatch.

UNIT 2 COMMUNITY SERVICES

LESSON 2 RESPONDING TO ALARMS

Lesson Goal

At the end of this lesson, you will know how to respond to various types of alarm calls.

Objectives

☑ **AL522.1. Describe the types of alarm calls that an officer may encounter**

☑ **AL522.2. Describe arriving at the scene of an alarm call based on information from dispatch**

☑ **AL522.3. Interview the initial complainant or property owner to resolve the alarm issue**

☑ **AL522.4. Secure the scene when responding to an alarm call to ensure officer and resident safety**

Responding to Alarms

You might respond to various types of alarms, such as:

- intruder
- panic
- fire
- medical

The type and location of an alarm determines your response. Alarms may indicate life-threatening situations, danger to the public, or a significant loss of property. The alarm company may tell dispatch the cause of the alarm. Some alarms may be audible while others may be silent. Whatever the alarm type or purpose, be aware of your surroundings and anticipate unknown risks.

Park the patrol vehicle a safe distance from the building or residence. Attempt to identify the cause of the alarm by observing the location and environment, interviewing people present, and getting information provided through dispatch. This information may include suspect description, false alarm notification, and “key holder” response.

If you arrive on the scene and suspects are present, contact dispatch for backup. You should defer to your control officer to develop a tactical plan for capturing the suspect. You might establish a perimeter, conduct a building search, or call for additional resources. Officer safety and situational awareness need to be on your mind at all times.

You may respond to an unknown alarm, such as a fire or medical alarm. Your responsibility is to identify the issue, notify the proper agency to resolve the incident, and assist as needed.

UNIT 2 COMMUNITY SERVICES

LESSON 3 ENVIRONMENTAL HAZARDS

Lesson Goal

At the end of this lesson, you will be able to assist in the evacuation of a structure or an area.

Objectives

☑ **AL523.1. Notify property owners or residents of an environmental danger or hazard**

☑ **AL523.2. Describe how to safely and orderly evacuate residents out of a building or area**

☑ **AL523.3. Assist additional resources upon arrival at the scene of an evacuation by providing incident information, controlling traffic, or providing first aid**

Evacuations

You may observe, receive a resident report, or be assigned to an incident that presents an environmental hazard. You may need to instruct occupants to evacuate from a building or area, or restrict access to a dangerous location. Be aware that you cannot force individuals to evacuate except under emergency circumstances. Request and use resources from other agencies as needed.

You may be asked to locate and notify any property owners or residents within the vicinity of the environmental hazard by making door-to-door contact. These contacts are made to communicate specific information regarding the hazard.

You may need to direct people to an evacuation route. Give clear directions and supervise the safe and efficient evacuation of the residents or occupants. Advise people to bring personal items such as medication, medical aids, or mobility devices. Communicate to dispatch any information regarding persons with special needs. After the residents have moved to a safe location, establish a perimeter for the building or area. Ensure the safety of any bystanders and restrict access into the area. Do not allow evacuated occupants to re-enter until the situation has returned to normal.

UNIT 2 COMMUNITY SERVICES

LESSON 4 ANIMAL COMPLAINTS

Lesson Goal

At the end of this lesson, you will be able to assess any threat posed by an animal, and use available resources to remove the animal safely.

Objectives

- ☑ **AL524.1. Assess the need to give first aid to people involved in a wild or domestic animal incident**
- ☑ **AL524.2. Determine the degree of danger at the scene of a wild or domestic animal incident**
- ☑ **AL524.3. Safely remove a wild or domestic animal threat using additional resources**
- ☑ **AL524.4. Apply animal cruelty statutes for animal abuse when responding to calls for service**

You might respond to calls involving domestic, wild, or exotic animals. Domestic animals may include livestock as well as family pets such as dogs and cats. Wildlife calls include alligators, snakes, bears, raccoons, and birds. Exotic animal calls may include pythons, parrots, and monitor lizards. You should determine the condition of the animal, and whether it is loose, contained, injured, or aggressive. Consider your level of experience and training before capturing or handling any animal.

Identify any immediate threats and any injuries to involved people. If personal or public safety is threatened, you may use appropriate equipment and force. Request any necessary additional resources including EMS, animal clinics, animal control, FWC, wildlife rehabilitators, or nuisance animal trappers.

You might receive calls regarding dogs left in vehicles. You may also receive animal abuse complaints. You may be the first responder to an animal abuse complaint or may suspect animal abuse when handling an unrelated call for service.

UNIT 2 COMMUNITY SERVICES

LESSON 5 SPECIAL EVENT SECURITY

Lesson Goal

At the end of this lesson, you will have an understanding of special event security.

Objectives

☑ **AL525.1. Obtain safety requirements from a supervisor or event coordinator when providing security for a special event**

☑ **AL525.2. Position yourself in a visible and tactical positioning while providing security for a special event**

☑ **AL525.3. Take appropriate lawful action while providing security for a special event**

You may be assigned to a special event detail, such as a sporting event, concert, parade, fair, or political rally. Your duties may include providing security for the event facility, attendees, and employees. Report to the command post for the event and check in for any briefing information, including the level of enforcement, procedures for arrest or ejection, prohibited items, and crowd control. Equipment, radio channel designations, and position assignments will also be distributed.

Safety requirements and concerns for these events are important due to a large number of attendees in a small area. You need to know evacuation procedures for the event as well as the location of first aid stations. Be aware of other officers' locations at the event as well as entrances and exits. You should be visible to the attendees for assistance if necessary. Maintain a high level of awareness for any potential incidents. Follow the briefing guidelines and enforcement protocols.

Once the event concludes, attend the debriefing, return any equipment issued for the event, and document any significant incidents.

UNIT 3 DISTURBANCES AND COURT ORDERS

LESSON 1 CROWD CONTROL

Lesson Goal

At the end of this lesson, you will be able to assist in the observation of a crowd to determine if the gathering is peaceful or criminal, and to control or engage participants.

Objectives

- ☑ **AL531.1. Determine the threat level of a crowd, demonstration, or riot through observation**
- ☑ **AL531.2. Describe information to relay to dispatch during a situation involving a crowd**
- ☑ **AL531.3. Describe officer action based on observations and analysis of the crowd**
- ☑ **AL531.4. Describe safely engaging participants of a crowd, demonstration, or riot**

Assessing the Crowd

The First Amendment to the U. S. Constitution allows people to assemble. Article 1, Section 5 of the Florida State Constitution also guarantees this right. However, you may respond to incidents involving a large gathering of people, resident complaints of a large gathering of people, or be assigned to monitor a special event with a large crowd.

People may gather as long as they cause no disturbance and act within the scope of state laws and city or county ordinances. Determine if a demonstration or gathering is lawful. In Florida, permits may be required for planned events that anticipate a large crowd. You may also respond to complaints about sudden crowds, such as late-night bars closing or crowds leaving a venue.

Identifying the Issues

Gauge the threat level of the crowd by observing the mood, location, direction of travel, and size of the crowd. Observe to see if the crowd is organized and if anyone is leading the crowd. Identifying why a group has assembled will help you understand group goals and possible solutions for a peaceful dispersal. Looking for signs and symbols on clothing or listening to words or phrases yelled or chanted by the crowd may help you understand the gathering.

Monitor the situation to collect information, and transmit updates frequently to your control officer, dispatch, or other officers. Include critical information such as crowd size and movement, observed weapons, property damage, and escalation or de-escalation of activity.

Any large gathering has potential for danger. If you need to engage the participants, remember that sheer numbers can be overwhelming and calling for assistance and waiting for backup is critical when engaging a crowd or demonstration. You should act swiftly to prevent further problems, such as a

peaceful demonstration turning into a riot. If the crowd turns and the perceived threat to your safety is growing, notify other officers that you are changing location, and that you require assistance.

You may see independent criminal violations occurring in the crowd, such as underage drinking or illegal narcotics usage. Use common sense and good judgement in making an arrest in a crowd. Removing or arresting members of a large group is sometimes difficult because the anonymity of a crowd may provoke violent behavior in aggressive individuals. Attacks can come from any direction, so have an exit strategy. Do not let the crowd corner you or limit your ability to exit the scene. If your agency expects you to make a physical arrest, observe the crowd's actions and determine if sufficient backup is present to ensure officer and public safety.

UNIT 3 DISTURBANCES AND COURT ORDERS

LESSON 2 CIVIL DISTURBANCES

Lesson Goal

At the end of this lesson, you will be able to assist at the scene of a disturbance and use available resources to resolve the conflict.

Objectives

- ☑ **AL532.1. Determine the threat level of the civil disturbance to ensure safety**
- ☑ **AL532.2. Describe the types of situations in which an officer may conduct a civil standby**
- ☑ **AL532.3. Determine an action to resolve a situation with a disorderly or irate person**

Civil Disturbance

When responding to a call that is civil in nature such as a landlord-tenant dispute or child custody issue, be aware that these incidents could become highly volatile. Consider the threat level of the situation by using information relayed by dispatch, location call history, and your observations.

You will need to separate, identify, and interview all parties involved to obtain information about the incident. You might also run database queries to determine if any injunctions or warrants exist.

Civil Standby

You may need to show a law enforcement presence while serving a judicial order or responding to a call for service, known as a ***civil standby***. Requests for civil standbys may occur for the execution of a ***writ of replevin*** (vehicle or other property repossession), a child custody exchange, or a pretrial release order.

Disorderly or Irate People

You will respond to incidents involving disorderly or irate people. Locate and interview the witness or complainant to identify the person and the possible reasons for the person's behavior. Try to diffuse the situation by isolating the disorderly or irate person from obvious sources of agitation during your interview. Remember that the First Amendment protects an individual's freedom of speech and the right to peaceable assembly, and that there are situations in which you have no legal authority to act.

LESSON VOCABULARY

civil standby

writ of replevin

UNIT 3 DISTURBANCES AND COURT ORDERS

LESSON 3 SERVING CIVIL PROCESSES AND WARRANTS

Lesson Goal

At the end of this lesson, you will understand the information and legal authority contained in a civil process, a search warrant, and an arrest warrant.

Objectives

☑ **AL533.1. Identify the subject of the civil process by reviewing the documentation**

☑ **AL533.2. Identify the location of the subject by searching available resources or databases**

☑ **AL533.3. Explain delivering a civil process after identifying the nature of the document**

☑ **AL533.4. Confirm delivery of a civil process by signing and returning the documentation**

☑ **AL533.5. Report to the assigned location prior to the execution of a search warrant**

☑ **AL533.6. Identify the subject of an arrest warrant, a *capias* warrant, or a pick-up order by reviewing the document information**

☑ **AL533.7. Identify the location of the subject based on an arrest warrant, a *capias* warrant, or a pick-up order by searching available resources or databases**

☑ **AL533.8. Explain that officers are required by law to advise the subject of an arrest warrant, a *capias* warrant, or a pick-up order of its contents**

☑ **AL533.9. Describe the completion of an arrest warrant, a *capias* warrant, or a pick-up order by processing the appropriate documentation**

Civil Processes

You may receive an assignment to serve a civil process, such as a witness subpoena, protective injunction, or eviction notice. Civil processes are non-criminal in nature and are issued by the court. Serving a civil process is a legal procedure in which you deliver a summons to a person to appear in court or at a legal proceeding.

Review the information for the recipient's name, address, and the purpose of the civil process. Conduct a database search to verify the address and to verify other information. The nature of the civil process may provide information related to possible officer safety issues when serving the order, such as an injunction that displaces a resident.

Serving a civil process occurs when you provide a copy to the respondent. You should explain the purpose of the civil process and pertinent information. You must include a signature, date, and time on all copies of the civil process, and return the signed documentation to the court through established channels. A failure to state the facts to the respondent or to include the signature as required by Florida Statutes invalidates the service.

Search Warrants

You may be required to assist in the execution of a search warrant. Search warrants vary in type and complexity. The execution of a search warrant can be labor intensive and may require the coordination of multiple officers and agencies.

You will respond to the designated briefing location, where you will learn specific information regarding the operation. This information may include the type and scope of the search warrant, suspect information, the location, and safety concerns. You have a specific task to complete, such as security perimeter, entry, search, crowd control, or transport. You must ensure you understand your duties and are properly equipped to complete the task.

Search warrants outline items to look for and identify specific locations or rooms to search. When searching for a specific item such as a flat screen television, looking in a kitchen drawer is beyond the scope of the search. If you locate additional evidence or contraband, notify the operation officer in charge immediately. Remember the Plain View Doctrine from Chapter 2.

Before leaving the scene, ensure all equipment and evidence is located and removed. A debriefing may occur following the execution of the search warrant to discuss the details of the operation, which might include the overall outcome and the results of the operation.

Arrest Warrants

You may assist in the execution of an arrest warrant, a *capias* warrant, or a pick-up order. Review the document for the subject's personal information and nature of the order. You can conduct a database search or use other resources to confirm the subject's identity and possible location. The court order may provide information related to officer safety issues that are relevant to the execution of the arrest.

You are required by law to relay the charges of the arrest warrant to the subject, except in situations with a high likelihood of violence or flight risk. Once you locate the subject and verify their identity, then you can place them under arrest. Confirm that you served the order by completing the necessary documentation, which includes a signature, date, and time on all copies of the court order.

UNIT 4 ARREST PROCEDURES

LESSON 1 CONTACT WITH THE SUSPECT

Lesson Goal

At the end of this lesson, you will understand how to safely approach, interact with, or safely pursue a suspect on foot.

Objectives

☑ **AL541.1. Describe techniques for safely approaching a suspect**

☑ **AL541.2. Identify methods for establishing communication when approaching a suspect**

☑ **AL541.3. Determine how to pursue a suspect on foot safely**

Approaching the Suspect

When approaching a suspect, consider the suspect's criminal history, behavior, and the possible presence of weapons. Always watch the person's hands and body language when talking with a suspicious person. Watch for inconsistencies, such as a suspect claiming to have come from one direction while pointing in another.

Contact and cover is an effective technique for keeping safe when approaching a suspect. It is a coordinated effort between a contact officer and a backup or cover officer. Each officer fills a different role in the approach. Usually, the control officer on the call is the ***contact officer***. This officer is responsible for leading the approach and handling all communication with the suspect, including commands and interviews.

The backup officer is the ***cover officer*** and is primarily responsible for officer safety concerns at the scene. The cover officer observes the contact officer's interaction with the suspect and watches for hazards such as hostile crowds, traffic, or escape routes. Additional officers share cover responsibilities and assist the contact officer as requested.

Initiating Contact and Establishing Communication With a Suspect

When moving toward a suspect:

- Approach the suspect cautiously.
- Maintain visual contact with the suspect.
- Ensure that you keep a safe distance between yourself and the suspect.
- Stay alert to potential resistance or threats.
- Observe the suspect's position and body movements for indications of flight.
- Continuously scan for weapons.

Ask for information such as a name, date of birth, address, or for a driver's license or identification card for verification. Ask dispatch to check the results against the information that the suspect provided. Continue to seek information by interviewing and observing the suspect. If you believe the suspect poses a threat or may flee, handcuff the suspect. If you believe the suspect has a weapon, conduct a pat down. Share all current information on the suspect with backup officers. Once the interview becomes custodial, remember that *Miranda* warnings are required to continue with questioning.

Suspect Outstanding Warrant Check

If a database check reveals an unrelated outstanding warrant, you must arrest the suspect if teletype confirms the warrant. Place the suspect under arrest and transport them to an appropriate facility.

Foot Pursuit

If a suspect flees when you attempt to make contact, determine if there is legal justification for a detention, based upon the facts known at the time. Without reasonable suspicion, you have no authority to act. Remember that mere flight does not equal probable cause for arrest but contributes to reasonable suspicion to detain for an investigation. It is your responsibility to articulate the probable cause to support an arrest.

When you have reasonable suspicion to detain a suspect and the suspect flees, make a quick assessment of the situation. Clearly communicate your location, direction of travel, and a description of the suspect to dispatch while in pursuit. Continuously update this information to allow responding officers to provide support and establish a perimeter.

Safety considerations during a foot pursuit include:

- seriousness of the offense committed
- probability that the suspect is armed
- threat to officers and the public
- location and potential for ambush
- time of day and weather conditions
- known suspect/ability to apprehend at a later time
- number of officers vs. number of suspects at the scene
- physical limitations and capabilities of officer and suspects
- availability of additional resources, such as canine, air support, or SWAT
- securing the patrol vehicle
- the suspect's familiarity with the area

Attempt to maintain visual contact with the suspect. It is common for fleeing suspects to get rid of evidence or contraband. Immediately alert assisting officers to the location of discarded items.

OFFICER HEALTH AND SAFETY CONCERNS

You need to remember the physiological effects of stress and fatigue, such as auditory exclusion, tunnel vision, and rapid breathing. If you lose sight of the suspect, be aware of a possible ambush. Determine whether to continue or stop the pursuit. Certain conditions will present increased risks, such as corners,

fences, wooded areas, swimming pools, and animals. Watch for blind corners; slow down and clear the corner. If you lose radio contact with dispatch, re-evaluate the decision to pursue. The pursuit may be terminated when:

- the suspect's location is unknown
- you are unable to continue due to injury, fatigue, or unfamiliarity with the area
- the suspect's identity is established and they are no longer a threat
- radio communication fails
- a supervisor terminates the pursuit

LESSON VOCABULARY

contact officer

cover officer

UNIT 4 ARREST PROCEDURES

LESSON 2 TAKING CUSTODY OF THE SUSPECT

Lesson Goal

At the end of this lesson, you will understand how to make an arrest and transport a suspect from the scene to a booking facility.

Objectives

☑ **AL542.1. Use effective restraint techniques to make a safe and lawful arrest**

☑ **AL542.2. Seize and secure contraband**

☑ **AL542.3. Explain why information is released through a supervisor or the public information officer**

☑ **AL542.4. Describe how to conduct the safe escort of a detainee on foot**

☑ **AL542.5. Explain how to secure a detainee and property for custodial transport**

☑ **AL542.6. Safely transfer a detainee and property to the receiving facility**

☑ **AL542.7. Present complete and accurate documentation for a detainee at the receiving agency**

☑ **AL542.8. Advise the receiving facility of any known medical conditions for the detainee**

☑ **AL542.9. Submit evidence when processing a detainee in accordance with agency policy**

Making a Physical Custody Arrest

Recall what you learned about arrest procedures in Defensive Tactics. You will use that knowledge of transporter and restraint techniques to aid you in an arrest incident. You should inform suspects that they are under arrest and the reason for the arrest. Ask the arrestee if they understand the charges. Review the *Miranda* warnings section of Chapter 3 to help you understand the connection between the arrest incident and preserving due process. Remember that any contraband must be seized and marked in the same manner as other evidence to keep a clear chain of custody and avoid the possibility of claims of misbehavior against you or your agency.

It may be necessary for you to provide information to victims, witnesses, and possibly the arrestee's family members, all of whom may have a direct interest in the incident. Remember that state law and agency policy regulate what information can be released to the public and to the media. Relay requests for information to your supervisor or the agency public information officer.

Escorting an Arrestee to the Patrol Vehicle

Handcuff the arrestee before searching for weapons or contraband; perform a custodial search using proper techniques. Maintain physical control of the arrestee, and guide them using verbal directions. Always search an arrestee before placing them in the vehicle. Never assume that they have been searched by another officer. Secure all items removed from the arrestee during the escort for officer safety.

Securing an Arrestee in a Vehicle

Conduct a search of the transport vehicle to make sure that there is nothing in the back seat or on the floorboards before you put the arrestee in the vehicle. Thoroughly search arrestees before and after securing them in the vehicle, then look around the transport area to ensure nothing was dropped or discarded. Maintain physical contact while placing the arrestee in the rear seat of the patrol vehicle, instructing or physically guiding them as needed. Remember to secure the arrestee with a seat belt for officer and passenger safety. If you encounter resistance while loading the arrestee, you may respond with an appropriate level of force.

You may encounter additional obstacles such as the arrestee's size, health, or medical condition, which may require adjustments to the transport procedure. Options might include requesting a larger transport vehicle or an ambulance, or adjusting the arrestee's position. Keep any property collected separate from the arrestee and stored in a secured location. Document all of the arrestee's property according to agency policy.

Arrestee Transport

Before transport begins, call dispatch and provide the current location, destination, and beginning vehicle mileage, and if you are transporting an arrestee of the opposite sex or a juvenile. Know your agency's policy regarding audiotaping or videotaping a transport. These guidelines protect you and your agency from unfounded misconduct charges.

Consider weather conditions and extreme temperature if you cannot transport the arrestee immediately after loading. Do not leave a prisoner in a hot car for an extended period. Notify dispatch if you are transporting an ill detainee to a medical facility or if EMS has been requested. When transporting an arrestee with a physical, sensory, or language disability, transport procedures should be adjusted as needed without compromising officer safety. When an ambulance is required, follow agency policy.

Arrival at the Destination

When you arrive at your destination, notify dispatch and report the ending vehicle mileage. Gather all personal property taken from the arrestee, and then safely remove the arrestee from the patrol vehicle. Maintain physical control of the arrestee during escort into the facility. You are responsible for the arrestee until they are received by facility staff. Secured facilities can present certain hazards and dangers, and you need to be aware of your surroundings. Following a prisoner transport, thoroughly search the passenger compartment as soon as practically possible.

Entering the Detention Facility

Many agencies use booking or intake officers to perform some or all intake functions for you. Inform the intake officer about:

- the charges against the arrestee
- any injuries the arrestee has (requires medical clearance documentation)
- if the arrestee is a juvenile
- if the arrestee was contaminated with pepper spray
- if a conducted electric weapon (such as a dart-firing stun gun) was used
- threats made by the arrestee to self or others
- any known medical conditions

Give the intake officer any personal property, not including evidence or contraband, removed from the arrestee and bagged at the scene. Then you should transfer custody of the arrestee to the intake officer. You must complete the arrest affidavit, which could be in either paper or electronic format. This document must be completed and submitted to the intake officer.

Keep the evidence or contraband in a secure place until you can properly package and submit the items. This action will prevent the evidence or contraband from mixing with other property in the booking area and will prevent theft or destruction of evidence by an arrestee. All evidence and contraband must be properly processed and packaged. Follow agency policy for submitting evidence to maintain the chain of custody and reduce any legal challenges.

Fingerprinting and Photographing the Arrestee

The Florida Statutes require that the fingerprints, palm prints, and facial images of each adult charged with or convicted of a felony, misdemeanor, or violation of a comparable ordinance by a state, county, municipal, or other law enforcement agency be captured and electronically submitted to the Florida Department of Law Enforcement.

Documenting the Arrest Process

If video or audiotape systems are used to document all or part of the contact, arrest, or transport, the tape becomes part of public record under Florida's public records law, chapter 119 of the Florida Statutes. It must be kept in its original form as required by statute. You need to remember that your actions, words, and behavior are constantly being recorded.

UNIT 5 INCIDENT COMMAND SYSTEM

LESSON 1 INTRODUCTION TO THE INCIDENT COMMAND SYSTEM

Lesson Goal

At the end of this lesson, you will complete the online training and pass the online evaluation for the incident command system modules.

Objectives

☑ **AL551.1. Earn a passing score on the two National Incident Management System training modules for the incident command system**

One of the techniques used to maintain organization and complete response objectives during a large-scale incident is the incident command system (ICS). ICS is a standardized, on-scene, all-hazards approach to incident management that integrates the operation of facilities, equipment, personnel, procedures, and communications under a common organizational structure.

The incident command chapter provided by the Emergency Management Institute is on the Federal Emergency Management Agency (FEMA) website. You will need to complete IS-100.C Introduction to the Incident Command System and IS-700.B An Introduction to the National Incident Management System (NIMS). You will use the FEMA website to access these units and pass an online evaluation.

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UNIT 1 TRAFFIC TERMS

LESSON 1 DRIVER'S LICENSES

Lesson Goal

At the end of this lesson, you will be able to identify common traffic violations and recognize a driver's license, and a license plate.

Objectives

- ☑ **AL611.1. Identify the Florida Statutes that contain criminal and non-criminal traffic violations**
- ☑ **AL611.2. Explain what a driver must do when an officer requests their driver's license**
- ☑ **AL611.3. Explain reasons for the legal confiscation of a Florida driver's license in a traffic stop**
- ☑ **AL611.4. Describe the format and components of a legal Florida driver's license**
- ☑ **AL611.5. Describe the format and components of a legal Florida vehicle license plate**

Traffic Laws

Some traffic violations are infractions and non-criminal in nature. Other traffic violations may result in criminal charges such as a moving violation that results in a serious injury. Many of the traffic violations in chapter 316, F.S., are infractions, punished by fines, court costs, driving school, or community service hours, but not by incarceration. A non-moving violation does not usually cause a crash or injury. Most non-moving violations do not assess points against the driver's license if the driver complies (fixes faulty equipment, for instance) within a specified period of time.

The Florida Driver's License

Section 322.15, F.S., states that all people driving in Florida must possess a valid driver's license. Drivers must show it upon demand by a law enforcement officer or an authorized representative of the Department of Highway Safety and Motor Vehicles (DHSMV). It is unlawful to drive in Florida with a suspended, revoked, cancelled, or disqualified license. The charge for doing so may be a moving violation, misdemeanor, or felony depending on the circumstances. The license may not be faded, altered, mutilated, or defaced. If you confiscate a license due to suspension, mutilation, revocation, or altered data, dispose of it according to agency policy.

LICENSE FORMAT

There are three types of Florida driver's license:

- learner's license
- non-commercial driver's license
- commercial driver's license

The Florida driver's license also includes several different classes, for example, classes A, B, C, and E. The classes indicate what kind of vehicle a driver can operate legally, and the gross vehicle weight rating (GVWR) of vehicle allowed.

Licenses for drivers aged 21 and over are in a horizontal format. Licenses for drivers under the age of 21 are in a vertical format.

The color header of a license identifies the license type and class.

Additionally, many people carry a personal Florida identification card (pink/red). This is used strictly for the identification of the person carrying it and does not authorize that person to drive a vehicle.

Pre-2017 Format

- blue: commercial driver's licenses (CDL)—Classes A, B, and C
- green: non-commercial driver's license—Class E
- yellow: learner's license—Class E
- red: identification card (not a driver's license)

New Format Beginning in 2017

In 2017, DHSMV began issuing a new, more secure driver's license. There are three headshots on the front; one is transparent. In addition, the license has a light blue Florida seal. On the back, there is another headshot, and an image of the state of Florida set against a wave background. Designated color headers identify the license class types:

- orange: learner's license—Class E
- green: driver's license—Class E
- blue: commercial driver license (CDL)—Classes A, B, and C
- red: identification card (not a driver's license)

ENDORSEMENTS, RESTRICTIONS, AND DESIGNATIONS

A license ***endorsement*** is a special authorization printed on a Florida driver's license permitting a driver to drive certain types of vehicles or transport certain types of property or number of passengers. Examples of endorsements include authorization to drive motorcycles, school buses, or combination vehicles with double or triple trailers.

A ***restriction,*** printed on a Florida driver's license, may limit a driver from operating certain types of motor vehicles or require that they meet certain conditions when driving any motor vehicle.

A Florida driver's license restriction may also include ***informational alerts*** that tell you about a person's health condition or public safety status. For example, a diabetic person's license may display "insulin dependent" in red print. Informational alerts are called ***designations*** after 2017.

Pre-2017 Restrictions and Endorsements

Required endorsements and restrictions appear on the front of the license. Explanations of the endorsements and restrictions are on the back. For drivers authorized to operate a motorcycle, the following endorsement appears on the front of the driver's license under the expiration date: "Motorcycle Also" or **"**Motorcycle Only."

There are two optional designations that appear on the bottom right of a Florida driver's license or ID card. They may be added for a small fee and with proof of service or necessity:

- D—Upon request by a person who has a developmental disability, or by the parent or guardian of a child or ward who has a developmental disability, DHSMV will issue an identification card with a capital "D" for a small fee.
- V—Any honorably discharged U.S. veteran may have a veteran designation placed on their driver's license or ID card.

Endorsements, Restrictions, and Designations Beginning in 2017

Beginning in 2017, motorcycle-also and motorcycle-only endorsements are designated by an "A" or "O" in the endorsement field located on the front of the card, and by "A-MTRCL Also" or "O-MTRCL Only" on the back of the card. Motorcycle endorsements are no longer spelled out on the front of the license.

The following designations are required by law and appear on the front of the license in the bottom right corner:

- sexual predators—sexual predator
- sexual offenders—943.0435 F.S.

The new format of license and ID card has different locations for lifetime designations. They appear on the back of the license underneath the headshot and are represented by different symbols:

- Deaf or Hard of Hearing
- Developmentally Disabled
- Insulin Dependent
- Veteran
- Organ Donor

These lifetime license designations appear on the back of the license underneath the headshot and are represented by different symbols:

- FWC Lifetime Sportsman
- FWC Lifetime Boater
- FWC Lifetime Freshwater
- FWC Lifetime Hunting
- FWC Lifetime Saltwater

CLASSES OF FLORIDA DRIVER'S LICENSES

Licenses issued before the 2017 changes display the license class type on both the front and back.

Beginning in 2017, the class type is located at the top right of the license, either near or below the Department of Homeland Security Real ID-compliant gold star emblem. Real ID-compliance means that Florida meets the federally established security standards for state-issued driver's licenses and identification cards.

CLASS A: required for drivers of trucks or truck combinations with a Gross Vehicle Weight Rating (GVWR) of 26,001 lbs. or more, provided the towed vehicle is more than 10,000 lbs.

CLASS B: required for drivers of straight trucks with a GVWR of 26,001 lbs. or more.

CLASS C: required for drivers of vehicles transporting hazardous materials in sufficient amounts to require placards or vehicles designed to transport more than 15 people (including the driver), and with a GVWR of less than 26,001 lbs.

CLASS E: required for drivers of any non-commercial motor vehicle with a GVWR less than 26,001 pounds. This includes passenger cars, 15-passenger (including the driver) vans, trucks or recreational vehicles, and two- or three-wheel motor vehicles 50 cc or less, such as mopeds or small scooters. Farmers and drivers of authorized emergency vehicles who are exempt from obtaining a commercial driver's license must obtain a Class E license.

CLASS E-**Learner**: A driver with a Class E-Learner's license is limited to driving motor vehicles weighing less than 8,000 pounds. In addition, they must be accompanied by a licensed driver 21 years of age or older who occupies the closest seat right of the driver. The learner may initially drive only between the hours of 6 a.m. and 7 p.m. Three months after issuance of the learner's license, the driver may drive from 6 a.m. to 10 p.m. A driver with a learner's license may not operate a motorcycle without a motorcycle endorsement.

Florida Vehicle License Plates

Florida's DHSMV issues standard and specialized license plates. While the majority of specialized plates are "vanity" plates displaying the owner's nickname or commemorating a college, sports team, or cause, some have specific uses and restrictions. For example, some plates are limited to commercial or government vehicles. Others are based on the owner's status, such as a state legislator. There are also specialized plates that must have additional prefix characters or descriptions not preprinted on the plate. Some examples include various Florida universities, breast cancer awareness, antique vehicle, and Purple Heart plates.

LESSON VOCABULARY

designation

endorsement

informational alert

restriction

UNIT 1 TRAFFIC TERMS

LESSON 2 VEHICLES AND ROADWAYS

Lesson Goal

At the end of this lesson, you will be able to define terms associated with traffic.

Objectives

☑ **AL612.1. Describe the common types of vehicles on the roadways**

☑ **AL612.2. Describe the common types of roadways**

☑ **AL612.3. Explain the common types of crash-related injuries that individuals may sustain**

Traffic Users

Driver: a person who is driving a vehicle, is in physical control of a vehicle, or is controlling or steering a vehicle in tow

Vulnerable road user: a person or pedestrian that is working on a road to repair the road or utility facilities; working on emergency services; operating a bicycle, motorcycle, scooter, or moped; riding an animal; operating on a public right-of-way, crosswalk, or shoulder with a farm vehicle, a skateboard, roller skates, or in-line skates, a horse-drawn carriage, or an electric personal assistive mobility device or wheelchair

Pedestrian: a person on foot on a road, berm, shoulder, or sidewalk

Vehicle: every device that transports a person or property on a road (not rails or tracks)

Motor vehicle: an automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated on the roads, used to transport persons or property, and propelled by power other than muscular power; a recreational vehicle used as temporary living quarters for camping or travel, and self-motorized, mounted on, or pulled by another motor vehicle

Autonomous vehicle: a vehicle equipped with technology that senses the environment and allows the vehicle to move on the road without a person actively controlling or monitoring, such as a driverless, self-driving, or robotic car

Traffic Locations

Laned highway: a road divided into two or more clearly marked lanes for vehicular traffic

Limited access facility: a road adjacent to private property to which the property owners have no right or easement to; however, the owners may have access to the light, air, or view over the property; can include a road with signage prohibiting or limiting access for trucks, buses, or commercial vehicles

Private road or driveway: a privately-owned space that owners, and people given owner permission, use for vehicular traffic

State road: a highway designated as a state-maintained road by the Department of Transportation

Roadway: a portion of a highway used for vehicular travel that does not include the berm, shoulder, or sidewalk

Street or highway: the entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public for purposes of vehicular traffic

Intersection: the area within the connection of the lateral boundary lines of two or more roadways of two highways joined at approximately right angles or any other angle that may connect the two roads; where a highway includes two roadways 30 feet or more apart, every crossing of each roadway of the divided highway by an intersecting highway is a separate intersection

Crosswalk: that part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface

Sidewalk: the area pedestrians use between the curb or lateral line of a road and the adjacent property lines

Bicycle path: any road or path open to bicycle travel, physically separated from motorized vehicular traffic by an open space or by a barrier and is located either within the highway right-of-way or within an independent right-of-way

Traffic Incidents

Fatal injury: an injury causing death within a 12-month period after a crash

Incapacitating injury: visible or non-visible signs of injury, such as a bleeding wound, that creates a substantial risk of death, serious personal disfigurement, or loss or impairment of a limb or organ and that requires emergency transportation to a medical facility

Non-incapacitating injury: visible or non-visible signs of injury or complaint of injury, that probably do not requiring transport from the scene

Traffic stop: a lawful, temporary detention of a driver of a vehicle for an investigative purpose

Traffic crash: a collision, involving one or more vehicles, causing property damage, personal injury, or death

Area of collision: the location of the first harmful event, or the first damage-producing event in a traffic crash. It is where the collision occurred.

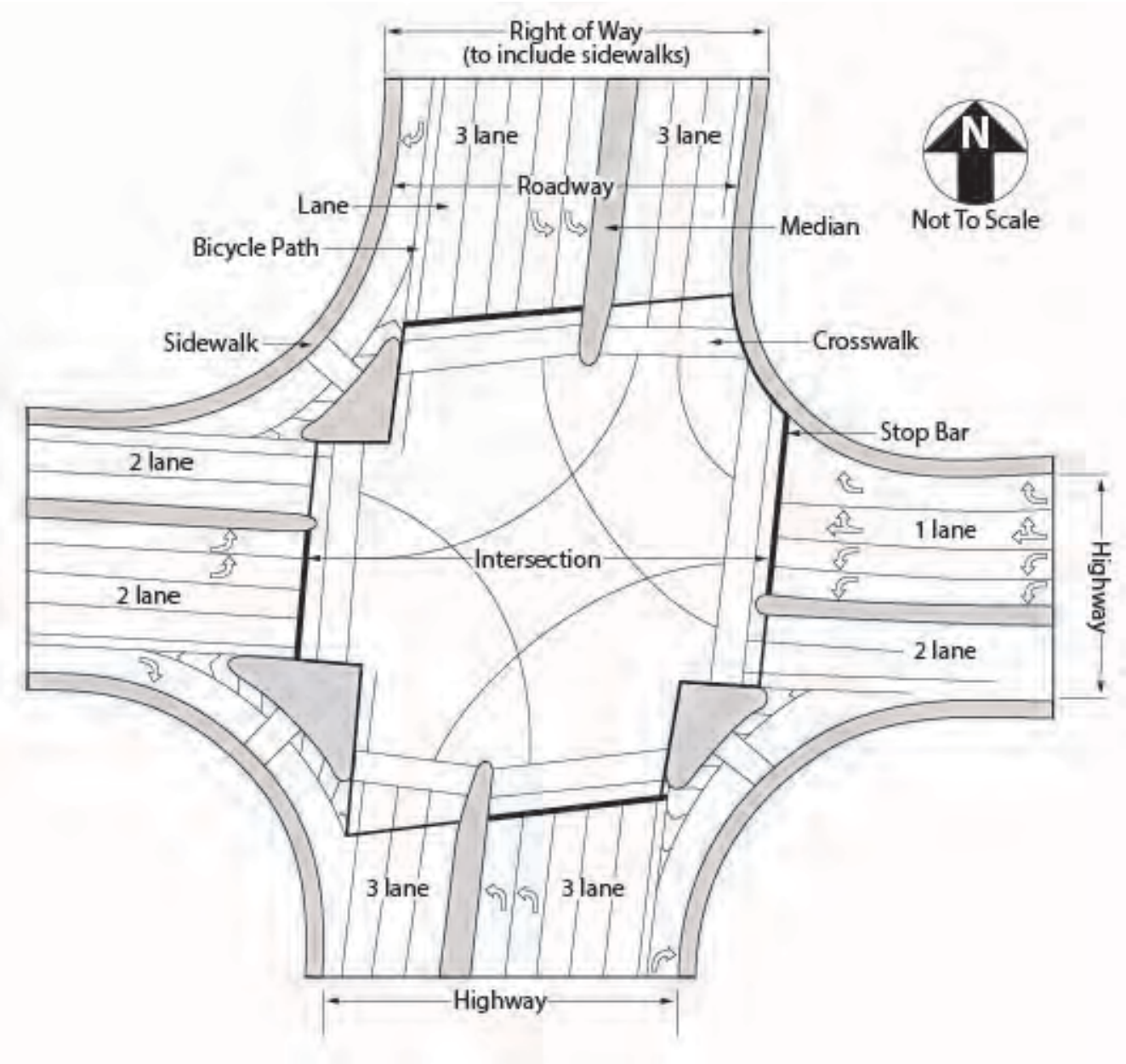
Traffic flow: the general speed and direction of vehicle or pedestrian movement

Contributing traffic violation: a direct cause or contribution to a crash, such as a vehicle running a red light and striking another vehicle

Non-contributing traffic violation: a violation that has no direct bearing on the cause of the crash, but is discovered during a crash investigation. Examples include expired license plate or seat belt violations

Non-traffic violation: a criminal offense discovered during the investigation of a traffic crash

Figure 6-1 Roadway Description



UNIT 2 RESOLVING VEHICLES INCIDENTS

LESSON 1 PARKING VIOLATIONS

Lesson Goal

At the end of this lesson, you will be able to issue a uniform traffic citation (UTC), municipal parking citation, or county ordinance citation.

Objectives

☑ AL621.1. Differentiate between a uniform traffic citation (UTC), municipal parking citation, and county ordinance citation when enforcing motor vehicle parking laws

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You may be required to enforce various parking laws and ordinances by issuing a uniform traffic citation (UTC), a municipal parking citation, or a county parking citation. A UTC is used to enforce violations of the Florida Statutes. County or municipal citations may be issued to enforce local ordinances.

If an agency uses a parking citation to enforce parking laws, you can complete and attach the citation to the vehicle in violation. Section 316.1945 (3)(b), F.S., specifies that you must attach a citation, or parking summons, in a safe, conspicuous place (usually under the windshield wiper).

Anyone who parks in a designated handicapped space must have the proper permit. A permit may be displayed by either a placard or an issued specialty license plate. Drivers who do not have permits and park in handicapped spaces can be issued a citation.

UNIT 2 RESOLVING VEHICLES INCIDENTS

LESSON 2 TOWING OR IMPOUNDING ABANDONED VEHICLES

Lesson Goal

At the end of this lesson, you will understand the definition of an abandoned vehicle, and how to safely impound, inventory, and store a vehicle while following the law.

Objectives

- ☑ **AL622.1. Describe how to approach an abandoned vehicle safely**
- ☑ **AL622.2. Describe common sources of owner information regarding an abandoned vehicle**
- ☑ **AL622.3. Determine if a motor vehicle should be impounded based on situational circumstances**
- ☑ **AL622.4. Identify the process to inventory property from a vehicle after conducting a search**
- ☑ **AL622.5. Describe why an impounded motor vehicle is towed to an appropriate location**
- ☑ **AL622.6. Know the reasons for examining all compartments, cargo areas, and the exterior of a vehicle**

Abandoned Vehicles

An ***abandoned vehicle*** is a vehicle without a known driver or person responsible for the vehicle. These vehicles may be disabled, illegally parked, or a potential crime scene. Investigate abandoned vehicles to determine if a crime has occurred such as a vehicle theft or burglary. Look for evidence of forced entry or other criminal activity. When responding to an abandoned vehicle complaint, your first concern is to identify public safety hazards, which may range from roadway obstruction to a mobile meth lab. Do not walk between your vehicle and the abandoned vehicle. Be aware of your surroundings, and remain alert for possible ambush or for other people in the area.

Try to identify the owner by accessing available computer databases to query the license plate number or the vehicle identification number. You may also obtain information about the vehicle or the owner from the complainant or other people in the area.

Towing or Impounding a Vehicle

Follow your agency's policies on securing the vehicle if it is to remain, or for removing the vehicle if it is in violation of law. If a vehicle is towed as part of a criminal investigation, traffic crash, or DUI investigation, you are required to conduct an inventory search of the vehicle and document all its contents. Vehicles may also be seized under the Florida Contraband Forfeiture Act. A vehicle is considered ***impounded*** when it is removed from its present location and placed in the custody of police or the court.

DISABLED, ABANDONED, OR UNATTENDED VEHICLE TOWING PROCEDURES

You may be asked by a motorist for assistance in coordinating a tow for a disabled vehicle. The owner is responsible for negotiating with the company regarding location and fees. In some cases, a disabled, abandoned, or unattended vehicle may need to be removed from its location, but there is no evidence of criminal behavior. You will still conduct a vehicle inventory and document it on the vehicle inventory form. If the vehicle is locked, conduct a visible inventory of the contents, and identify existing damage to the interior and exterior of the vehicle. Request a wrecker to transport the unattended vehicle to a secured lot.

Exterior and Interior Vehicle Search

The authority to search a vehicle during impound is based on probable cause. Search the vehicle using a specific search pattern, and document your findings. When searching a vehicle, look inside to determine if the interior has a noticeable amount of dust on the inside. Don't touch anything inside the vehicle without PPE. Look to see if there are indications of drug use in plain view, such as syringes, spoons, or small, clear plastic bags of grey, white, or brown powdered material. If there is significant dust, signs of drug use, or if you suspect drug use, gently close the door to the vehicle and contact your control officer. Your control officer may instruct you to wait for a special unit to search the vehicle, or may instruct you to continue the search. Assume the vehicle contains drug chemical hazards, such as fentanyl. Follow the universal precautions for PPE when you suspect the presence of fentanyl.

While searching a vehicle, make sure that all compartments are checked, and avoid unnecessary damage to the vehicle. Be aware of hidden compartments to conceal contraband or weapons, and look for any suspicious buttons or switches that may indicate the presence of these compartments.

INVENTORY

Recall from Chapter 2 that you are required to perform an inventory when a vehicle is impounded. The inventory should document the vehicle's overall condition, mileage if available, damage, contents, and equipment. An inventory is conducted to protect you and your agency from false claims of lost, stolen, or damaged property.

Follow agency policy regarding the documentation and recovery of evidence inside the vehicle. Often during inventories or searches, you will find contraband or evidence of a crime. Items may include controlled substances, weapons, and burglary tools. Do not use an inventory instead of a lawful search, but remember that evidence found during an inventory is admissible in an investigation.

Vehicles Involved in a Crime

Follow agency policy when securing vehicles as evidence. If the vehicle is evidence and needs to be held under the control of the investigating agency, a wrecker service will transport the vehicle to a designated secure location. Treat the vehicle as a crime scene until it is processed. Agencies require a secured storage facility to maintain the chain of custody and ensure evidence is free from tampering. Seized vehicles under the Contraband Forfeiture Act are also inventoried and stored.

LESSON VOCABULARY

abandoned vehicle

impound

UNIT 3 DIRECTING TRAFFIC

LESSON 1 VEHICLE TRAFFIC

Lesson Goal

At the end of this lesson, you will be able to direct traffic.

Objectives

☑ **AL631.1. Park the patrol vehicle in a safe location to avoid obstruction of traffic flow**

☑ **AL631.2. Survey the scene of obstructed motor vehicle traffic by observing environmental conditions, hazards, and disrupted traffic flow**

☑ **AL631.3. Request assistance from other agencies to restore obstructed motor vehicle traffic**

☑ **AL631.4. Choose appropriate safety and traffic warning devices to direct motor vehicle traffic**

☑ **AL631.5. Determine a safe and effective route to re-direct traffic flow based on the incident**

☑ **AL631.6. Describe how to direct motor traffic flow using agency-issued traffic equipment**

☑ **AL631.7. Explain when the original motor vehicle traffic pattern may safely resume**

Visibility is the highest priority for you when directing traffic. Your safety equipment is designed for maximum visibility to others. Wear your high-visibility safety vest whenever you exit your vehicle, regardless of the time of the day. Use traffic cones and flares to increase visibility.

You may need to direct traffic for many reasons, including roadway obstructions, traffic crashes, special events, utility repairs, or broken traffic signals. Survey the scene to determine the nature of the traffic flow obstruction. Depending on the volume of traffic and traffic patterns, you may need help.

When encountering a traffic incident, safely park the patrol vehicle on the shoulder or in another location that does not block traffic. However, if the damage is severe enough to pose a danger to motorists, park your vehicle in the travel lane to prevent additional incidents, and to preserve as much of the scene of the crash as possible. Direct traffic around the damage and request assistance. Activate your vehicle's emergency lights to alert motorists to reduce speed.

Determine the best location to stand as well as the appropriate equipment to ensure high visibility and officer safety when directing traffic. You may use hand signals, whistles, a flashlight, direction wands, reflective gloves, or the traffic control box in order to maintain traffic flow. The center of an intersection provides the greatest visibility but it is also the most hazardous. Find the safest possible location from which to direct traffic. Avoid standing between two vehicles on the roadside, or directly in front of or behind a vehicle. Stop traffic to allow emergency vehicles access to the scene.

Attempt to give equal time to each direction when handling traffic flow from more than one direction; however, allow heavier lanes of traffic to flow for longer periods. If directing traffic in an intersection, follow typical traffic signal patterns to reduce confusion and expedite movement.

Determine what options are available for re-routing traffic safely through or around the immediate area. If the traffic is routed away from the obstruction, use an alternate route that can manage the level of traffic flow for the duration of the roadway incident.

To stop traffic:

- Point and make direct eye contact with the driver you want to stop.
- Raise one hand with your palm toward the driver until they stop; you may point with the other hand to the exact location where the driver is to stop.
- When stopping vehicles on open high-speed highways, you should face the traffic to be stopped and extend both hands above your head.

To start and maintain traffic flow:

- Point at the driver being directed to start and make eye contact.
- Rotate your hand up and over your chin, bending at the elbow.

To turn traffic flow:

- Direct turns only when they can be accomplished safely.
- Direct turns by pointing at the driver until eye contact is made, then pointing in the direction of the turn.

Audible signals:

- Whistles can be used along with hand signals.
- One long blast signals motorists to stop.
- Two short blasts signal motorists to proceed.
- Use multiple short blasts to gain the attention of drivers not responding to signals.

Vehicle traffic patterns may resume once the obstruction has been removed and the roadway issue has been resolved. Stop all lanes of traffic, remove and deactivate all traffic warning equipment, and signal drivers to resume normal traffic patterns.

UNIT 3 DIRECTING TRAFFIC

LESSON 2 PEDESTRIAN TRAFFIC

Lesson Goal

At the end of this lesson, you will be able to direct pedestrian traffic by identifying safe and efficient actions in planned or emergency situations.

Objectives

☑ **AL632.1. Describe how to direct pedestrian traffic during a planned event**

☑ **AL632.2. Explain how to re-direct pedestrian traffic during a planned event or an emergency**

☑ **AL632.3. Identify the traffic regulations related to assisting the blind when crossing traffic**

Coordinated events are planned in advance with established pedestrian routes. You may attend a pre-event briefing to obtain your duty location, responsibilities, and duration of assignment. While directing pedestrian traffic from the duty location, ensure the safety of all pedestrians and motorists. Always wear your high-visibility safety vest, so that you are visible to motorists and pedestrians.

Signals used to direct vehicle traffic might be used to direct pedestrian traffic. Ensure that all vehicle traffic has stopped prior to allowing pedestrian traffic to flow, that pedestrian walkways are not blocked, and that you are positioned between pedestrians and vehicles while maintaining visibility. Unexpected circumstances during a planned event may require you to develop a plan to safely re-route pedestrians out of the area. People may become agitated or panicked. Use command presence and clear instructions to establish and maintain order.

Florida law states that whenever a pedestrian is crossing, or attempting to cross, a public street or highway, guided by a service animal or carrying a white cane or white with a red tip, all drivers approaching the place where the blind or partially blind pedestrian is attempting to cross must stop. All pedestrians have the same rights when crossing a public street or highway.

UNIT 4 TRAFFIC STOPS

Unit Goal

At the end of this unit, you will be able to conduct a traffic stop.

Objectives

☑ **AL640.1. Apply the Florida Statutes while observing vehicle traffic for any violations of the law**

☑ **AL640.2. Summarize the necessary safety factors when deciding where to conduct a traffic stop**

☑ **AL640.3. Describe when to safely activate the vehicle's emergency equipment in a traffic stop**

☑ **AL640.4. Explain how to position a patrol vehicle and the backup vehicles during a traffic stop**

☑ **AL640.5. Describe how to approach the driver's vehicle safely during a traffic stop**

☑ **AL640.6. Explain how to use the "no approach" method during a traffic stop**

☑ **AL640.7. Explain the procedure for discussing a traffic offense during a traffic stop**

☑ **AL640.8. Identify various forms of identification a driver must show during a traffic stop**

☑ **AL640.9. Apply consistent professional interaction with all people to minimize tension and encourage cooperation during a traffic stop**

☑ **AL640.10. Know when to issue a verbal or written warning, issue a written citation, or make an arrest**

There is no such thing as a "routine" traffic stop. There is a potential risk of harm each time you make a stop. You must decide whether it is necessary, prudent, and safe to stop the vehicle. If immediately stopping the driver endangers you or other motorists, you should not make the stop. Many officers are killed or injured each year during these traffic-related encounters.

A traffic stop begins the moment you observe an event or reason that merits the stop. You may stop a vehicle if reasonable suspicion exists that a crime was, is being, or is about to be committed. You may also conduct a traffic stop if you observe a violation for which a citation may be issued. Other reasons for a traffic stop are to notify a motorist of a defect or problem with a vehicle, to investigate suspicious behavior, or to investigate a vehicle or occupant in a BOLO description.

Plan the stop in an area that gives the driver a place to stop safely, preferably in a well-lit location with a low traffic volume. Be ready to adjust and react quickly after the driver stops the vehicle. Any unusual activity by the driver or passengers can increase the level of risk of the traffic stop. Some

roadway and traffic conditions may increase the potential for particular traffic violations. These include merge areas, intersections, and acceleration lanes. Be familiar with normal traffic patterns, speed limits and where they change, and traffic flow changes at different times of day.

Step 1: Follow the Driver Through Traffic

Choose a location where the driver can maneuver out of the flow of traffic and away from the danger of passing vehicles. After deciding to make the stop, move the patrol vehicle into a position to catch up with the driver, and maintain a safe following distance until the driver pulls over.

Step 2: Notify Dispatch of the Traffic Stop

Complete and accurate information allows dispatch to perform a database check on the license plate before you talk to the driver. Contact dispatch and relay the following information:

- your identification number
- your location—if the situation escalates and you are injured or cannot use the radio, dispatch can pinpoint your location.
- your general direction of travel: north, south, east, or west
- vehicle license plate number and state of issue
- a description of the driver's vehicle including color, make, approximate year
- the number of occupants and descriptions if possible
- the need for backup or other assistance as required

Step 3: Select a Safe Location to Stop

You should study the following conditions when you select the location to make the stop:

- width of road and shoulder
- level of visibility
- lighting
- population
- traffic congestion
- presence of hills and curves
- time of day
- weather conditions

Prevent crashes by making sure that both vehicles can stop far enough off the road for other vehicles to pass, especially in congested areas or areas with limited visibility. Try to pull off onto a level spot or a slight downgrade. Do not make a stop on a curve, a ramp, the crest of a hill, close to an exit ramp, or where road conditions could cause other vehicles to hit the patrol vehicle.

Step 4: Activate Emergency Equipment to Communicate the Stop

Officer-driver interaction begins when you signal the driver to stop. Pull directly behind their vehicle, and once you are in a safe location to make the stop, turn on the emergency equipment. Each driver reacts differently. Some might panic and stop in the left lane, skid to a stop, or swerve. Others ignore the lights. If this happens, tap the siren for one or two seconds.

Activate the patrol vehicle's high beams, unless they interfere with oncoming traffic or restrict your vision by reflecting off the driver's bumper or another object. The overhead emergency lights should be left activated to warn oncoming traffic. Once the driver acknowledges the stop, follow these steps:

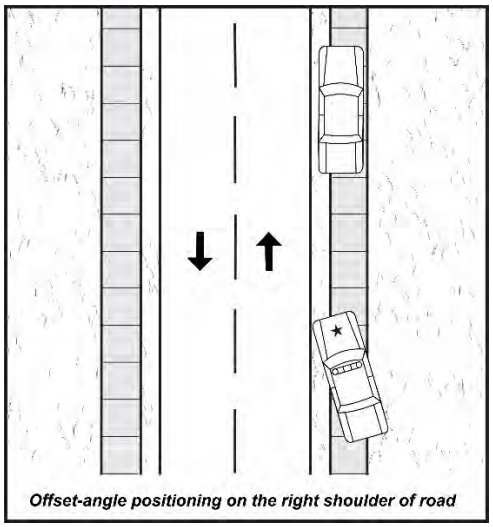
1. As the driver changes lanes, follow smoothly.
2. Follow the driver's vehicle at a safe distance.
3. Use the PA system to direct the driver to a safer location, if needed.

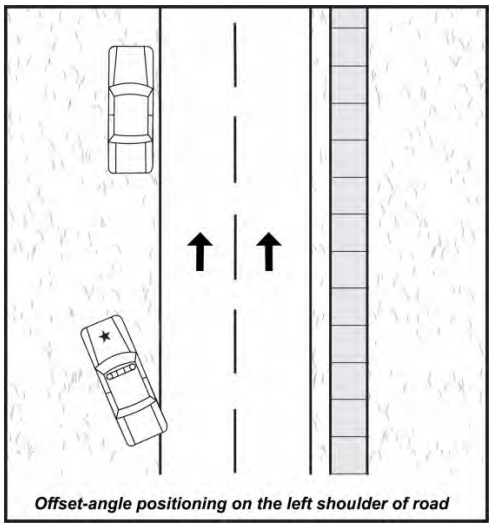
Step 5: Park the Patrol Vehicle

If you perceive any danger while assessing the situation, request backup and wait before taking any further action. The driver should stop on the right shoulder of the road. Park the patrol vehicle in an offset-angle position, one and a half to two car lengths behind the driver's vehicle. The ***offset-angle position*** is where you align the center of your vehicle's hood with the taillight of the driver's vehicle, and then point the nose outward into the flow of traffic. Turn your wheels away from traffic. Use the PA system to direct the driver to move the vehicle further to the right to reduce the obstruction of traffic.

Sometimes, due to environmental conditions or roadway obstacles, you might make a traffic stop on the left side of the roadway. If the situation escalates, the offset position can provide cover from any hostile action from the driver's vehicle. In emergencies, you might make a traffic stop on the roadway. Move your vehicle as far to the outside of the driving lane as possible using the offset-angle position.

Figures 6-2.1 and 6-2.2 Offset-angle positioning on the right and left shoulders of road





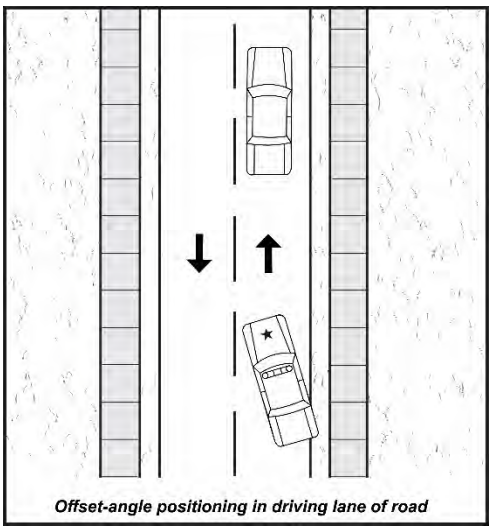


Figure 6-3 Offset-angle positioning on the roadway

POSITIONING OF THE BACKUP PATROL VEHICLES

Backup officers should park their patrol vehicles at a safe distance behind your patrol vehicle. Depending on the location of the traffic stop and its environmental conditions, the backup patrol vehicles might be offset to the left or the right of your vehicle. This allows the emergency lighting to illuminate the back of the vehicles. Backup officers will limit the use of emergency lighting from their vehicles to avoid blinding or silhouetting responding officers. If possible, they should only use their rear emergency lights. Backup officers should approach the driver's vehicle along the passenger side of your patrol vehicle to prevent a crossfire situation.

Step 6: Conduct a Visual Assessment of the Driver's Vehicle

Assess the driver's vehicle for signs of danger prior to exiting your vehicle. If the occupants attempt to exit the vehicle, your discretion and agency policy will determine whether you ask them to return immediately to the vehicle. If the vehicle's trunk seems to be heavily weighed down, discuss this with the driver. The vehicle could be carrying stolen merchandise, drugs, tools, a person, or a corpse.

Step 7: Exit the Patrol Vehicle

A silent exit from the patrol vehicle gives you time to approach the vehicle and assess the situation before the driver reacts. Exit your vehicle quickly, after checking for oncoming traffic in the rear and side-view mirrors. Quietly secure the vehicle door so it will not blow open and strike a passing vehicle. Adjust your portable radio volume to low. Constantly observe the vehicle and all its occupants.

Step 8: Use Safe Approach Techniques

Keep in mind that the driver could have lethal opioid drugs, such as fentanyl, in their possession. You are allowed to have and to administer emergency opioid antagonists to treat someone who has overdosed on fentanyl. Be sure to follow agency policy if you are exposed to this drug because it may cause life-threatening ailments.

Do not walk between your patrol vehicle and the subject vehicle. You could be pinned between vehicles if the driver places his vehicle in reverse, or if another vehicle accidently strikes your vehicle. At night, you should also avoid crossing in front of the headlights and betraying your location. Walk behind your vehicle if you need to approach the passenger side of the driver's vehicle. Keep your flashlight off while on approach until you make contact with the driver and other passengers.

Look at the license plate for these clues that the plate may not belong to the driver's vehicle:

- the way the plate is attached may suggest the license plate is from another vehicle
- age of attachment relative to the plate (Are there shiny, new bolts on a dirty plate?)
- expired expiration sticker or sticker that looks like it was removed from another plate
- paint or dark film on the license plate
- the presence of dead insects on the license plate, possibly as the front plate of another vehicle

Check the trunk lock and trunk lid alignment to determine if someone is possibly in the trunk. If the trunk lid is unlatched, push it down when you approach the vehicle. Be aware that modern technology allows the trunk to be opened from the inside. Touching the rear of the driver's vehicle also transfers your fingerprints to the vehicle as evidence of contact. Touch the trunk lid for this reason during every traffic stop, even if the lid appears closed. Check for a popped trunk lock or a hole in the trunk where the lock should be, which is a sign of a stolen vehicle.

APPROACHING THE DRIVER'S VEHICLE ON THE DRIVER'S SIDE

Approach the driver's vehicle cautiously, while assessing the situation. Scan the entire vehicle and its occupants for suspicious movements throughout the stop. Examine the interior of the vehicle while looking through the rear window into the rear seat, noting the number of passengers, the position of the rear seat, and the presence of any contraband or potential weapons.

Watch for passing traffic to avoid being struck by a vehicle. Stay close to the vehicle and at night, hold your flashlight in your support hand. Stand at the back edge of the driver's door to give you a covered position of advantage when talking with the driver. If there is a passenger in the backseat, stop at the back edge of the passenger door and ask the driver to open the window.

APPROACHING THE DRIVER'S VEHICLE ON THE PASSENGER'S SIDE

Approaching on the passenger's side will give you extra time to look and listen. The occupants of the vehicle will likely expect you to approach on the driver's side. Observe the driver's hand position. Look to see if the driver is concealing something on their right side, including a popped ignition, car keys, a weapon, an alcoholic beverage container, and drugs or drug paraphernalia. A popped ignition is where the plastic housing around the steering column's base has been popped open, exposing ignition wires that can be pulled forward to start the car. It also means that the lock cylinder was removed from the ignition assembly, so there will be no car keys present.

"NO APPROACH" OPTION, CALLING THE DRIVER BACK TO THE PATROL VEHICLE

You may decide whether to approach the driver's vehicle or call the driver back to the patrol vehicle (called the "no approach" tactic) to acquire information. If you decide to call the driver back to the patrol vehicle, assume a tactical position behind one of the patrol vehicle doorposts, the passenger side door, or the rear of the patrol vehicle, but not sitting in your vehicle. Use a commanding voice or the PA

to direct the driver to walk back to you. As the driver approaches, be observant, especially of the driver's hands, for any signs of aggression or the presence of a weapon.

Step 9: Interact With the Driver

When stopped, drivers typically react with embarrassment, anger, fear, and excuses. The situation can be tense. By conducting a legitimate and professional traffic stop, you can minimize negative and potentially unsafe results. Your expression, tone of voice, body position, gestures, and words should project a positive command presence, even while you are being assertive. Politely identify yourself as a law enforcement officer: "Good Morning, Sir or Ma'am. I am Officer ____ of the _____ Police Department." Be polite and respectful in interactions with the passengers in the vehicle.

It is important to practice observation skills, safe positioning, and safe distancing when interviewing the driver or passengers. If the situation becomes dangerous or unstable, increase the distance between yourself and the stopped vehicle. You should expect some activity as the driver retrieves their information from a wallet, glove compartment, or center console. Suspicious movements may suggest danger, such as moving towards the floorboard or backseat.

Courteously explain the reason for the stop in terms of what you saw the vehicle, not the driver, doing and request the required documentation. Allow the driver to talk while you remain polite and focused, conveying to the driver that you are listening. Do not argue with the driver, but simply explain your observations or the violation. Your listening respectfully will help many people calm down and accept the situation. Do not lecture the driver, but rather explain the seriousness of the violation by mentioning the risk of a crash or other circumstance. Keep the detention time as short as possible.

Drivers in Florida are required to "present or submit" a driver's license, vehicle registration, and proof of insurance upon your request. The driver is the only occupant in the vehicle compelled to provide their documentation and identification, unless you suspect the other occupants of a crime or violation. Ask where the driver keeps these documents, so that you have an idea of where the driver's hands will be. Do not accept a wallet from a driver, but ask them to remove the license instead.

The driver or a passenger may state that they have a weapon on their person or in the vehicle despite not being not required to do so. Prior to July 1, 2023, Florida law required a person to carry a concealed weapon or firearm license, along with valid identification, at all times when carrying a concealed weapon or firearm. However, Florida law now allows the carry of a concealed weapon or firearm without a license as long as the conditions of s. 790.06(12)(a), F.S., are met. If you have reasonable suspicion that there is a firearm in the vehicle, ask for its location. If you determine that a firearm is concealed and readily accessible for immediate use, follow your agency's policies and procedures regarding traffic stops that involve a concealed weapon or firearm license.

After obtaining the required documentation, return to the patrol vehicle and complete a database check using the driver's information. Verify that the information on the license is current and valid. Compare information on the registration to the VIN, make, type, and year of the vehicle. Confirm that the insurance card is current and applicable to that vehicle. In addition to checking the driver's information, query any concealed weapons permits to check the validity by running the license number on the permit. Remember to watch the stopped vehicle while you are running the database check. If the database check returns a hit for an outstanding warrant, arrest the driver and impound the vehicle.

Step 10: Enforcement Options

Use discretion and good judgment when deciding on an enforcement option. You may decide to take no action, issue a verbal warning, issue a written warning, issue a citation, or make an arrest. The law, agency policy, and the circumstances of the violation affect your enforcement options, and the manner in which you issue an enforcement document.

Discretion applies only to traffic violations and certain misdemeanor offenses. You must weigh the seriousness of the offense, the road conditions, the weather, and the traffic situation when making your enforcement decision. Document each stop with appropriate, recorded enforcement action, whether it is a citation, a warning, or an arrest. You should write a citation when there is a clear violation that is not satisfactorily excused or justified by circumstances. Florida law states that all felonies are arrestable offenses. If you have probable cause for an arrest, you must make that arrest.

UNIFORM TRAFFIC CITATIONS

The uniform traffic citation (UTC) is for traffic offenses covered under chapters 316, 318, 320, and 322 of the Florida Statutes. Generally, this form will be the only report that you need to complete for traffic offenses, unless it is a crash scene, and then a crash report is also required. The UTC also is used for certain non-traffic felony and misdemeanors that can result in suspension or revocation of the person's driver's license. Issue a citation to anyone accused of this type of offense.

EXPLAINING AND ISSUING THE WARNING OR CITATION

The driver must understand the violation and the warning or the citation. State the specifics of the violation slowly and clearly and ensure that the driver understands when you give the verbal warning or present a written warning or citation.

Explain the driver's options for responding to the citation. Moving violation options are to pay a civil penalty, request a hearing in traffic court, or elect to attend and complete a Driver Improvement Course. Non-moving violation options are to pay a civil penalty or request a hearing in traffic court. Some moving violations and all criminal violations require a scheduled court appearance. A driver must sign a traffic citation when the citation is for a criminal traffic violation or when a traffic violation requires a mandatory hearing.

CONCLUDING THE TRAFFIC STOP

Maintain a professional and courteous manner with the driver and passengers. If the driver expresses a desire to make a complaint against you, politely explain the process for doing so, provide your complete name and badge number, and notify your supervisor of any possible problems with the driver. End the interaction with a "thank you" in a courteous, non-sarcastic manner

When dealing with a particularly disrespectful driver, you may be tempted to respond in a similar manner. Do not allow ego or emotion to interfere with your actions. Law enforcement work is stressful, but you are sworn to uphold the laws you enforce. You are expected to act professionally when you interact with the public. Florida is becoming increasingly diverse; it is up to you to avoid giving even the perception of discriminatory policing in your actions.

A driver who is upset should be allowed time to calm down before resuming driving. When the driver is ready to leave, make sure the driver is able to enter the traffic stream safely. Return to your vehicle and clear the stop with dispatch.

UNIT VOCABULARY

offset-angle position

UNIT 5 DRIVING UNDER THE INFLUENCE

Unit Goal

At the end of this unit, you will understand how to identify a driver who may be under the influence of alcohol or drugs.

Objectives

☑ **AL650.1. Summarize the general DUI detection process used during a DUI investigation**

☑ **AL650.2. Explain how a driver under the influence of a legal or illegal drug has impaired ability to operate a vehicle safely**

☑ **AL650.3. Identify medical conditions that may mimic alcohol or drug impairment to determine if a DUI investigation is warranted**

☑ **AL650.4. Explain divided attention as it relates to impairment during a DUI investigation**

☑ **AL650.5. Analyze a vehicle in motion to determine reasonable suspicion of impairment during Phase One of a DUI investigation.**

☑ **AL650.6. Describe the visual cues used to develop reasonable suspicion in a DUI investigation**

☑ **AL650.7. List the behaviors an officer may see after making a DUI stop with a suspect driver**

☑ **AL650.8. Describe how to use the senses to detect clues of impairment in a DUI investigation**

☑ **AL650.9. Explain reasonable suspicion of impairment during Phase Two in a DUI investigation**

Overview of DUI Detection

The DUI detection process is the cycle of identifying and gathering evidence to determine if a person should be arrested for a DUI offense. The DUI investigation process has three phases:

- Phase One: Vehicle in motion—watching the driver erratically operating the vehicle
- Phase Two: Personal contact—the opportunity to observe and speak with the driver
- Phase Three: Pre-arrest screening—administration of standardized field sobriety tests (SFSTs)

As an auxiliary officer, you will watch for drivers who may seem impaired by drugs or alcohol. It will be your responsibility to observe the driver, and to make a stop if you have reasonable suspicion that the driver may be intoxicated. You will contact dispatch at the onset of your traffic stop, and ask for a DUI team to be dispatched to your location. You will not actively participate in the administration of the SFSTs (Phase Three), but you need to be aware of all phases in the DUI detection process.

DRUG IMPAIRMENT

You will encounter not only drivers driving under the influence of alcohol, but also those who may be impaired due to the use of other legal or illegal drugs. Some drug-impaired drivers look and act very much like alcohol-impaired drivers. All are dangerous to themselves and to everyone else on the road.

MEDICATION EFFECTS

There are indicators that suggest a driver may be under the influence of a drug and not alcohol. A strong indicator is the absence of the odor of alcohol. You may find prescription bottles, leftover pills, or drug paraphernalia in the vehicle. The driver or a passenger may volunteer information regarding use of medication. The driver's license may indicate insulin dependence. The driver may be in legal possession of prescription medication, but if the side effects impair the ability to drive, the driver should be treated the same as someone impaired by illegal drugs or alcohol.

Florida has a medical marijuana law for chronically ill or terminal patients. Patients and their caregivers are legally allowed to possess and transport medical marijuana products and the delivery devices needed for the drug. However, qualified patients with medical marijuana use registry cards are prohibited by law to operate any vehicle while under the influence of medical marijuana.

MEDICAL CONDITIONS THAT MIMIC IMPAIRMENT

Certain medical conditions may mimic drug- or alcohol-induced impairment. Check for a medical alert information card or for medical restrictions on the driver's license, or look for a medical alert ID bracelet to determine if a medical problem might be the cause of the erratic driving. Some causes of erratic behavior may include conditions such as epilepsy, diabetes, a head injury, or cognitive problems.

Examine the driver's eyes for medical impairment. If their pupils are noticeably unequal in size, the eyes are jerking as the driver looks straight ahead, or if the eyes do not track together, a medical disorder or injury is causing the incident. Ask the driver if they need immediate medical assistance.

Divided Attention Tasks

Divided attention is the ability to concentrate on two or more tasks at the same time. While under the influence of alcohol and drugs, a driver's ability to divide attention is impaired. As a result, the impaired driver tends to concentrate on only the most important or critical parts of driving. An impaired driver has difficulty making decisions, which creates dangerous situations for other drivers.

DUI Detection

PHASE ONE: VEHICLE IN MOTION

Phase One of DUI Detection has two components—identifying visual cues of a driver's movements that indicate possible DUI, and observing the driver's behavior when you begin the traffic stop. Your attention may be drawn to the vehicle by things such as a traffic violation, an equipment violation, having an expired registration, or erratic driving behavior. Decide if there is reasonable suspicion to stop the vehicle, based on these observations.

Driver Movements

The effects of alcohol on a driver cause predictable behaviors to detect impaired drivers:

1. **Problems Maintaining Proper Lane Position**
    - weaving
    - weaving across lane lines
    - straddling a lane line
    - swerving
    - turning with a wide radius
    - drifting
    - almost striking another object or vehicle
2. **Speed and Braking Problems**
    - stopping problems
    - accelerating or decelerating rapidly
    - varying speed
    - slow speed
3. **Vigilance Problems**
    - driving in opposing lanes or the wrong way on a one-way street
    - slow response to traffic signals
    - slow or failure to respond to officer's signals
    - stopping in lane for no apparent reason
    - driving without headlights
    - failure to signal or signal inconsistent with action
4. **Judgment Problems**
    - following too closely
    - improper or unsafe lane change
    - illegal or improper turn
    - driving on other than a designated roadway
    - stopping inappropriately in response to an officer
    - inappropriate behavior of driver or occupants
    - appearing to be impaired

PHASE TWO: PERSONAL CONTACT

Once the vehicle stops, do not ask the driver to move to a safer location. If the driver is impaired, you may be liable for any injuries or property damage sustained during the move. You will determine if the driver is distracted, ill, tired, or has a medical impairment once you make personal contact.

Using Your Senses

You might see these clues during the interview:

- bloodshot eyes
- soiled clothing
- fumbling fingers
- alcohol containers or drugs or drug paraphernalia
- bruises, bumps, or scratches
- unusual actions

You might hear these clues during the interview:

- slurred speech
- admission of drinking
- inconsistent responses
- abusive language
- unusual statements

Pre-Exit Stage Interview Process

During the initial interview, you will ask questions while the driver is still behind the wheel. As you observe the driver and their behavior, you can determine if you should apply this series of interview techniques to test the driver's ability to focus and concentrate. The series applies the concept of divided attention tasks, to see if the driver can do two or more things at the same time.

1. Ask the driver for both a driver's license and the registration. Be alert for the driver who:
    - forgets to produce both documents
    - produces documents other than the ones requested
    - fails to see the license, registration, or both while searching through wallet or purse
    - fumbles or drops wallet, purse, license, or registration
    - is unable to retrieve documents using fingertips
2. If the driver seems to have trouble with your request, and it does not appear to be caused by general nervousness, ask a second, unrelated question while the driver is making a second attempt to produce their documentation. Ask an unrelated question like, "Without looking at your watch, what time is it right now?" Be alert for the driver who:
    - ignores the question and concentrates only on the license or registration search
    - stops searching to answer question, then fails to resume the search after answering
    - supplies a grossly incorrect answer to the question
3. If the driver is still not acting as expected, use the third technique after you have the driver's license and registration. Try to verify information by asking unusual questions. This exercise is difficult for an impaired driver, because they have to process information. For example, ask, "Do you still live at 1313 Mockingbird Lane?" when the license says 3131 Jaybird Street.

A NOTE TO STUDENTS: The remainder of this lesson is *for information only*. Your agency's policy will dictate how much you will participate in the administration of the standard field sobriety tests. Because

of the serious and contentious nature of this type of arrest, you will usually turn over the investigation at this point to the DUI team you requested at the beginning of the traffic stop. The following sections are provided to complete your understanding of the process that will lead to an arrest if probable cause is present based upon the results of the Phase Three tests.

The Exit Sequence

At this point, you have reasonable suspicion that the driver is impaired. Even though that suspicion is strong, probable cause is required to make a DUI arrest. Watching the driver exit the vehicle and stand nearby while awaiting further instructions will strengthen the evidence of impairment. Be alert for the driver who:

- shows angry or unusual reactions
- cannot open the door
- leaves the vehicle in gear
- climbs out of the vehicle
- is swaying, unsteady, or leans against the vehicle for balance
- has difficulty exiting the vehicle or dismounting a motorcycle
- is still fumbling with driver's license or paperwork when asked to exit
- is repeating questions or comments or cannot follow instructions
- is slow to respond to officer/officer must repeat questions
- provides incorrect information, changes answers

PHASE THREE: STANDARD FIELD SOBRIETY TESTS

Phase Three uses three standard field sobriety tests to measure a driver's ability to perform both mental and physical tasks. The results will determine if there is probable cause to arrest for DUI. The three tests are the Horizontal Gaze Nystagmus, the Walk-and-Turn, and the One-Leg Stand.

Standard Field Sobriety Tests

1. Horizontal Gaze Nystagmus (HGN) refers to an involuntary jerking occurring as the eyes move toward the side. The observation of the eyes for horizontal gaze nystagmus is an accurate assessment for determining alcohol impairment.
2. Walk-and-Turn is a divided attention test that consists of two stages: the Instructions Stage and the Walking Stage. In the Instructions Stage, the driver must stand with feet in heel-to-toe position—with the heel of one foot touching the toes of another—keeping arms at sides and listening to instructions. In the Walking Stage, the driver takes nine heel-to-toe steps, turns in a prescribed manner, and takes nine heel-to-toe steps back, while counting the steps aloud and watching their feet. Observe the driver's performance for eight clues:
    - cannot keep balance while listening to instructions
    - starts too soon
    - stops while walking
    - does not touch heel-to-toe

- steps off the line
- uses arms to balance
- improper turn
- incorrect number of steps

3. One-Leg Stand is a divided attention test consisting of two stages: the Instructions Stage and the Balance and Counting Stage. In the Instructions Stage, the driver must stand with feet together, keeping arms at sides and listening to instructions. In the Balance and Counting Stage, the driver must raise either leg with the foot approximately six inches off the ground, keeping the raised foot parallel to the ground. While looking at the elevated foot, the driver counts aloud until told to stop. Observe the driver's performance for four clues:
    - sways while balancing
    - uses arms to balance
    - hopping
    - puts foot down

UNIT VOCABULARY

divided attention

UNIT 6 TRAFFIC CRASH INVESTIGATIONS

Lesson Goal

At the end of this unit, you should be able to respond to a crash scene safely.

Objectives

☑ **AL660.1. Identify the type and extent of a crash during a crash investigation**

☑ **AL660.2. Determine the need for a perimeter of crash scene**

☑ **AL660.3. Describe how to manage fire-related conditions at a crash scene investigation**

☑ **AL660.4. Describe how to manage hazardous materials at a crash scene investigation**

☑ **AL660.5. Survey the scene and remove roadway obstruction to ensure public safety**

☑ **AL660.6. Explain the importance of vehicle position and the use of emergency lights to control traffic flow and warn motorists during a crash investigation**

☑ **AL660.7. Know how to use reflective and warning devices to protect the crash scene**

☑ **AL660.8. Know how to re-route the vehicular traffic flow effectively from a crash scene**

☑ **AL660.9. Identify all people to be interviewed during a crash investigation**

☑ **AL660.10. Explain the statutory requirements for driver documentation in a crash investigation**

☑ **AL660.11. Explain how to collect pertinent information, and written or recorded statements from all people in a crash investigation**

☑ **AL660.12. Preserve the crash scene for investigative purposes during a crash investigation**

☑ **AL660.13. Know how to provide first aid to the injured prior to EMS arrival**

☑ **AL660.14. Assist investigators to determine how the crash occurred by collecting evidence, observing the crash scene, and interviewing the people at the crash scene during a crash investigation**

☑ **AL660.15. Notify the owner of an unattended vehicle or damaged property**

☑ **AL660.16. Describe how to help an investigator with a crash scene involving fatal or serious bodily injury**

☑ **AL660.17 Explain the statutory requirements for the exchange of driver information**

☑ **AL660.18. Explain how to remove all debris or hazards at a crash scene**

☑ **AL660.19. Know when to remove all equipment and warning devices from the crash scene**

☑ **AL660.20. Explain the elements of the Traffic Crash Report Forms used for crash reports**

Step 1: Respond to the Crash Scene Safely

You must respond calmly to a traffic crash situation and assist the investigation by gathering information and helping the investigators with various assigned tasks. This process is important for effective traffic crash management.

After receiving the call for service, get as much information as possible about the crash location, such as street names, addresses, and the mile marker. It is important to respond to the scene safely. Use all available traffic safety equipment. Any time you are working around highways, roadways, or construction areas, make sure you wear your high-visibility safety vest.

You may be asked to provide details of the incident, control traffic, or maintain a perimeter. Park the patrol vehicle at a safe distance based on the circumstances. Some factors to consider when parking are wind direction and speed, traffic conditions, and allowing safe access for other first responders.

Step 2: Assess the Scene of the Crash

LOCATE VEHICLES INVOLVED IN A CRASH

By locating the vehicles involved and the property damaged in an incident, you should be able to determine the perimeter of the actual crash scene. You can also conclude the path of travel by examining the evidence left by the involved vehicles. Look for damaged property near the crashed vehicle. You may become aware of involved vehicles that may have left the scene or other vehicles or people that were not immediately obvious during the initial scene assessment.

FIRE MANAGEMENT AT THE CRASH SCENE

If you respond to a vehicle fire, you should survey the scene for victims, hazards and other threats to public safety. These may include hazardous materials, downed power lines, fire intensity, and any other materials that may present an immediate threat. Remember that crash damage may be camouflaged by fire and should not be overlooked.

Determine if the vehicle is occupied. If people are present, begin rescue efforts to extract the victims. If the fire is small enough and appropriate for the type of fire extinguisher in your patrol vehicle, then attempt to put out the flames. Remember the limitations of a portable fire extinguisher. If victims are trapped beyond your rescue capability, every reasonable effort should be made to extinguish the fire immediately. Do what you can to secure the scene for the arrival of fire personnel.

In the event of a vehicle fire, passengers, witnesses, and non-motorists need to be evacuated to a safe location. Use verbal commands and common gestures to direct all people away from the fire toward a safe location. If a large number of people are present, use the patrol vehicle's public address system to direct observers away from the scene. When deciding on a safe location for them, consider the amount

of traffic, the weather, and the buildings in the area that may be affected by the fire. If there is a breeze, people should be directed upwind from the scene.

HAZARDOUS MATERIALS MANAGEMENT AT THE CRASH SCENE

During scene assessment, you may discover a commercial motor vehicle involved in the traffic crash. Before approaching the scene, determine if the vehicle's contents are hazardous. Locate the placard on the vehicle and refer to the Department of Transportation's ***Emergency Response Guidebook (ERG)*** to verify the contents. Also, consult the *ERG* if other hazards are present, such as toxic fumes or the risk of fire reaching gas tanks, and for recommended minimum evacuation distance in all directions. The *ERG* is available as a phone application for easy use.

RESPONDING TO ROADWAY OBSTRUCTION OR DAMAGE

There might be debris or other obstructions on the roadway that may cause immediate threats to the crash victims, bystanders, and other officers on the scene. Be aware of hazardous conditions, which may include fluids on the ground, clouds of gases or smoke, and downed wires. Crash debris, such as small pieces of metal and glass, pose additional threats to both vehicle and pedestrian traffic.

Survey the scene to determine the nature of the obstruction or damage. You should attempt to preserve as much of the crash scene as possible. Wait for direction from your control officer or the scene investigator before taking any action to remove an obstruction from the travel lanes.

If the incident requires additional resources, you should notify dispatch to contact the appropriate agencies based on the type of obstruction or damage.

Step 3: Secure a Safe Work Environment at the Crash Scene

Traffic crashes attract motorists' attention and cause gawking or "rubbernecking," which slows traffic flow. This can be a hazard since drivers tend to focus on the crash and not on driving around the scene. Many secondary crashes happen because of this lack of attention. Nighttime crash scenes compound this hazard because distance vision is limited. Conditions due to emergency vehicle lights, heavy traffic, or movement on and off the roadway can reduce vision. Traffic conditions affected by buildings, signs, curves, hills, trees, rain, smoke, and fog will also affect a driver's vision. Whenever possible, work facing oncoming traffic so that you will see hazardous situations as they develop.

POSITION THE PATROL VEHICLE SAFELY

Your patrol vehicle is your primary tool for controlling traffic. It warns motorists of the hazards at a traffic crash scene. Find a safe location to position your vehicle where you are visible to oncoming traffic. Park a safe distance away from the hazards or damage from the crash scene and avoid parking on any evidence at the crash scene.

Turn on your patrol vehicle's emergency lights as a caution or alert. Adjust the headlights to low beam so you do not temporarily blind drivers approaching from the opposite direction. Keep your emergency lights on throughout the traffic crash investigation.

USE TRAFFIC REFLECTIVE AND WARNING DEVICES

Additional warning devices used to alert and direct motorists include traffic cones, flares, barricades, message boards, and signs. It is extremely important for officers directing traffic or investigating a crash to be visible to oncoming traffic. Along with your high-visibility safety vest, a flashlight with a wand attachment and reflective gloves are additional tools that make you more visible.

Before placing warning devices, determine what type of warning devices to use, how many will be required, and their placement pattern in order to prevent further damage or injury. The number of warning devices that you will use depends on the size of the area that needs protection or the extent of the scene. The size is also affected by the number of traffic lanes and the normal speed of travel on the road. Try to keep in mind how warning devices will appear to oncoming traffic.

To determine how far away from the crash to place the cones or flares, consider how fast traffic is moving and how quickly drivers can react to the traffic incident. The faster the traffic is moving, the further away from the scene you will have to place warnings. You may be asked to park your vehicle at the scene's access point to warn motorists of the incident and to prevent further crashes.

Flares are very important warning devices at a crash scene. They can be used to protect the scene, and are easily stored in the trunk of a patrol vehicle. Flares are visible warning devices to motorists both day and night. Hazardous conditions may affect the use of flares, so make sure that there are no flammable items, liquids, or chemicals at the crash scene before you set the flares.

DIVERT TRAFFIC AROUND THE CRASH SCENE

You may have to direct traffic around the scene until the road is cleared. Park the patrol vehicle in the roadway to block oncoming traffic from the crash scene and places flares or cones in front of and behind the involved vehicles. The pattern helps to draw attention to the cones or flares and indicates to oncoming drivers to drive around the scene.

An alternative is to place the patrol vehicle with the emergency lights activated on the road. This serves as a barrier to protect the scene and as a warning device for rerouting other drivers when you don't have flares and cones.

When there is no safe way to protect the scene, place a roadblock. The purpose of the roadblock is to prevent injury or damage to motorists and protect the crash scene. If practical, avoid residential areas, schools, and playgrounds when choosing where you redirect traffic. Make sure that dispatch is advised immediately so that information can be relayed to the public and other affected jurisdictions.

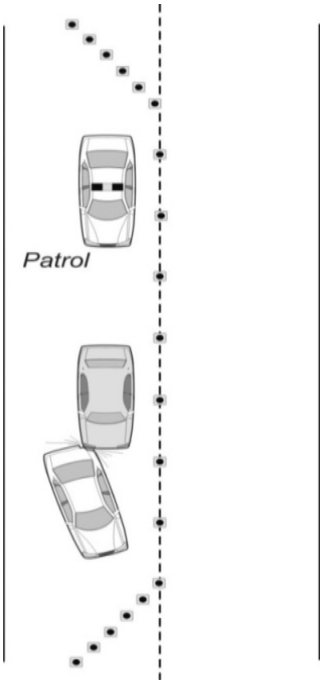


Figure 6-5: traffic cones or flares

PROTECT PERSONAL PROPERTY AT THE CRASH SCENE

If a crash exposes occupants' property, such as purses, wallets, or boxes, secure these items in accordance with agency policy. If any of the vehicles involved in a crash are towed, perform an inventory and document on the tow receipt any property left in a crash vehicle.

ADDITIONAL RESOURCES

Sometimes it is necessary to call for additional responders at the crash scene. Those situations may include making special arrangements for oversized, hazardous, or commercial vehicle traffic; making an arrest; completing searches; completing paperwork; taking photographs; measuring tire marks; directing traffic; or establishing and maintaining roadblocks. Other resources may include the need for the fire department, the Department of Transportation, the Florida Highway Patrol, or the hazardous materials (hazmat) team. Radio dispatch to arrange for additional resources and request that the responding units be advised of any unusual details they should be aware of before arrival. Such information may include conditions regarding hazards, dangers, or medical issues.

PRESERVE THE CRASH SCENE

In addition to protecting the scene for safety reasons, you must preserve the scene for investigative purposes. Nothing should be touched or moved except the injured parties to save lives or hazards or obstructions that require immediate action. Vehicles involved in a crash must be preserved for further investigation. These vehicles should not move until after the traffic investigator assesses the scene and documents the evidence or until otherwise directed.

DETERMINE THE JURISDICTION OF THE CRASH

The crash should be investigated by the jurisdiction where the first harmful event (first damage or injury producing event) occurred. If the crash occurred within your jurisdiction, then your agency should investigate the crash. Otherwise, the appropriate agency should be notified, and you should remain to protect the public and the crash scene until the appropriate agency arrives. You may assist with the investigation or provide help with traffic control depending upon agency policy.

Step 4: Provide Emergency Medical Assistance

When the crash is first reported, dispatch should ask about injuries and will request EMS. If you are at the scene before EMS, locate all people involved, find out if they have any injuries, and render first aid until EMS arrives.

Step 5: Obtain Pertinent Information

Find the drivers of the vehicles involved in the crash and ask them to provide their driver's licenses, vehicle registrations, and proofs of insurance. Proof of insurance may be provided in either a uniform paper or electronic format as prescribed by the DHSMV. While the drivers locate and retrieve their information, you may locate, separate, and begin interviewing the witnesses, passengers, and non-motorists at the scene regarding the crash.

Verify each driver's identity, using the information contained on their driver's licenses, and check for outstanding warrants by calling in the license information to dispatch.

The Florida Statutes require drivers to possess and present a certificate of vehicle registration upon demand of a law enforcement officer. The registration is considered current if it reflects the information for the vehicle being driven by the driver and if the effective date includes the period in which the crash occurred.

The Florida Statutes also require that each party of the crash provide a law enforcement officer with proof of vehicle insurance. The document can be in a uniform paper or electronic format. Any party who fails to provide the required proof commits a non-criminal traffic infraction punishable as a non-moving violation. Issue a citation to a driver involved in a traffic crash that cannot provide proof of insurance whether he or she is the owner of the vehicle or not, unless you determine that injury or other special circumstances prevented the driver from providing the insurance information. You may void the citation if the driver provides the proof of insurance within 24 hours of the crash.

INTERVIEW PEOPLE AT A CRASH SCENE

Sometimes, witness accounts are all a traffic investigator can rely on when determining how the crash occurred. Obtain and document statements from all involved parties in order to determine the cause of the crash and properly cite violators.

Separate all people involved to prevent them from influencing each other's statements or recollections. Witnesses may occasionally be hard to separate, especially when dealing with injured family members.

When interviewing people, you must distinguish between actual witnesses and curious bystanders. A witness is not legally obligated to give any information or provide a statement about the crash. Passengers are not usually required to give statements. Drivers involved in the crash are required by law to stay at the scene and exchange information. If the driver involved in the crash is unable to give a statement, then the passengers are required to make a statement for the driver.

Assess each witness' ability to make a statement and note any indications of impairment that may affect the witness' comprehension and memory recollection. As you begin each interview, record the witness' contact information. To help witnesses recall specific details of the crash, interview them in a safe place near the scene, so that they can point to the scene to clarify any questions you might ask.

If injured people are being transported to a hospital, try to get their information first and later conduct a follow-up interview. First responders, such as EMS or fire department personnel, may also have valuable information concerning the post-crash events. Spontaneous statements from people involved in the crash might be made in their presence.

OBTAIN STATEMENTS

Written or recorded statements may be required in some crash situations. They can be valuable tools to use for investigating a crash, such as for substantiating other witnesses' testimonies at the crash scene or for prosecuting them in court.

You may need to delay the collection of a statement if a person involved in a crash was injured and taken to the hospital. When there is an unavoidable delay for the interview, ask the person to provide a written statement about the crash. Written statements help collect information that is more accurate by prompting involved parties to record the information to prevent the loss of memory due to passage of

time. The witness should sign and date the written statement, and there should be a note to indicate if the witness dictated the statement to a third party.

You can use recorded statements in lieu of written statements. When statements are recorded, the witness should swear or affirm the testimony. Such collected statements should include the witness' full legal name, physical address and telephone numbers.

Step 6: Investigate the Crash

As an auxiliary law enforcement officer, it is rare that you will conduct a traffic crash investigation on your own. However, you may be asked to assist another officer with the investigation process. At this stage of the process, the investigator will collect evidence and make educated assumptions about the crash scene. You might assist the investigator by completing some of the following tasks:

1. Collect evidence at the scene.
2. Identify the damage area on a vehicle.
3. Identify and assess the area of collision (AOC).
4. Locate the tire marks at a crash scene.
5. Determine how the crash occurred based on the evidence.
6. Photograph the crash scene.
7. Measure the tire marks at a crash scene.
8. Document all of the measurements taken at the crime scene.
9. Prepare a rough field sketch of the crash scene.

SPECIAL CIRCUMSTANCE CRASHES

Crash Involving Unattended Vehicle or Property

If the owner of an unattended or parked damaged vehicle cannot be located at the scene, dispatch should be able to identify the registered owner via a database search. Once the owner's information is located, they should be contacted and notified of the damage.

If property other than a vehicle is damaged in a crash, such as a structure, billboard, or mailbox, notify the owner of the damaged property as soon as possible. You may need to stay at the crash scene until the property is secured or until whatever parameters laid out in agency policy are satisfied.

Single Vehicle Crash

Sometimes a traffic crash can involve a single vehicle, such as a DUI incident. When you arrive at the scene, the driver may have fled the scene, or may be sitting away from the crash. Before a person can be prosecuted successfully for a criminal offense that resulted in a single-vehicle crash, you must find evidence that places the driver behind the wheel at the time of the crash. If the vehicle involved in the crash was registered in the name of the person sitting outside the vehicle, with no one else around, and the person's injuries are consistent with the interior damage of the vehicle, these details are sufficient to prove that the person was in the vehicle when the crash occurred.

Hit and Run Crash

If one of the vehicles involved in a crash has left the scene, the crash may be categorized as a hit-and-run criminal act. Ask witnesses for a description of the fleeing vehicle, the driver, or both. Contact dispatch to send out a BOLO alert. Note, however, that the identification of a crime during a crash investigation is not limited only to hit and run crashes but also all crashes.

Crash Involving Fatal or Serious Bodily Injury

If a crash results in the death of a person, the vehicles involved and deceased people are considered evidence. Do not move any vehicles or objects within the scene. Do not disturb anything inside the vehicle. Protect the scene and wait for directions from the traffic investigator.

Step 7: Return the Scene to Normal

You may be asked to assist in the removal of debris and hazards from the roadway. Returning the scene to normal may be as simple as moving the vehicles off the roadway. Requesting a tow truck for immobile vehicles or redirecting traffic around the crash along an alternate route are other options. If the crash scene involves a hazardous materials incident, the hazmat team should be requested. Even if hazardous material is not involved, the services of a cleanup team may be required.

Verify the roadway is safe for normal traffic flow. Clear away any of the temporary equipment, barricades, or other emergency warning devices from the scene if they are no longer required to direct traffic. Make sure to verify that any residual debris is removed from the travel lanes, so that there are no hazards left for motorists to drive over and cause damage to their vehicles.

Before leaving the scene, ensure that all of your safety equipment (e.g., tape measure, blanket, flashlight, cones, barricades, and identifying markers) has been returned to your patrol vehicle.

Step 8: Complete Driver Exchange of Information

A driver's exchange of information form must be completed at all crashes. The drivers themselves can complete the form, or you can do it for them. Explain to the drivers that state law requires each of them to complete the form and then exchange the completed forms with each other.

You may need to help them complete the form, including showing them what fields to complete, where to sign the form, and instructing them to print legibly using a black ballpoint pen. Each driver should sign and date the completed form. It may be easiest for you to gather the required information and complete the form for the drivers. This helps to ensure that the information provided is valid and accurate. Drivers can also complete the form (HSMV 90011S) online at https://www.flhsmv.gov/traffic-crash-reports/A.

Remind the drivers that this form is a required legal document, and that it benefits them because it will provide their insurance companies with necessary information to process their claims for damage. Section 316.062, F.S., provides what information must be exchanged. The driver of the vehicle must give their name, address, and the registration number of the vehicle they are driving, and their driver's license or permit to any person injured at the crash.

Step 9: Take Enforcement Action

The traffic crash investigator or another lead officer usually identifies which violations have occurred and then issues the appropriate citations. You may be asked to assist the investigator in preparing the citation forms. In most traffic crashes, at least one driver committed one or more violations. Complete a UTC for each violation, along with a traffic crash report. You are required to list all committed violations and to take appropriate enforcement action for each driver. In a two-car crash, both drivers may have committed violations and should be cited accordingly.

Make sure that you have taken all necessary enforcement actions, such as issuing appropriate citations, verifying that all forms have been completed, copies have been distributed to the appropriate individuals, and all personal documents (e.g., driver's license, vehicle registration, and proof of insurance) have been returned to their owners.

Step 10: Document the Crash

DHSMV creates and publishes the Florida Traffic Crash Report forms. The instructions for completing the forms, *Instructions for Completing the Florida Uniform Traffic Crash Report Forms*, along with the forms themselves, are available from the DHSMV website at http://www.flhsmv.gov/courts.

The traffic crash investigator or another lead officer usually completes the traffic crash report forms. You may be asked to assist the investigator gathering information from the drivers and preparing the forms. You will use the same documents for the UTC and the traffic crash form:

- validated identification information of the involved drivers
- verified information of the vehicle registration/license plate number
- verified proof of insurance
- physical conditions and evidence collected regarding the crash
- responses from the drivers, passengers, witnesses, and non-motorists during interviews

HSMV 90010S—LONG FORM REPORT

The Long Form Report includes a narrative, a diagram, and any other necessary reports. When using the Long Form, check the box marked "Long Form" in the upper left corner and fill out the entire form. You must complete the form and submit it to the DHSMV within 10 days after completing an investigation. By law, this form is required for traffic crash investigations that resulted in death, personal injury, or complaints of pain by any passenger involved in the crash. It is also for crashes where a vehicle was rendered inoperable to a degree it required a wrecker to remove it from the scene of the crash, or involved a commercial motor vehicle.

HSMV 90010S—SHORT FORM REPORT

The Short Form Report is used to report other types of traffic crashes not requiring the use of the Long Form. When using the Short Form, check the box marked "Short Form" in the upper left corner and fill out only the shaded areas. Short Form Reports, though not requiring a diagram or narrative, may be submitted with either or both.

HSMV 90010S—UPDATE FORM REPORT

The Update Form Report is used to update, upgrade, or continue information previously recorded on a crash report. When using the Update Form, check the box marked “Update Form” in the upper left corner and fill out only the updates, upgrades, or continuation information in the appropriate fields in the form. All open investigations must be updated every 30 days until the investigation is closed.

Use the form as a continuation report if additional space is needed to complete or update the original traffic crash report. The form contains additional sections for vehicles, witnesses, passengers, non-motorists, additional property damage, additional violations, and the traffic crash narrative. The page numbering for the Update Report continues from the initial report. For example, if the initial report was six pages long, the Update Report begins with page seven.

Completing the Crash Report

Once the form is completed, separate the report and give a copy to each driver for insurance purposes. The report, if completed electronically, should be sent to DHSMV after your agency’s review and approval. By statute, all completed crash reports must be submitted within 10 days of completing the investigation to DHSMV and be maintained by your agency.

UNIT VOCABULARY

Emergency Response Guidebook (ERG)

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UNIT 1 TRAFFIC TERMS

LESSON 1 DRIVER'S LICENSES

Lesson Goal

At the end of this lesson, you will be able to identify common traffic violations and recognize a driver's license, and a license plate.

Objectives

- ☑ **AL611.1. Identify the Florida Statutes that contain criminal and non-criminal traffic violations**
- ☑ **AL611.2. Explain what a driver must do when an officer requests their driver's license**
- ☑ **AL611.3. Explain reasons for the legal confiscation of a Florida driver's license in a traffic stop**
- ☑ **AL611.4. Describe the format and components of a legal Florida driver's license**
- ☑ **AL611.5. Describe the format and components of a legal Florida vehicle license plate**

Traffic Laws

Some traffic violations are infractions and non-criminal in nature. Other traffic violations may result in criminal charges such as a moving violation that results in a serious injury. Many of the traffic violations in chapter 316, F.S., are infractions, punished by fines, court costs, driving school, or community service hours, but not by incarceration. A non-moving violation does not usually cause a crash or injury. Most non-moving violations do not assess points against the driver's license if the driver complies (fixes faulty equipment, for instance) within a specified period of time.

The Florida Driver's License

Section 322.15, F.S., states that all people driving in Florida must possess a valid driver's license. Drivers must show it upon demand by a law enforcement officer or an authorized representative of the Department of Highway Safety and Motor Vehicles (DHSMV). It is unlawful to drive in Florida with a suspended, revoked, cancelled, or disqualified license. The charge for doing so may be a moving violation, misdemeanor, or felony depending on the circumstances. The license may not be faded, altered, mutilated, or defaced. If you confiscate a license due to suspension, mutilation, revocation, or altered data, dispose of it according to agency policy.

LICENSE FORMAT

There are three types of Florida driver's license:

- learner's license
- non-commercial driver's license
- commercial driver's license

The Florida driver's license also includes several different classes, for example, classes A, B, C, and E. The classes indicate what kind of vehicle a driver can operate legally, and the gross vehicle weight rating (GVWR) of vehicle allowed.

Licenses for drivers aged 21 and over are in a horizontal format. Licenses for drivers under the age of 21 are in a vertical format.

The color header of a license identifies the license type and class.

Additionally, many people carry a personal Florida identification card (pink/red). This is used strictly for the identification of the person carrying it and does not authorize that person to drive a vehicle.

Pre-2017 Format

- blue: commercial driver's licenses (CDL)—Classes A, B, and C
- green: non-commercial driver's license—Class E
- yellow: learner's license—Class E
- red: identification card (not a driver's license)

New Format Beginning in 2017

In 2017, DHSMV began issuing a new, more secure driver's license. There are three headshots on the front; one is transparent. In addition, the license has a light blue Florida seal. On the back, there is another headshot, and an image of the state of Florida set against a wave background. Designated color headers identify the license class types:

- orange: learner's license—Class E
- green: driver's license—Class E
- blue: commercial driver license (CDL)—Classes A, B, and C
- red: identification card (not a driver's license)

ENDORSEMENTS, RESTRICTIONS, AND DESIGNATIONS

A license ***endorsement*** is a special authorization printed on a Florida driver's license permitting a driver to drive certain types of vehicles or transport certain types of property or number of passengers. Examples of endorsements include authorization to drive motorcycles, school buses, or combination vehicles with double or triple trailers.

A ***restriction,*** printed on a Florida driver's license, may limit a driver from operating certain types of motor vehicles or require that they meet certain conditions when driving any motor vehicle.

A Florida driver's license restriction may also include ***informational alerts*** that tell you about a person's health condition or public safety status. For example, a diabetic person's license may display "insulin dependent" in red print. Informational alerts are called ***designations*** after 2017.

Pre-2017 Restrictions and Endorsements

Required endorsements and restrictions appear on the front of the license. Explanations of the endorsements and restrictions are on the back. For drivers authorized to operate a motorcycle, the following endorsement appears on the front of the driver's license under the expiration date: "Motorcycle Also" or **"**Motorcycle Only."

There are two optional designations that appear on the bottom right of a Florida driver's license or ID card. They may be added for a small fee and with proof of service or necessity:

- D—Upon request by a person who has a developmental disability, or by the parent or guardian of a child or ward who has a developmental disability, DHSMV will issue an identification card with a capital "D" for a small fee.
- V—Any honorably discharged U.S. veteran may have a veteran designation placed on their driver's license or ID card.

Endorsements, Restrictions, and Designations Beginning in 2017

Beginning in 2017, motorcycle-also and motorcycle-only endorsements are designated by an "A" or "O" in the endorsement field located on the front of the card, and by "A-MTRCL Also" or "O-MTRCL Only" on the back of the card. Motorcycle endorsements are no longer spelled out on the front of the license.

The following designations are required by law and appear on the front of the license in the bottom right corner:

- sexual predators—sexual predator
- sexual offenders—943.0435 F.S.

The new format of license and ID card has different locations for lifetime designations. They appear on the back of the license underneath the headshot and are represented by different symbols:

- Deaf or Hard of Hearing
- Developmentally Disabled
- Insulin Dependent
- Veteran
- Organ Donor

These lifetime license designations appear on the back of the license underneath the headshot and are represented by different symbols:

- FWC Lifetime Sportsman
- FWC Lifetime Boater
- FWC Lifetime Freshwater
- FWC Lifetime Hunting
- FWC Lifetime Saltwater

CLASSES OF FLORIDA DRIVER'S LICENSES

Licenses issued before the 2017 changes display the license class type on both the front and back.

Beginning in 2017, the class type is located at the top right of the license, either near or below the Department of Homeland Security Real ID-compliant gold star emblem. Real ID-compliance means that Florida meets the federally established security standards for state-issued driver's licenses and identification cards.

CLASS A: required for drivers of trucks or truck combinations with a Gross Vehicle Weight Rating (GVWR) of 26,001 lbs. or more, provided the towed vehicle is more than 10,000 lbs.

CLASS B: required for drivers of straight trucks with a GVWR of 26,001 lbs. or more.

CLASS C: required for drivers of vehicles transporting hazardous materials in sufficient amounts to require placards or vehicles designed to transport more than 15 people (including the driver), and with a GVWR of less than 26,001 lbs.

CLASS E: required for drivers of any non-commercial motor vehicle with a GVWR less than 26,001 pounds. This includes passenger cars, 15-passenger (including the driver) vans, trucks or recreational vehicles, and two- or three-wheel motor vehicles 50 cc or less, such as mopeds or small scooters. Farmers and drivers of authorized emergency vehicles who are exempt from obtaining a commercial driver's license must obtain a Class E license.

CLASS E-**Learner**: A driver with a Class E-Learner's license is limited to driving motor vehicles weighing less than 8,000 pounds. In addition, they must be accompanied by a licensed driver 21 years of age or older who occupies the closest seat right of the driver. The learner may initially drive only between the hours of 6 a.m. and 7 p.m. Three months after issuance of the learner's license, the driver may drive from 6 a.m. to 10 p.m. A driver with a learner's license may not operate a motorcycle without a motorcycle endorsement.

Florida Vehicle License Plates

Florida's DHSMV issues standard and specialized license plates. While the majority of specialized plates are "vanity" plates displaying the owner's nickname or commemorating a college, sports team, or cause, some have specific uses and restrictions. For example, some plates are limited to commercial or government vehicles. Others are based on the owner's status, such as a state legislator. There are also specialized plates that must have additional prefix characters or descriptions not preprinted on the plate. Some examples include various Florida universities, breast cancer awareness, antique vehicle, and Purple Heart plates.

LESSON VOCABULARY

designation

endorsement

informational alert

restriction

UNIT 1 TRAFFIC TERMS

LESSON 2 VEHICLES AND ROADWAYS

Lesson Goal

At the end of this lesson, you will be able to define terms associated with traffic.

Objectives

☑ **AL612.1. Describe the common types of vehicles on the roadways**

☑ **AL612.2. Describe the common types of roadways**

☑ **AL612.3. Explain the common types of crash-related injuries that individuals may sustain**

Traffic Users

Driver: a person who is driving a vehicle, is in physical control of a vehicle, or is controlling or steering a vehicle in tow

Vulnerable road user: a person or pedestrian that is working on a road to repair the road or utility facilities; working on emergency services; operating a bicycle, motorcycle, scooter, or moped; riding an animal; operating on a public right-of-way, crosswalk, or shoulder with a farm vehicle, a skateboard, roller skates, or in-line skates, a horse-drawn carriage, or an electric personal assistive mobility device or wheelchair

Pedestrian: a person on foot on a road, berm, shoulder, or sidewalk

Vehicle: every device that transports a person or property on a road (not rails or tracks)

Motor vehicle: an automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated on the roads, used to transport persons or property, and propelled by power other than muscular power; a recreational vehicle used as temporary living quarters for camping or travel, and self-motorized, mounted on, or pulled by another motor vehicle

Autonomous vehicle: a vehicle equipped with technology that senses the environment and allows the vehicle to move on the road without a person actively controlling or monitoring, such as a driverless, self-driving, or robotic car

Traffic Locations

Laned highway: a road divided into two or more clearly marked lanes for vehicular traffic

Limited access facility: a road adjacent to private property to which the property owners have no right or easement to; however, the owners may have access to the light, air, or view over the property; can include a road with signage prohibiting or limiting access for trucks, buses, or commercial vehicles

Private road or driveway: a privately-owned space that owners, and people given owner permission, use for vehicular traffic

State road: a highway designated as a state-maintained road by the Department of Transportation

Roadway: a portion of a highway used for vehicular travel that does not include the berm, shoulder, or sidewalk

Street or highway: the entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public for purposes of vehicular traffic

Intersection: the area within the connection of the lateral boundary lines of two or more roadways of two highways joined at approximately right angles or any other angle that may connect the two roads; where a highway includes two roadways 30 feet or more apart, every crossing of each roadway of the divided highway by an intersecting highway is a separate intersection

Crosswalk: that part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface

Sidewalk: the area pedestrians use between the curb or lateral line of a road and the adjacent property lines

Bicycle path: any road or path open to bicycle travel, physically separated from motorized vehicular traffic by an open space or by a barrier and is located either within the highway right-of-way or within an independent right-of-way

Traffic Incidents

Fatal injury: an injury causing death within a 12-month period after a crash

Incapacitating injury: visible or non-visible signs of injury, such as a bleeding wound, that creates a substantial risk of death, serious personal disfigurement, or loss or impairment of a limb or organ and that requires emergency transportation to a medical facility

Non-incapacitating injury: visible or non-visible signs of injury or complaint of injury, that probably do not requiring transport from the scene

Traffic stop: a lawful, temporary detention of a driver of a vehicle for an investigative purpose

Traffic crash: a collision, involving one or more vehicles, causing property damage, personal injury, or death

Area of collision: the location of the first harmful event, or the first damage-producing event in a traffic crash. It is where the collision occurred.

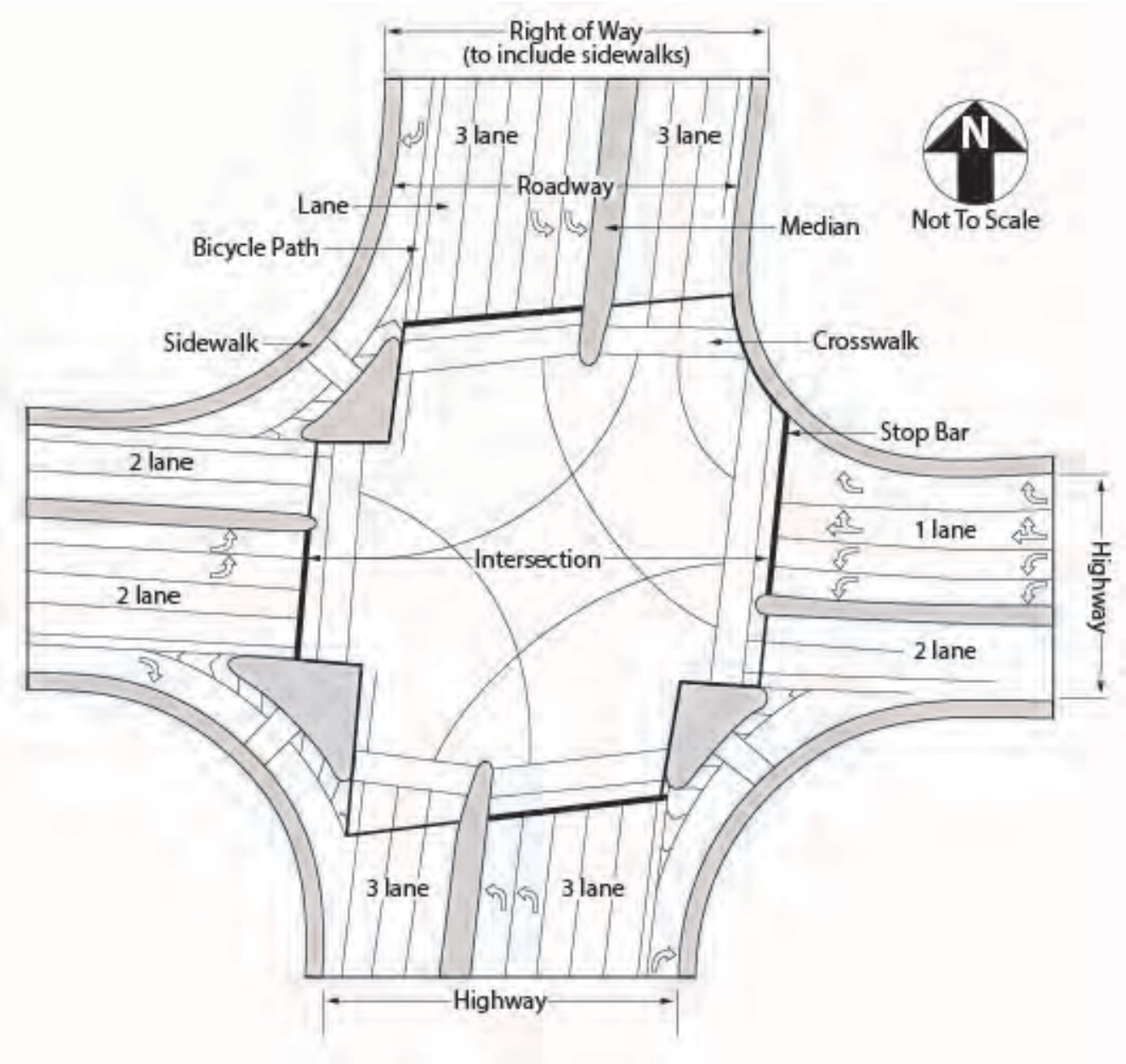
Traffic flow: the general speed and direction of vehicle or pedestrian movement

Contributing traffic violation: a direct cause or contribution to a crash, such as a vehicle running a red light and striking another vehicle

Non-contributing traffic violation: a violation that has no direct bearing on the cause of the crash, but is discovered during a crash investigation. Examples include expired license plate or seat belt violations

Non-traffic violation: a criminal offense discovered during the investigation of a traffic crash

Figure 6-1 Roadway Description



UNIT 2 RESOLVING VEHICLES INCIDENTS

LESSON 1 PARKING VIOLATIONS

Lesson Goal

At the end of this lesson, you will be able to issue a uniform traffic citation (UTC), municipal parking citation, or county ordinance citation.

Objectives

☑ **AL621.1. Differentiate between a uniform traffic citation (UTC), municipal parking citation, and county ordinance citation when enforcing motor vehicle parking laws**

You may be required to enforce various parking laws and ordinances by issuing a uniform traffic citation (UTC), a municipal parking citation, or a county parking citation. A UTC is used to enforce violations of the Florida Statutes. County or municipal citations may be issued to enforce local ordinances.

If an agency uses a parking citation to enforce parking laws, you can complete and attach the citation to the vehicle in violation. Section 316.1945 (3)(b), F.S., specifies that you must attach a citation, or parking summons, in a safe, conspicuous place (usually under the windshield wiper).

Anyone who parks in a designated handicapped space must have the proper permit. A permit may be displayed by either a placard or an issued specialty license plate. Drivers who do not have permits and park in handicapped spaces can be issued a citation.

UNIT 2 RESOLVING VEHICLES INCIDENTS

LESSON 2 TOWING OR IMPOUNDING ABANDONED VEHICLES

Lesson Goal

At the end of this lesson, you will understand the definition of an abandoned vehicle, and how to safely impound, inventory, and store a vehicle while following the law.

Objectives

- ☑ **AL622.1. Describe how to approach an abandoned vehicle safely**
- ☑ **AL622.2. Describe common sources of owner information regarding an abandoned vehicle**
- ☑ **AL622.3. Determine if a motor vehicle should be impounded based on situational circumstances**
- ☑ **AL622.4. Identify the process to inventory property from a vehicle after conducting a search**
- ☑ **AL622.5. Describe why an impounded motor vehicle is towed to an appropriate location**
- ☑ **AL622.6. Know the reasons for examining all compartments, cargo areas, and the exterior of a vehicle**

Abandoned Vehicles

An ***abandoned vehicle*** is a vehicle without a known driver or person responsible for the vehicle. These vehicles may be disabled, illegally parked, or a potential crime scene. Investigate abandoned vehicles to determine if a crime has occurred such as a vehicle theft or burglary. Look for evidence of forced entry or other criminal activity. When responding to an abandoned vehicle complaint, your first concern is to identify public safety hazards, which may range from roadway obstruction to a mobile meth lab. Do not walk between your vehicle and the abandoned vehicle. Be aware of your surroundings, and remain alert for possible ambush or for other people in the area.

Try to identify the owner by accessing available computer databases to query the license plate number or the vehicle identification number. You may also obtain information about the vehicle or the owner from the complainant or other people in the area.

Towing or Impounding a Vehicle

Follow your agency's policies on securing the vehicle if it is to remain, or for removing the vehicle if it is in violation of law. If a vehicle is towed as part of a criminal investigation, traffic crash, or DUI investigation, you are required to conduct an inventory search of the vehicle and document all its contents. Vehicles may also be seized under the Florida Contraband Forfeiture Act. A vehicle is considered ***impounded*** when it is removed from its present location and placed in the custody of police or the court.

DISABLED, ABANDONED, OR UNATTENDED VEHICLE TOWING PROCEDURES

You may be asked by a motorist for assistance in coordinating a tow for a disabled vehicle. The owner is responsible for negotiating with the company regarding location and fees. In some cases, a disabled, abandoned, or unattended vehicle may need to be removed from its location, but there is no evidence of criminal behavior. You will still conduct a vehicle inventory and document it on the vehicle inventory form. If the vehicle is locked, conduct a visible inventory of the contents, and identify existing damage to the interior and exterior of the vehicle. Request a wrecker to transport the unattended vehicle to a secured lot.

Exterior and Interior Vehicle Search

The authority to search a vehicle during impound is based on probable cause. Search the vehicle using a specific search pattern, and document your findings. When searching a vehicle, look inside to determine if the interior has a noticeable amount of dust on the inside. Don't touch anything inside the vehicle without PPE. Look to see if there are indications of drug use in plain view, such as syringes, spoons, or small, clear plastic bags of grey, white, or brown powdered material. If there is significant dust, signs of drug use, or if you suspect drug use, gently close the door to the vehicle and contact your control officer. Your control officer may instruct you to wait for a special unit to search the vehicle, or may instruct you to continue the search. Assume the vehicle contains drug chemical hazards, such as fentanyl. Follow the universal precautions for PPE when you suspect the presence of fentanyl.

While searching a vehicle, make sure that all compartments are checked, and avoid unnecessary damage to the vehicle. Be aware of hidden compartments to conceal contraband or weapons, and look for any suspicious buttons or switches that may indicate the presence of these compartments.

INVENTORY

Recall from Chapter 2 that you are required to perform an inventory when a vehicle is impounded. The inventory should document the vehicle's overall condition, mileage if available, damage, contents, and equipment. An inventory is conducted to protect you and your agency from false claims of lost, stolen, or damaged property.

Follow agency policy regarding the documentation and recovery of evidence inside the vehicle. Often during inventories or searches, you will find contraband or evidence of a crime. Items may include controlled substances, weapons, and burglary tools. Do not use an inventory instead of a lawful search, but remember that evidence found during an inventory is admissible in an investigation.

Vehicles Involved in a Crime

Follow agency policy when securing vehicles as evidence. If the vehicle is evidence and needs to be held under the control of the investigating agency, a wrecker service will transport the vehicle to a designated secure location. Treat the vehicle as a crime scene until it is processed. Agencies require a secured storage facility to maintain the chain of custody and ensure evidence is free from tampering. Seized vehicles under the Contraband Forfeiture Act are also inventoried and stored.

LESSON VOCABULARY

abandoned vehicle

impound

UNIT 3 DIRECTING TRAFFIC

LESSON 1 VEHICLE TRAFFIC

Lesson Goal

At the end of this lesson, you will be able to direct traffic.

Objectives

☑ **AL631.1. Park the patrol vehicle in a safe location to avoid obstruction of traffic flow**

☑ **AL631.2. Survey the scene of obstructed motor vehicle traffic by observing environmental conditions, hazards, and disrupted traffic flow**

☑ **AL631.3. Request assistance from other agencies to restore obstructed motor vehicle traffic**

☑ **AL631.4. Choose appropriate safety and traffic warning devices to direct motor vehicle traffic**

☑ **AL631.5. Determine a safe and effective route to re-direct traffic flow based on the incident**

☑ **AL631.6. Describe how to direct motor traffic flow using agency-issued traffic equipment**

☑ **AL631.7. Explain when the original motor vehicle traffic pattern may safely resume**

Visibility is the highest priority for you when directing traffic. Your safety equipment is designed for maximum visibility to others. Wear your high-visibility safety vest whenever you exit your vehicle, regardless of the time of the day. Use traffic cones and flares to increase visibility.

You may need to direct traffic for many reasons, including roadway obstructions, traffic crashes, special events, utility repairs, or broken traffic signals. Survey the scene to determine the nature of the traffic flow obstruction. Depending on the volume of traffic and traffic patterns, you may need help.

When encountering a traffic incident, safely park the patrol vehicle on the shoulder or in another location that does not block traffic. However, if the damage is severe enough to pose a danger to motorists, park your vehicle in the travel lane to prevent additional incidents, and to preserve as much of the scene of the crash as possible. Direct traffic around the damage and request assistance. Activate your vehicle's emergency lights to alert motorists to reduce speed.

Determine the best location to stand as well as the appropriate equipment to ensure high visibility and officer safety when directing traffic. You may use hand signals, whistles, a flashlight, direction wands, reflective gloves, or the traffic control box in order to maintain traffic flow. The center of an intersection provides the greatest visibility but it is also the most hazardous. Find the safest possible location from which to direct traffic. Avoid standing between two vehicles on the roadside, or directly in front of or behind a vehicle. Stop traffic to allow emergency vehicles access to the scene.

Attempt to give equal time to each direction when handling traffic flow from more than one direction; however, allow heavier lanes of traffic to flow for longer periods. If directing traffic in an intersection, follow typical traffic signal patterns to reduce confusion and expedite movement.

Determine what options are available for re-routing traffic safely through or around the immediate area. If the traffic is routed away from the obstruction, use an alternate route that can manage the level of traffic flow for the duration of the roadway incident.

To stop traffic:

- Point and make direct eye contact with the driver you want to stop.
- Raise one hand with your palm toward the driver until they stop; you may point with the other hand to the exact location where the driver is to stop.
- When stopping vehicles on open high-speed highways, you should face the traffic to be stopped and extend both hands above your head.

To start and maintain traffic flow:

- Point at the driver being directed to start and make eye contact.
- Rotate your hand up and over your chin, bending at the elbow.

To turn traffic flow:

- Direct turns only when they can be accomplished safely.
- Direct turns by pointing at the driver until eye contact is made, then pointing in the direction of the turn.

Audible signals:

- Whistles can be used along with hand signals.
- One long blast signals motorists to stop.
- Two short blasts signal motorists to proceed.
- Use multiple short blasts to gain the attention of drivers not responding to signals.

Vehicle traffic patterns may resume once the obstruction has been removed and the roadway issue has been resolved. Stop all lanes of traffic, remove and deactivate all traffic warning equipment, and signal drivers to resume normal traffic patterns.

UNIT 3 DIRECTING TRAFFIC

LESSON 2 PEDESTRIAN TRAFFIC

Lesson Goal

At the end of this lesson, you will be able to direct pedestrian traffic by identifying safe and efficient actions in planned or emergency situations.

Objectives

- ☑ **AL632.1. Describe how to direct pedestrian traffic during a planned event**
- ☑ **AL632.2. Explain how to re-direct pedestrian traffic during a planned event or an emergency**
- ☑ **AL632.3. Identify the traffic regulations related to assisting the blind when crossing traffic**

Coordinated events are planned in advance with established pedestrian routes. You may attend a pre-event briefing to obtain your duty location, responsibilities, and duration of assignment. While directing pedestrian traffic from the duty location, ensure the safety of all pedestrians and motorists. Always wear your high-visibility safety vest, so that you are visible to motorists and pedestrians.

Signals used to direct vehicle traffic might be used to direct pedestrian traffic. Ensure that all vehicle traffic has stopped prior to allowing pedestrian traffic to flow, that pedestrian walkways are not blocked, and that you are positioned between pedestrians and vehicles while maintaining visibility. Unexpected circumstances during a planned event may require you to develop a plan to safely re-route pedestrians out of the area. People may become agitated or panicked. Use command presence and clear instructions to establish and maintain order.

Florida law states that whenever a pedestrian is crossing, or attempting to cross, a public street or highway, guided by a service animal or carrying a white cane or white with a red tip, all drivers approaching the place where the blind or partially blind pedestrian is attempting to cross must stop. All pedestrians have the same rights when crossing a public street or highway.

UNIT 4 TRAFFIC STOPS

Unit Goal

At the end of this unit, you will be able to conduct a traffic stop.

Objectives

☑ **AL640.1. Apply the Florida Statutes while observing vehicle traffic for any violations of the law**

☑ **AL640.2. Summarize the necessary safety factors when deciding where to conduct a traffic stop**

☑ **AL640.3. Describe when to safely activate the vehicle's emergency equipment in a traffic stop**

☑ **AL640.4. Explain how to position a patrol vehicle and the backup vehicles during a traffic stop**

☑ **AL640.5. Describe how to approach the driver's vehicle safely during a traffic stop**

☑ **AL640.6. Explain how to use the "no approach" method during a traffic stop**

☑ **AL640.7. Explain the procedure for discussing a traffic offense during a traffic stop**

☑ **AL640.8. Identify various forms of identification a driver must show during a traffic stop**

☑ **AL640.9. Apply consistent professional interaction with all people to minimize tension and encourage cooperation during a traffic stop**

☑ **AL640.10. Know when to issue a verbal or written warning, issue a written citation, or make an arrest**

There is no such thing as a "routine" traffic stop. There is a potential risk of harm each time you make a stop. You must decide whether it is necessary, prudent, and safe to stop the vehicle. If immediately stopping the driver endangers you or other motorists, you should not make the stop. Many officers are killed or injured each year during these traffic-related encounters.

A traffic stop begins the moment you observe an event or reason that merits the stop. You may stop a vehicle if reasonable suspicion exists that a crime was, is being, or is about to be committed. You may also conduct a traffic stop if you observe a violation for which a citation may be issued. Other reasons for a traffic stop are to notify a motorist of a defect or problem with a vehicle, to investigate suspicious behavior, or to investigate a vehicle or occupant in a BOLO description.

Plan the stop in an area that gives the driver a place to stop safely, preferably in a well-lit location with a low traffic volume. Be ready to adjust and react quickly after the driver stops the vehicle. Any unusual activity by the driver or passengers can increase the level of risk of the traffic stop. Some

roadway and traffic conditions may increase the potential for particular traffic violations. These include merge areas, intersections, and acceleration lanes. Be familiar with normal traffic patterns, speed limits and where they change, and traffic flow changes at different times of day.

Step 1: Follow the Driver Through Traffic

Choose a location where the driver can maneuver out of the flow of traffic and away from the danger of passing vehicles. After deciding to make the stop, move the patrol vehicle into a position to catch up with the driver, and maintain a safe following distance until the driver pulls over.

Step 2: Notify Dispatch of the Traffic Stop

Complete and accurate information allows dispatch to perform a database check on the license plate before you talk to the driver. Contact dispatch and relay the following information:

- your identification number
- your location—if the situation escalates and you are injured or cannot use the radio, dispatch can pinpoint your location.
- your general direction of travel: north, south, east, or west
- vehicle license plate number and state of issue
- a description of the driver's vehicle including color, make, approximate year
- the number of occupants and descriptions if possible
- the need for backup or other assistance as required

Step 3: Select a Safe Location to Stop

You should study the following conditions when you select the location to make the stop:

- width of road and shoulder
- level of visibility
- lighting
- population
- traffic congestion
- presence of hills and curves
- time of day
- weather conditions

Prevent crashes by making sure that both vehicles can stop far enough off the road for other vehicles to pass, especially in congested areas or areas with limited visibility. Try to pull off onto a level spot or a slight downgrade. Do not make a stop on a curve, a ramp, the crest of a hill, close to an exit ramp, or where road conditions could cause other vehicles to hit the patrol vehicle.

Step 4: Activate Emergency Equipment to Communicate the Stop

Officer-driver interaction begins when you signal the driver to stop. Pull directly behind their vehicle, and once you are in a safe location to make the stop, turn on the emergency equipment. Each driver reacts differently. Some might panic and stop in the left lane, skid to a stop, or swerve. Others ignore the lights. If this happens, tap the siren for one or two seconds.

Activate the patrol vehicle's high beams, unless they interfere with oncoming traffic or restrict your vision by reflecting off the driver's bumper or another object. The overhead emergency lights should be left activated to warn oncoming traffic. Once the driver acknowledges the stop, follow these steps:

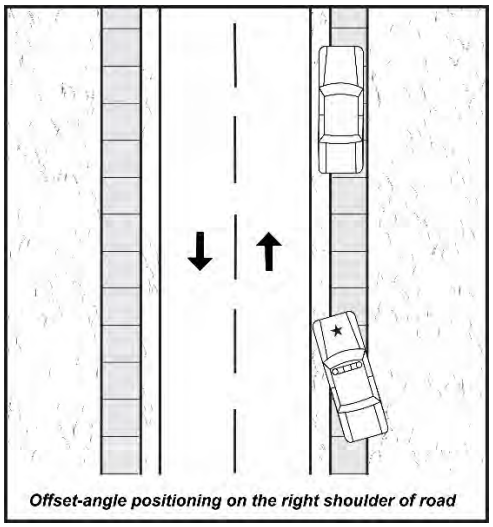
1. As the driver changes lanes, follow smoothly.
2. Follow the driver's vehicle at a safe distance.
3. Use the PA system to direct the driver to a safer location, if needed.

Step 5: Park the Patrol Vehicle

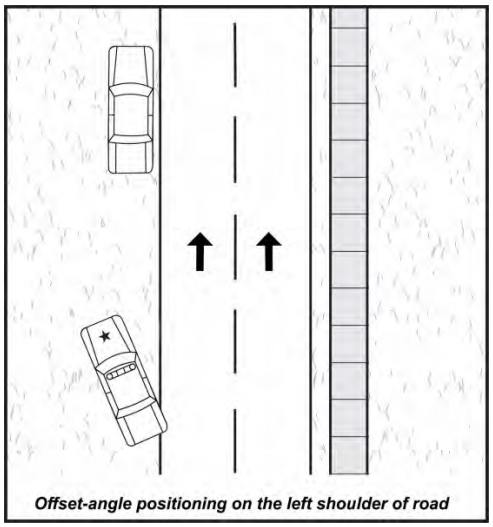
If you perceive any danger while assessing the situation, request backup and wait before taking any further action. The driver should stop on the right shoulder of the road. Park the patrol vehicle in an offset-angle position, one and a half to two car lengths behind the driver's vehicle. The ***offset-angle position*** is where you align the center of your vehicle's hood with the taillight of the driver's vehicle, and then point the nose outward into the flow of traffic. Turn your wheels away from traffic. Use the PA system to direct the driver to move the vehicle further to the right to reduce the obstruction of traffic.

Sometimes, due to environmental conditions or roadway obstacles, you might make a traffic stop on the left side of the roadway. If the situation escalates, the offset position can provide cover from any hostile action from the driver's vehicle. In emergencies, you might make a traffic stop on the roadway. Move your vehicle as far to the outside of the driving lane as possible using the offset-angle position.

Figures 6-2.1 and 6-2.2 Offset-angle positioning on the right and left shoulders of road



Offset-angle positioning on the right shoulder of road



Offset-angle positioning on the left shoulder of road

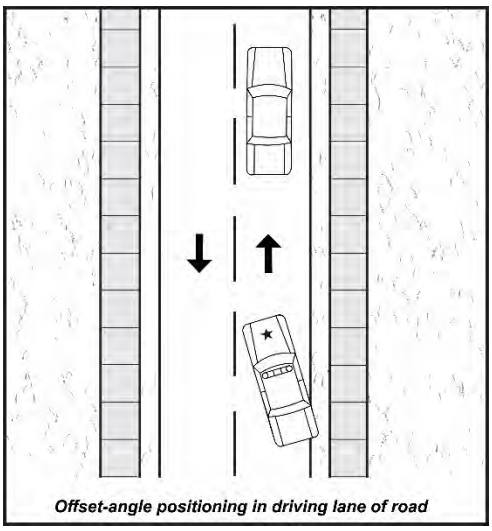


Figure 6-3 Offset-angle positioning on the roadway

POSITIONING OF THE BACKUP PATROL VEHICLES

Backup officers should park their patrol vehicles at a safe distance behind your patrol vehicle. Depending on the location of the traffic stop and its environmental conditions, the backup patrol vehicles might be offset to the left or the right of your vehicle. This allows the emergency lighting to illuminate the back of the vehicles. Backup officers will limit the use of emergency lighting from their vehicles to avoid blinding or silhouetting responding officers. If possible, they should only use their rear emergency lights. Backup officers should approach the driver's vehicle along the passenger side of your patrol vehicle to prevent a crossfire situation.

Step 6: Conduct a Visual Assessment of the Driver's Vehicle

Assess the driver's vehicle for signs of danger prior to exiting your vehicle. If the occupants attempt to exit the vehicle, your discretion and agency policy will determine whether you ask them to return immediately to the vehicle. If the vehicle's trunk seems to be heavily weighed down, discuss this with the driver. The vehicle could be carrying stolen merchandise, drugs, tools, a person, or a corpse.

Step 7: Exit the Patrol Vehicle

A silent exit from the patrol vehicle gives you time to approach the vehicle and assess the situation before the driver reacts. Exit your vehicle quickly, after checking for oncoming traffic in the rear and side-view mirrors. Quietly secure the vehicle door so it will not blow open and strike a passing vehicle. Adjust your portable radio volume to low. Constantly observe the vehicle and all its occupants.

Step 8: Use Safe Approach Techniques

Keep in mind that the driver could have lethal opioid drugs, such as fentanyl, in their possession. You are allowed to have and to administer emergency opioid antagonists to treat someone who has overdosed on fentanyl. Be sure to follow agency policy if you are exposed to this drug because it may cause life-threatening ailments.

Do not walk between your patrol vehicle and the subject vehicle. You could be pinned between vehicles if the driver places his vehicle in reverse, or if another vehicle accidently strikes your vehicle. At night, you should also avoid crossing in front of the headlights and betraying your location. Walk behind your vehicle if you need to approach the passenger side of the driver's vehicle. Keep your flashlight off while on approach until you make contact with the driver and other passengers.

Look at the license plate for these clues that the plate may not belong to the driver's vehicle:

- the way the plate is attached may suggest the license plate is from another vehicle
- age of attachment relative to the plate (Are there shiny, new bolts on a dirty plate?)
- expired expiration sticker or sticker that looks like it was removed from another plate
- paint or dark film on the license plate
- the presence of dead insects on the license plate, possibly as the front plate of another vehicle

Check the trunk lock and trunk lid alignment to determine if someone is possibly in the trunk. If the trunk lid is unlatched, push it down when you approach the vehicle. Be aware that modern technology allows the trunk to be opened from the inside. Touching the rear of the driver's vehicle also transfers your fingerprints to the vehicle as evidence of contact. Touch the trunk lid for this reason during every traffic stop, even if the lid appears closed. Check for a popped trunk lock or a hole in the trunk where the lock should be, which is a sign of a stolen vehicle.

APPROACHING THE DRIVER'S VEHICLE ON THE DRIVER'S SIDE

Approach the driver's vehicle cautiously, while assessing the situation. Scan the entire vehicle and its occupants for suspicious movements throughout the stop. Examine the interior of the vehicle while looking through the rear window into the rear seat, noting the number of passengers, the position of the rear seat, and the presence of any contraband or potential weapons.

Watch for passing traffic to avoid being struck by a vehicle. Stay close to the vehicle and at night, hold your flashlight in your support hand. Stand at the back edge of the driver's door to give you a covered position of advantage when talking with the driver. If there is a passenger in the backseat, stop at the back edge of the passenger door and ask the driver to open the window.

APPROACHING THE DRIVER'S VEHICLE ON THE PASSENGER'S SIDE

Approaching on the passenger's side will give you extra time to look and listen. The occupants of the vehicle will likely expect you to approach on the driver's side. Observe the driver's hand position. Look to see if the driver is concealing something on their right side, including a popped ignition, car keys, a weapon, an alcoholic beverage container, and drugs or drug paraphernalia. A popped ignition is where the plastic housing around the steering column's base has been popped open, exposing ignition wires that can be pulled forward to start the car. It also means that the lock cylinder was removed from the ignition assembly, so there will be no car keys present.

"NO APPROACH" OPTION, CALLING THE DRIVER BACK TO THE PATROL VEHICLE

You may decide whether to approach the driver's vehicle or call the driver back to the patrol vehicle (called the "no approach" tactic) to acquire information. If you decide to call the driver back to the patrol vehicle, assume a tactical position behind one of the patrol vehicle doorposts, the passenger side door, or the rear of the patrol vehicle, but not sitting in your vehicle. Use a commanding voice or the PA

to direct the driver to walk back to you. As the driver approaches, be observant, especially of the driver's hands, for any signs of aggression or the presence of a weapon.

Step 9: Interact With the Driver

When stopped, drivers typically react with embarrassment, anger, fear, and excuses. The situation can be tense. By conducting a legitimate and professional traffic stop, you can minimize negative and potentially unsafe results. Your expression, tone of voice, body position, gestures, and words should project a positive command presence, even while you are being assertive. Politely identify yourself as a law enforcement officer: "Good Morning, Sir or Ma'am. I am Officer ____ of the _____ Police Department." Be polite and respectful in interactions with the passengers in the vehicle.

It is important to practice observation skills, safe positioning, and safe distancing when interviewing the driver or passengers. If the situation becomes dangerous or unstable, increase the distance between yourself and the stopped vehicle. You should expect some activity as the driver retrieves their information from a wallet, glove compartment, or center console. Suspicious movements may suggest danger, such as moving towards the floorboard or backseat.

Courteously explain the reason for the stop in terms of what you saw the vehicle, not the driver, doing and request the required documentation. Allow the driver to talk while you remain polite and focused, conveying to the driver that you are listening. Do not argue with the driver, but simply explain your observations or the violation. Your listening respectfully will help many people calm down and accept the situation. Do not lecture the driver, but rather explain the seriousness of the violation by mentioning the risk of a crash or other circumstance. Keep the detention time as short as possible.

Drivers in Florida are required to "present or submit" a driver's license, vehicle registration, and proof of insurance upon your request. The driver is the only occupant in the vehicle compelled to provide their documentation and identification, unless you suspect the other occupants of a crime or violation. Ask where the driver keeps these documents, so that you have an idea of where the driver's hands will be. Do not accept a wallet from a driver, but ask them to remove the license instead.

The driver or a passenger may state that they have a weapon on their person or in the vehicle despite not being not required to do so. Prior to July 1, 2023, Florida law required a person to carry a concealed weapon or firearm license, along with valid identification, at all times when carrying a concealed weapon or firearm. However, Florida law now allows the carry of a concealed weapon or firearm without a license as long as the conditions of s. 790.06(12)(a), F.S., are met. If you have reasonable suspicion that there is a firearm in the vehicle, ask for its location. If you determine that a firearm is concealed and readily accessible for immediate use, follow your agency's policies and procedures regarding traffic stops that involve a concealed weapon or firearm license.

After obtaining the required documentation, return to the patrol vehicle and complete a database check using the driver's information. Verify that the information on the license is current and valid. Compare information on the registration to the VIN, make, type, and year of the vehicle. Confirm that the insurance card is current and applicable to that vehicle. In addition to checking the driver's information, query any concealed weapons permits to check the validity by running the license number on the permit. Remember to watch the stopped vehicle while you are running the database check. If the database check returns a hit for an outstanding warrant, arrest the driver and impound the vehicle.

Step 10: Enforcement Options

Use discretion and good judgment when deciding on an enforcement option. You may decide to take no action, issue a verbal warning, issue a written warning, issue a citation, or make an arrest. The law, agency policy, and the circumstances of the violation affect your enforcement options, and the manner in which you issue an enforcement document.

Discretion applies only to traffic violations and certain misdemeanor offenses. You must weigh the seriousness of the offense, the road conditions, the weather, and the traffic situation when making your enforcement decision. Document each stop with appropriate, recorded enforcement action, whether it is a citation, a warning, or an arrest. You should write a citation when there is a clear violation that is not satisfactorily excused or justified by circumstances. Florida law states that all felonies are arrestable offenses. If you have probable cause for an arrest, you must make that arrest.

UNIFORM TRAFFIC CITATIONS

The uniform traffic citation (UTC) is for traffic offenses covered under chapters 316, 318, 320, and 322 of the Florida Statutes. Generally, this form will be the only report that you need to complete for traffic offenses, unless it is a crash scene, and then a crash report is also required. The UTC also is used for certain non-traffic felony and misdemeanors that can result in suspension or revocation of the person's driver's license. Issue a citation to anyone accused of this type of offense.

EXPLAINING AND ISSUING THE WARNING OR CITATION

The driver must understand the violation and the warning or the citation. State the specifics of the violation slowly and clearly and ensure that the driver understands when you give the verbal warning or present a written warning or citation.

Explain the driver's options for responding to the citation. Moving violation options are to pay a civil penalty, request a hearing in traffic court, or elect to attend and complete a Driver Improvement Course. Non-moving violation options are to pay a civil penalty or request a hearing in traffic court. Some moving violations and all criminal violations require a scheduled court appearance. A driver must sign a traffic citation when the citation is for a criminal traffic violation or when a traffic violation requires a mandatory hearing.

CONCLUDING THE TRAFFIC STOP

Maintain a professional and courteous manner with the driver and passengers. If the driver expresses a desire to make a complaint against you, politely explain the process for doing so, provide your complete name and badge number, and notify your supervisor of any possible problems with the driver. End the interaction with a "thank you" in a courteous, non-sarcastic manner

When dealing with a particularly disrespectful driver, you may be tempted to respond in a similar manner. Do not allow ego or emotion to interfere with your actions. Law enforcement work is stressful, but you are sworn to uphold the laws you enforce. You are expected to act professionally when you interact with the public. Florida is becoming increasingly diverse; it is up to you to avoid giving even the perception of discriminatory policing in your actions.

A driver who is upset should be allowed time to calm down before resuming driving. When the driver is ready to leave, make sure the driver is able to enter the traffic stream safely. Return to your vehicle and clear the stop with dispatch.

LESSON VOCABULARY

offset-angle position

UNIT 5 DRIVING UNDER THE INFLUENCE

Unit Goal

At the end of this unit, you will understand how to identify a driver who may be under the influence of alcohol or drugs.

Objectives

☑ **AL650.1. Summarize the general DUI detection process used during a DUI investigation**

☑ **AL650.2. Explain how a driver under the influence of a legal or illegal drug has impaired ability to operate a vehicle safely**

☑ **AL650.3. Identify medical conditions that may mimic alcohol or drug impairment to determine if a DUI investigation is warranted**

☑ **AL650.4. Explain divided attention as it relates to impairment during a DUI investigation**

☑ **AL650.5. Analyze a vehicle in motion to determine reasonable suspicion of impairment during Phase One of a DUI investigation.**

☑ **AL650.6. Describe the visual cues used to develop reasonable suspicion in a DUI investigation**

☑ **AL650.7. List the behaviors an officer may see after making a DUI stop with a suspect driver**

☑ **AL650.8. Describe how to use the senses to detect clues of impairment in a DUI investigation**

☑ **AL650.9. Explain reasonable suspicion of impairment during Phase Two in a DUI investigation**

Overview of DUI Detection

The DUI detection process is the cycle of identifying and gathering evidence to determine if a person should be arrested for a DUI offense. The DUI investigation process has three phases:

- Phase One: Vehicle in motion—watching the driver erratically operating the vehicle
- Phase Two: Personal contact—the opportunity to observe and speak with the driver
- Phase Three: Pre-arrest screening—administration of standardized field sobriety tests (SFSTs)

As an auxiliary officer, you will watch for drivers who may seem impaired by drugs or alcohol. It will be your responsibility to observe the driver, and to make a stop if you have reasonable suspicion that the driver may be intoxicated. You will contact dispatch at the onset of your traffic stop, and ask for a DUI team to be dispatched to your location. You will not actively participate in the administration of the SFSTs (Phase Three), but you need to be aware of all phases in the DUI detection process.

DRUG IMPAIRMENT

You will encounter not only drivers driving under the influence of alcohol, but also those who may be impaired due to the use of other legal or illegal drugs. Some drug-impaired drivers look and act very much like alcohol-impaired drivers. All are dangerous to themselves and to everyone else on the road.

MEDICATION EFFECTS

There are indicators that suggest a driver may be under the influence of a drug and not alcohol. A strong indicator is the absence of the odor of alcohol. You may find prescription bottles, leftover pills, or drug paraphernalia in the vehicle. The driver or a passenger may volunteer information regarding use of medication. The driver's license may indicate insulin dependence. The driver may be in legal possession of prescription medication, but if the side effects impair the ability to drive, the driver should be treated the same as someone impaired by illegal drugs or alcohol.

Florida has a medical marijuana law for chronically ill or terminal patients. Patients and their caregivers are legally allowed to possess and transport medical marijuana products and the delivery devices needed for the drug. However, qualified patients with medical marijuana use registry cards are prohibited by law to operate any vehicle while under the influence of medical marijuana.

MEDICAL CONDITIONS THAT MIMIC IMPAIRMENT

Certain medical conditions may mimic drug- or alcohol-induced impairment. Check for a medical alert information card or for medical restrictions on the driver's license, or look for a medical alert ID bracelet to determine if a medical problem might be the cause of the erratic driving. Some causes of erratic behavior may include conditions such as epilepsy, diabetes, a head injury, or cognitive problems.

Examine the driver's eyes for medical impairment. If their pupils are noticeably unequal in size, the eyes are jerking as the driver looks straight ahead, or if the eyes do not track together, a medical disorder or injury is causing the incident. Ask the driver if they need immediate medical assistance.

Divided Attention Tasks

Divided attention is the ability to concentrate on two or more tasks at the same time. While under the influence of alcohol and drugs, a driver's ability to divide attention is impaired. As a result, the impaired driver tends to concentrate on only the most important or critical parts of driving. An impaired driver has difficulty making decisions, which creates dangerous situations for other drivers.

DUI Detection

PHASE ONE: VEHICLE IN MOTION

Phase One of DUI Detection has two components—identifying visual cues of a driver's movements that indicate possible DUI, and observing the driver's behavior when you begin the traffic stop. Your attention may be drawn to the vehicle by things such as a traffic violation, an equipment violation, having an expired registration, or erratic driving behavior. Decide if there is reasonable suspicion to stop the vehicle, based on these observations.

Driver Movements

The effects of alcohol on a driver cause predictable behaviors to detect impaired drivers:

1. **Problems Maintaining Proper Lane Position**
    - weaving
    - weaving across lane lines
    - straddling a lane line
    - swerving
    - turning with a wide radius
    - drifting
    - almost striking another object or vehicle
2. **Speed and Braking Problems**
    - stopping problems
    - accelerating or decelerating rapidly
    - varying speed
    - slow speed
3. **Vigilance Problems**
    - driving in opposing lanes or the wrong way on a one-way street
    - slow response to traffic signals
    - slow or failure to respond to officer's signals
    - stopping in lane for no apparent reason
    - driving without headlights
    - failure to signal or signal inconsistent with action
4. **Judgment Problems**
    - following too closely
    - improper or unsafe lane change
    - illegal or improper turn
    - driving on other than a designated roadway
    - stopping inappropriately in response to an officer
    - inappropriate behavior of driver or occupants
    - appearing to be impaired

PHASE TWO: PERSONAL CONTACT

Once the vehicle stops, do not ask the driver to move to a safer location. If the driver is impaired, you may be liable for any injuries or property damage sustained during the move. You will determine if the driver is distracted, ill, tired, or has a medical impairment once you make personal contact.

Using Your Senses

You might see these clues during the interview:

- bloodshot eyes
- soiled clothing
- fumbling fingers
- alcohol containers or drugs or drug paraphernalia
- bruises, bumps, or scratches
- unusual actions

You might hear these clues during the interview:

- slurred speech
- admission of drinking
- inconsistent responses
- abusive language
- unusual statements

Pre-Exit Stage Interview Process

During the initial interview, you will ask questions while the driver is still behind the wheel. As you observe the driver and their behavior, you can determine if you should apply this series of interview techniques to test the driver's ability to focus and concentrate. The series applies the concept of divided attention tasks, to see if the driver can do two or more things at the same time.

1. Ask the driver for both a driver's license and the registration. Be alert for the driver who:
    - forgets to produce both documents
    - produces documents other than the ones requested
    - fails to see the license, registration, or both while searching through wallet or purse
    - fumbles or drops wallet, purse, license, or registration
    - is unable to retrieve documents using fingertips
2. If the driver seems to have trouble with your request, and it does not appear to be caused by general nervousness, ask a second, unrelated question while the driver is making a second attempt to produce their documentation. Ask an unrelated question like, "Without looking at your watch, what time is it right now?" Be alert for the driver who:
    - ignores the question and concentrates only on the license or registration search
    - stops searching to answer question, then fails to resume the search after answering
    - supplies a grossly incorrect answer to the question
3. If the driver is still not acting as expected, use the third technique after you have the driver's license and registration. Try to verify information by asking unusual questions. This exercise is difficult for an impaired driver, because they have to process information. For example, ask, "Do you still live at 1313 Mockingbird Lane?" when the license says 3131 Jaybird Street.

A NOTE TO STUDENTS: The remainder of this lesson is *for information only*. Your agency's policy will dictate how much you will participate in the administration of the standard field sobriety tests. Because

of the serious and contentious nature of this type of arrest, you will usually turn over the investigation at this point to the DUI team you requested at the beginning of the traffic stop. The following sections are provided to complete your understanding of the process that will lead to an arrest if probable cause is present based upon the results of the Phase Three tests.

The Exit Sequence

At this point, you have reasonable suspicion that the driver is impaired. Even though that suspicion is strong, probable cause is required to make a DUI arrest. Watching the driver exit the vehicle and stand nearby while awaiting further instructions will strengthen the evidence of impairment. Be alert for the driver who:

- shows angry or unusual reactions
- cannot open the door
- leaves the vehicle in gear
- climbs out of the vehicle
- is swaying, unsteady, or leans against the vehicle for balance
- has difficulty exiting the vehicle or dismounting a motorcycle
- is still fumbling with driver's license or paperwork when asked to exit
- is repeating questions or comments or cannot follow instructions
- is slow to respond to officer/officer must repeat questions
- provides incorrect information, changes answers

PHASE THREE: STANDARD FIELD SOBRIETY TESTS

Phase Three uses three standard field sobriety tests to measure a driver's ability to perform both mental and physical tasks. The results will determine if there is probable cause to arrest for DUI. The three tests are the Horizontal Gaze Nystagmus, the Walk-and-Turn, and the One-Leg Stand.

Standard Field Sobriety Tests

1. Horizontal Gaze Nystagmus (HGN) refers to an involuntary jerking occurring as the eyes move toward the side. The observation of the eyes for horizontal gaze nystagmus is an accurate assessment for determining alcohol impairment.
2. Walk-and-Turn is a divided attention test that consists of two stages: the Instructions Stage and the Walking Stage. In the Instructions Stage, the driver must stand with feet in heel-to-toe position—with the heel of one foot touching the toes of another—keeping arms at sides and listening to instructions. In the Walking Stage, the driver takes nine heel-to-toe steps, turns in a prescribed manner, and takes nine heel-to-toe steps back, while counting the steps aloud and watching their feet. Observe the driver's performance for eight clues:
    - cannot keep balance while listening to instructions
    - starts too soon
    - stops while walking
    - does not touch heel-to-toe

- steps off the line
- uses arms to balance
- improper turn
- incorrect number of steps

3. One-Leg Stand is a divided attention test consisting of two stages: the Instructions Stage and the Balance and Counting Stage. In the Instructions Stage, the driver must stand with feet together, keeping arms at sides and listening to instructions. In the Balance and Counting Stage, the driver must raise either leg with the foot approximately six inches off the ground, keeping the raised foot parallel to the ground. While looking at the elevated foot, the driver counts aloud until told to stop. Observe the driver's performance for four clues:
    - sways while balancing
    - uses arms to balance
    - hopping
    - puts foot down

LESSON VOCABULARY

divided attention

UNIT 6 TRAFFIC CRASH INVESTIGATIONS

Lesson Goal

At the end of this unit, you should be able to respond to a crash scene safely.

Objectives

☑ **AL660.1. Identify the type and extent of a crash during a crash investigation**

☑ **AL660.2. Determine the need for a perimeter of crash scene**

☑ **AL660.3. Describe how to manage fire-related conditions at a crash scene investigation**

☑ **AL660.4. Describe how to manage hazardous materials at a crash scene investigation**

☑ **AL660.5. Survey the scene and remove roadway obstruction to ensure public safety**

☑ **AL660.6. Explain the importance of vehicle position and the use of emergency lights to control traffic flow and warn motorists during a crash investigation**

☑ **AL660.7. Know how to use reflective and warning devices to protect the crash scene**

☑ **AL660.8. Know how to re-route the vehicular traffic flow effectively from a crash scene**

☑ **AL660.9. Identify all people to be interviewed during a crash investigation**

☑ **AL660.10. Explain the statutory requirements for driver documentation in a crash investigation**

☑ **AL660.11. Explain how to collect pertinent information, and written or recorded statements from all people in a crash investigation**

☑ **AL660.12. Preserve the crash scene for investigative purposes during a crash investigation**

☑ **AL660.13. Know how to provide first aid to the injured prior to EMS arrival**

☑ **AL660.14. Assist investigators to determine how the crash occurred by collecting evidence, observing the crash scene, and interviewing the people at the crash scene during a crash investigation**

☑ **AL660.15. Notify the owner of an unattended vehicle or damaged property**

☑ **AL660.16. Describe how to help an investigator with a crash scene involving fatal or serious bodily injury**

☑ **AL660.17 Explain the statutory requirements for the exchange of driver information**

☑ **AL660.18. Explain how to remove all debris or hazards at a crash scene**

☑ **AL660.19. Know when to remove all equipment and warning devices from the crash scene**

☑ **AL660.20. Explain the elements of the Traffic Crash Report Forms used for crash reports**

Step 1: Respond to the Crash Scene Safely

You must respond calmly to a traffic crash situation and assist the investigation by gathering information and helping the investigators with various assigned tasks. This process is important for effective traffic crash management.

After receiving the call for service, get as much information as possible about the crash location, such as street names, addresses, and the mile marker. It is important to respond to the scene safely. Use all available traffic safety equipment. Any time you are working around highways, roadways, or construction areas, make sure you wear your high-visibility safety vest.

You may be asked to provide details of the incident, control traffic, or maintain a perimeter. Park the patrol vehicle at a safe distance based on the circumstances. Some factors to consider when parking are wind direction and speed, traffic conditions, and allowing safe access for other first responders.

Step 2: Assess the Scene of the Crash

LOCATE VEHICLES INVOLVED IN A CRASH

By locating the vehicles involved and the property damaged in an incident, you should be able to determine the perimeter of the actual crash scene. You can also conclude the path of travel by examining the evidence left by the involved vehicles. Look for damaged property near the crashed vehicle. You may become aware of involved vehicles that may have left the scene or other vehicles or people that were not immediately obvious during the initial scene assessment.

FIRE MANAGEMENT AT THE CRASH SCENE

If you respond to a vehicle fire, you should survey the scene for victims, hazards and other threats to public safety. These may include hazardous materials, downed power lines, fire intensity, and any other materials that may present an immediate threat. Remember that crash damage may be camouflaged by fire and should not be overlooked.

Determine if the vehicle is occupied. If people are present, begin rescue efforts to extract the victims. If the fire is small enough and appropriate for the type of fire extinguisher in your patrol vehicle, then attempt to put out the flames. Remember the limitations of a portable fire extinguisher. If victims are trapped beyond your rescue capability, every reasonable effort should be made to extinguish the fire immediately. Do what you can to secure the scene for the arrival of fire personnel.

In the event of a vehicle fire, passengers, witnesses, and non-motorists need to be evacuated to a safe location. Use verbal commands and common gestures to direct all people away from the fire toward a safe location. If a large number of people are present, use the patrol vehicle's public address system to direct observers away from the scene. When deciding on a safe location for them, consider the amount

of traffic, the weather, and the buildings in the area that may be affected by the fire. If there is a breeze, people should be directed upwind from the scene.

HAZARDOUS MATERIALS MANAGEMENT AT THE CRASH SCENE

During scene assessment, you may discover a commercial motor vehicle involved in the traffic crash. Before approaching the scene, determine if the vehicle's contents are hazardous. Locate the placard on the vehicle and refer to the Department of Transportation's ***Emergency Response Guidebook (ERG)*** to verify the contents. Also, consult the *ERG* if other hazards are present, such as toxic fumes or the risk of fire reaching gas tanks, and for recommended minimum evacuation distance in all directions. The *ERG* is available as a phone application for easy use.

RESPONDING TO ROADWAY OBSTRUCTION OR DAMAGE

There might be debris or other obstructions on the roadway that may cause immediate threats to the crash victims, bystanders, and other officers on the scene. Be aware of hazardous conditions, which may include fluids on the ground, clouds of gases or smoke, and downed wires. Crash debris, such as small pieces of metal and glass, pose additional threats to both vehicle and pedestrian traffic.

Survey the scene to determine the nature of the obstruction or damage. You should attempt to preserve as much of the crash scene as possible. Wait for direction from your control officer or the scene investigator before taking any action to remove an obstruction from the travel lanes.

If the incident requires additional resources, you should notify dispatch to contact the appropriate agencies based on the type of obstruction or damage.

Step 3: Secure a Safe Work Environment at the Crash Scene

Traffic crashes attract motorists' attention and cause gawking or "rubbernecking," which slows traffic flow. This can be a hazard since drivers tend to focus on the crash and not on driving around the scene. Many secondary crashes happen because of this lack of attention. Nighttime crash scenes compound this hazard because distance vision is limited. Conditions due to emergency vehicle lights, heavy traffic, or movement on and off the roadway can reduce vision. Traffic conditions affected by buildings, signs, curves, hills, trees, rain, smoke, and fog will also affect a driver's vision. Whenever possible, work facing oncoming traffic so that you will see hazardous situations as they develop.

POSITION THE PATROL VEHICLE SAFELY

Your patrol vehicle is your primary tool for controlling traffic. It warns motorists of the hazards at a traffic crash scene. Find a safe location to position your vehicle where you are visible to oncoming traffic. Park a safe distance away from the hazards or damage from the crash scene and avoid parking on any evidence at the crash scene.

Turn on your patrol vehicle's emergency lights as a caution or alert. Adjust the headlights to low beam so you do not temporarily blind drivers approaching from the opposite direction. Keep your emergency lights on throughout the traffic crash investigation.

USE TRAFFIC REFLECTIVE AND WARNING DEVICES

Additional warning devices used to alert and direct motorists include traffic cones, flares, barricades, message boards, and signs. It is extremely important for officers directing traffic or investigating a crash to be visible to oncoming traffic. Along with your high-visibility safety vest, a flashlight with a wand attachment and reflective gloves are additional tools that make you more visible.

Before placing warning devices, determine what type of warning devices to use, how many will be required, and their placement pattern in order to prevent further damage or injury. The number of warning devices that you will use depends on the size of the area that needs protection or the extent of the scene. The size is also affected by the number of traffic lanes and the normal speed of travel on the road. Try to keep in mind how warning devices will appear to oncoming traffic.

To determine how far away from the crash to place the cones or flares, consider how fast traffic is moving and how quickly drivers can react to the traffic incident. The faster the traffic is moving, the further away from the scene you will have to place warnings. You may be asked to park your vehicle at the scene's access point to warn motorists of the incident and to prevent further crashes.

Flares are very important warning devices at a crash scene. They can be used to protect the scene, and are easily stored in the trunk of a patrol vehicle. Flares are visible warning devices to motorists both day and night. Hazardous conditions may affect the use of flares, so make sure that there are no flammable items, liquids, or chemicals at the crash scene before you set the flares.

DIVERT TRAFFIC AROUND THE CRASH SCENE

You may have to direct traffic around the scene until the road is cleared. Park the patrol vehicle in the roadway to block oncoming traffic from the crash scene and places flares or cones in front of and behind the involved vehicles. The pattern helps to draw attention to the cones or flares and indicates to oncoming drivers to drive around the scene.

An alternative is to place the patrol vehicle with the emergency lights activated on the road. This serves as a barrier to protect the scene and as a warning device for rerouting other drivers when you don't have flares and cones.

When there is no safe way to protect the scene, place a roadblock. The purpose of the roadblock is to prevent injury or damage to motorists and protect the crash scene. If practical, avoid residential areas, schools, and playgrounds when choosing where you redirect traffic. Make sure that dispatch is advised immediately so that information can be relayed to the public and other affected jurisdictions.

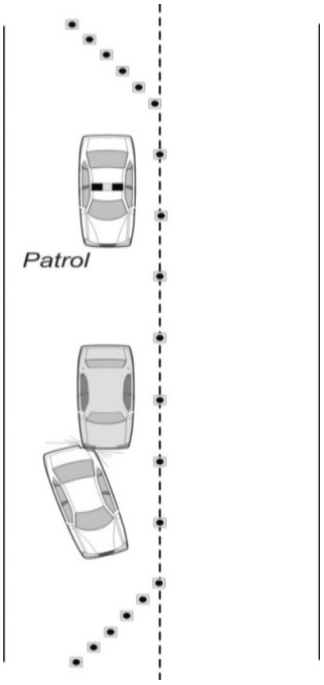


Figure 6-5: traffic cones or flares

PROTECT PERSONAL PROPERTY AT THE CRASH SCENE

If a crash exposes occupants' property, such as purses, wallets, or boxes, secure these items in accordance with agency policy. If any of the vehicles involved in a crash are towed, perform an inventory and document on the tow receipt any property left in a crash vehicle.

ADDITIONAL RESOURCES

Sometimes it is necessary to call for additional responders at the crash scene. Those situations may include making special arrangements for oversized, hazardous, or commercial vehicle traffic; making an arrest; completing searches; completing paperwork; taking photographs; measuring tire marks; directing traffic; or establishing and maintaining roadblocks. Other resources may include the need for the fire department, the Department of Transportation, the Florida Highway Patrol, or the hazardous materials (hazmat) team. Radio dispatch to arrange for additional resources and request that the responding units be advised of any unusual details they should be aware of before arrival. Such information may include conditions regarding hazards, dangers, or medical issues.

PRESERVE THE CRASH SCENE

In addition to protecting the scene for safety reasons, you must preserve the scene for investigative purposes. Nothing should be touched or moved except the injured parties to save lives or hazards or obstructions that require immediate action. Vehicles involved in a crash must be preserved for further investigation. These vehicles should not move until after the traffic investigator assesses the scene and documents the evidence or until otherwise directed.

DETERMINE THE JURISDICTION OF THE CRASH

The crash should be investigated by the jurisdiction where the first harmful event (first damage or injury producing event) occurred. If the crash occurred within your jurisdiction, then your agency should investigate the crash. Otherwise, the appropriate agency should be notified, and you should remain to protect the public and the crash scene until the appropriate agency arrives. You may assist with the investigation or provide help with traffic control depending upon agency policy.

Step 4: Provide Emergency Medical Assistance

When the crash is first reported, dispatch should ask about injuries and will request EMS. If you are at the scene before EMS, locate all people involved, find out if they have any injuries, and render first aid until EMS arrives.

Step 5: Obtain Pertinent Information

Find the drivers of the vehicles involved in the crash and ask them to provide their driver's licenses, vehicle registrations, and proofs of insurance. Proof of insurance may be provided in either a uniform paper or electronic format as prescribed by the DHSMV. While the drivers locate and retrieve their information, you may locate, separate, and begin interviewing the witnesses, passengers, and non-motorists at the scene regarding the crash.

Verify each driver's identity, using the information contained on their driver's licenses, and check for outstanding warrants by calling in the license information to dispatch.

The Florida Statutes require drivers to possess and present a certificate of vehicle registration upon demand of a law enforcement officer. The registration is considered current if it reflects the information for the vehicle being driven by the driver and if the effective date includes the period in which the crash occurred.

The Florida Statutes also require that each party of the crash provide a law enforcement officer with proof of vehicle insurance. The document can be in a uniform paper or electronic format. Any party who fails to provide the required proof commits a non-criminal traffic infraction punishable as a non-moving violation. Issue a citation to a driver involved in a traffic crash that cannot provide proof of insurance whether he or she is the owner of the vehicle or not, unless you determine that injury or other special circumstances prevented the driver from providing the insurance information. You may void the citation if the driver provides the proof of insurance within 24 hours of the crash.

INTERVIEW PEOPLE AT A CRASH SCENE

Sometimes, witness accounts are all a traffic investigator can rely on when determining how the crash occurred. Obtain and document statements from all involved parties in order to determine the cause of the crash and properly cite violators.

Separate all people involved to prevent them from influencing each other's statements or recollections. Witnesses may occasionally be hard to separate, especially when dealing with injured family members.

When interviewing people, you must distinguish between actual witnesses and curious bystanders. A witness is not legally obligated to give any information or provide a statement about the crash. Passengers are not usually required to give statements. Drivers involved in the crash are required by law to stay at the scene and exchange information. If the driver involved in the crash is unable to give a statement, then the passengers are required to make a statement for the driver.

Assess each witness' ability to make a statement and note any indications of impairment that may affect the witness' comprehension and memory recollection. As you begin each interview, record the witness' contact information. To help witnesses recall specific details of the crash, interview them in a safe place near the scene, so that they can point to the scene to clarify any questions you might ask.

If injured people are being transported to a hospital, try to get their information first and later conduct a follow-up interview. First responders, such as EMS or fire department personnel, may also have valuable information concerning the post-crash events. Spontaneous statements from people involved in the crash might be made in their presence.

OBTAIN STATEMENTS

Written or recorded statements may be required in some crash situations. They can be valuable tools to use for investigating a crash, such as for substantiating other witnesses' testimonies at the crash scene or for prosecuting them in court.

You may need to delay the collection of a statement if a person involved in a crash was injured and taken to the hospital. When there is an unavoidable delay for the interview, ask the person to provide a written statement about the crash. Written statements help collect information that is more accurate by prompting involved parties to record the information to prevent the loss of memory due to passage of

time. The witness should sign and date the written statement, and there should be a note to indicate if the witness dictated the statement to a third party.

You can use recorded statements in lieu of written statements. When statements are recorded, the witness should swear or affirm the testimony. Such collected statements should include the witness' full legal name, physical address and telephone numbers.

Step 6: Investigate the Crash

As an auxiliary law enforcement officer, it is rare that you will conduct a traffic crash investigation on your own. However, you may be asked to assist another officer with the investigation process. At this stage of the process, the investigator will collect evidence and make educated assumptions about the crash scene. You might assist the investigator by completing some of the following tasks:

1. Collect evidence at the scene.
2. Identify the damage area on a vehicle.
3. Identify and assess the area of collision (AOC).
4. Locate the tire marks at a crash scene.
5. Determine how the crash occurred based on the evidence.
6. Photograph the crash scene.
7. Measure the tire marks at a crash scene.
8. Document all of the measurements taken at the crime scene.
9. Prepare a rough field sketch of the crash scene.

SPECIAL CIRCUMSTANCE CRASHES

Crash Involving Unattended Vehicle or Property

If the owner of an unattended or parked damaged vehicle cannot be located at the scene, dispatch should be able to identify the registered owner via a database search. Once the owner's information is located, they should be contacted and notified of the damage.

If property other than a vehicle is damaged in a crash, such as a structure, billboard, or mailbox, notify the owner of the damaged property as soon as possible. You may need to stay at the crash scene until the property is secured or until whatever parameters laid out in agency policy are satisfied.

Single Vehicle Crash

Sometimes a traffic crash can involve a single vehicle, such as a DUI incident. When you arrive at the scene, the driver may have fled the scene, or may be sitting away from the crash. Before a person can be prosecuted successfully for a criminal offense that resulted in a single-vehicle crash, you must find evidence that places the driver behind the wheel at the time of the crash. If the vehicle involved in the crash was registered in the name of the person sitting outside the vehicle, with no one else around, and the person's injuries are consistent with the interior damage of the vehicle, these details are sufficient to prove that the person was in the vehicle when the crash occurred.

Hit and Run Crash

If one of the vehicles involved in a crash has left the scene, the crash may be categorized as a hit-and-run criminal act. Ask witnesses for a description of the fleeing vehicle, the driver, or both. Contact dispatch to send out a BOLO alert. Note, however, that the identification of a crime during a crash investigation is not limited only to hit and run crashes but also all crashes.

Crash Involving Fatal or Serious Bodily Injury

If a crash results in the death of a person, the vehicles involved and deceased people are considered evidence. Do not move any vehicles or objects within the scene. Do not disturb anything inside the vehicle. Protect the scene and wait for directions from the traffic investigator.

Step 7: Return the Scene to Normal

You may be asked to assist in the removal of debris and hazards from the roadway. Returning the scene to normal may be as simple as moving the vehicles off the roadway. Requesting a tow truck for immobile vehicles or redirecting traffic around the crash along an alternate route are other options. If the crash scene involves a hazardous materials incident, the hazmat team should be requested. Even if hazardous material is not involved, the services of a cleanup team may be required.

Verify the roadway is safe for normal traffic flow. Clear away any of the temporary equipment, barricades, or other emergency warning devices from the scene if they are no longer required to direct traffic. Make sure to verify that any residual debris is removed from the travel lanes, so that there are no hazards left for motorists to drive over and cause damage to their vehicles.

Before leaving the scene, ensure that all of your safety equipment (e.g., tape measure, blanket, flashlight, cones, barricades, and identifying markers) has been returned to your patrol vehicle.

Step 8: Complete Driver Exchange of Information

A driver's exchange of information form must be completed at all crashes. The drivers themselves can complete the form, or you can do it for them. Explain to the drivers that state law requires each of them to complete the form and then exchange the completed forms with each other.

You may need to help them complete the form, including showing them what fields to complete, where to sign the form, and instructing them to print legibly using a black ballpoint pen. Each driver should sign and date the completed form. It may be easiest for you to gather the required information and complete the form for the drivers. This helps to ensure that the information provided is valid and accurate. Drivers can also complete the form (HSMV 90011S) online at https://www.flhsmv.gov/traffic-crash-reports/A.

Remind the drivers that this form is a required legal document, and that it benefits them because it will provide their insurance companies with necessary information to process their claims for damage. Section 316.062, F.S., provides what information must be exchanged. The driver of the vehicle must give their name, address, and the registration number of the vehicle they are driving, and their driver's license or permit to any person injured at the crash.

Step 9: Take Enforcement Action

The traffic crash investigator or another lead officer usually identifies which violations have occurred and then issues the appropriate citations. You may be asked to assist the investigator in preparing the citation forms. In most traffic crashes, at least one driver committed one or more violations. Complete a UTC for each violation, along with a traffic crash report. You are required to list all committed violations and to take appropriate enforcement action for each driver. In a two-car crash, both drivers may have committed violations and should be cited accordingly.

Make sure that you have taken all necessary enforcement actions, such as issuing appropriate citations, verifying that all forms have been completed, copies have been distributed to the appropriate individuals, and all personal documents (e.g., driver's license, vehicle registration, and proof of insurance) have been returned to their owners.

Step 10: Document the Crash

DHSMV creates and publishes the Florida Traffic Crash Report forms. The instructions for completing the forms, *Instructions for Completing the Florida Uniform Traffic Crash Report Forms*, along with the forms themselves, are available from the DHSMV website at http://www.flhsmv.gov/courts.

The traffic crash investigator or another lead officer usually completes the traffic crash report forms. You may be asked to assist the investigator gathering information from the drivers and preparing the forms. You will use the same documents for the UTC and the traffic crash form:

- validated identification information of the involved drivers
- verified information of the vehicle registration/license plate number
- verified proof of insurance
- physical conditions and evidence collected regarding the crash
- responses from the drivers, passengers, witnesses, and non-motorists during interviews

HSMV 90010S—LONG FORM REPORT

The Long Form Report includes a narrative, a diagram, and any other necessary reports. When using the Long Form, check the box marked "Long Form" in the upper left corner and fill out the entire form. You must complete the form and submit it to the DHSMV within 10 days after completing an investigation. By law, this form is required for traffic crash investigations that resulted in death, personal injury, or complaints of pain by any passenger involved in the crash. It is also for crashes where a vehicle was rendered inoperable to a degree it required a wrecker to remove it from the scene of the crash, or involved a commercial motor vehicle.

HSMV 90010S—SHORT FORM REPORT

The Short Form Report is used to report other types of traffic crashes not requiring the use of the Long Form. When using the Short Form, check the box marked "Short Form" in the upper left corner and fill out only the shaded areas. Short Form Reports, though not requiring a diagram or narrative, may be submitted with either or both.

HSMV 90010S—UPDATE FORM REPORT

The Update Form Report is used to update, upgrade, or continue information previously recorded on a crash report. When using the Update Form, check the box marked “Update Form” in the upper left corner and fill out only the updates, upgrades, or continuation information in the appropriate fields in the form. All open investigations must be updated every 30 days until the investigation is closed.

Use the form as a continuation report if additional space is needed to complete or update the original traffic crash report. The form contains additional sections for vehicles, witnesses, passengers, non-motorists, additional property damage, additional violations, and the traffic crash narrative. The page numbering for the Update Report continues from the initial report. For example, if the initial report was six pages long, the Update Report begins with page seven.

Completing the Crash Report

Once the form is completed, separate the report and give a copy to each driver for insurance purposes. The report, if completed electronically, should be sent to DHSMV after your agency’s review and approval. By statute, all completed crash reports must be submitted within 10 days of completing the investigation to DHSMV and be maintained by your agency.

LESSON VOCABULARY

Emergency Response Guidebook (ERG)

CRIME SCENE AND COURTROOM PROCEDURES

Unit 1 Process the Crime Scene 227
Lesson 1 Secure and Protect the Crime Scene 227
Lesson 2 Evidence Rules and Concepts 229
Lesson 3 Evidence Identification Procedures 231
Unit 2 Court Procedures 235
Lesson 1 Legal Response to Criminal Charges 235
Lesson 2 Courtroom Protocol 237
Lesson 3 Giving Testimony 240

UNIT 1 PROCESS THE CRIME SCENE

LESSON 1 SECURE AND PROTECT THE CRIME SCENE

Lesson Goal

At the end of this lesson, you will be able to secure and protect a crime scene.

Objectives

- ☑ **AL711.1. Assess the crime scene to determine the probable extent, size, and scope of the scene**
- ☑ **AL711.2. Describe how to secure and protect a crime scene based upon the Fourth Amendment**
- ☑ **AL711.3. Determine a single point of entry and exit for authorized personnel at a crime scene**
- ☑ **AL711.4. Maintain a crime scene log when protecting a crime scene**

Respond to a Crime Scene

A protected, well-managed crime scene allows for the presentation of credible evidence in court that can establish the guilt or innocence of a suspect. You will receive information on the incident from dispatch. This will identify the nature and location of the alleged crime, as well as the complainant's name and relationship to the crime scene location. Dispatch may also inform you if someone is injured. Once on the scene, address any injuries, and secure the crime scene.

Before you enter a crime scene, determine if the incident occurred on public or private property. Public property is for the use and enjoyment of the public and is open to everyone. Private property belongs to an individual and is not open to the public. There is no crime scene exception to the Fourth Amendment search warrant requirement. A person on private property has an expectation of privacy that no one can violate without a search warrant or a valid exception to the warrant requirement.

Secure the Crime Scene

Use personal observations and witness statements to determine the extent of a crime scene. Secure the crime scene until it can be documented. Every crime scene is unique and may require different methods of protecting evidence. The crime scene investigator will usually coordinate duties such as evidence collection, securing the scene perimeter, and other assignments for officers responding to the scene.

Establish boundaries for the crime scene and guard against unnecessary entrance by cordoning off the area with crime scene tape. The size of the crime scene depends on the type of crime, the type of evidence, and the location of the evidence. The crime scene investigator may decide to adjust the perimeter of the crime scene, based on the size and the type of structure or property being searched.

Protect the Crime Scene

Once you establish the perimeter, do not allow any unauthorized people to enter the secured crime scene area. The investigator will designate one point of entry and exit for the crime scene and will assign an officer to maintain a crime scene log at that location. The ***crime scene log*** is a record that documents the name, rank, and agency of each person entering or leaving a crime scene, the date and time of the person's entry or exit, and the reason the person was at the scene. It provides proof of security and validates the evidence collected at a crime scene. Instruct people to remain behind the crime scene tape, advising that refusal may result in arrest. Officers not assigned to the crime scene do not have access just because they are law enforcement officers.

If evidence is contaminated or altered in any way, document the incident in the contamination list of the crime scene log. Include information about the original condition of the evidence and the events leading to its damage or destruction.

LESSON VOCABULARY

crime scene log

UNIT 1 PROCESS THE CRIME SCENE

LESSON 2 EVIDENCE RULES AND CONCEPTS

Lesson Goal

At the end of this lesson, you will have a basic understanding of the rules and concepts of evidence.

Objectives

- ☑ **AL712.1. Describe the different types of evidence**
- ☑ **AL712.2. Know the three reasons why evidence is used in court**
- ☑ **AL712.3. Describe the general rules for excluding evidence in court proceedings**
- ☑ **AL712.4. List the four requirements to ensure the admissibility of evidence**

Types of Evidence

Evidence is anything that proves or disproves the existence of a fact. The legal distinction between evidence and proof is that evidence is information that is allowed in court, while proof is the effect produced by that information.

Direct evidence proves a fact without an inference or presumption and, if true in itself, conclusively establishes that fact.

Indirect or circumstantial evidence requires the judge or jury to infer from the evidence that the defendant committed the crime.

Testimonial evidence includes all oral statements about the facts of a case from law enforcement officers, experts, and other witnesses. ***Hearsay*** is the report of another person's words by a witness while testifying at the trial or hearing. ***Excited utterances*** are unplanned, spontaneous statements that occur during or after a shocking event, or having suffered an injury, and may be relied upon for truthfulness. Hearsay testimony is excluded if its reliability cannot be tested by cross-examination. The court determines the admissibility of each of these types of statements.

Documentary evidence is anything written or printed used to prove or disprove the facts of the case.

Physical or real evidence refers to actual objects that are offered to prove facts about a case. Examples include items such as drugs, a gun, clothing, or money. This evidence is crucial for the prosecutor because it gives the jury something to touch and see while they deliberate.

Evidence is offered in court for three basic reasons:

- To prove or disprove a crime. Most of the evidence seized by a law enforcement officer is used to prove that the defendant committed the crime.

- To support or undermine other evidence. For example, a chemist may be called as an expert witness in a drug case to confirm that the substance in question was actually an illegal drug.
- To help determine an appropriate sentence. Florida law allows for enhanced sentencing of certain defendants based upon their criminal history. Certified prior convictions may be used as documentary evidence to support the argument for an enhanced sentence.

Admissibility of Evidence

Admissibility of evidence is the legal requirement that must be met before a jury is allowed to see or hear about the evidence. The rules of evidence protect the defendant's constitutional rights, protect jurors from being misled, and expedite the trial. There are several reasons for excluding evidence:

- Evidence may be excluded because it was obtained in violation of the defendant's constitutional rights. Recall from Chapter 2 that the exclusionary rule prohibits the use of evidence obtained by law enforcement in violation of the rules.
- Some evidence is excluded to avoid undue prejudice against the defendant, such as their prior criminal history. This rule exists so a jury does not convict the defendant because of their past crimes. A legal conviction must be based on evidence that the defendant committed the crime charged.
- Evidence may be excluded to prohibit jury consideration of unreliable evidence. The rules of evidence ensure reliability by allowing only experts to give opinions, excluding hearsay evidence, and requiring officers to follow certain rules with respect to the collection and preservation of evidence.

The admissibility of evidence also depends on how the evidence was collected and preserved. There are four specific requirements that ensure admissibility:

- The evidence must be relevant to the case.
- The evidence was obtained legally.
- The evidence was preserved properly.
- The chain of custody was maintained.

LESSON VOCABULARY

admissibility of evidence

indirect or circumstantial evidence

direct evidence

documentary evidence

excited utterances

hearsay

physical or real evidence

testimonial evidence

UNIT 1 PROCESS THE CRIME SCENE

LESSON 3 EVIDENCE IDENTIFICATION PROCEDURES

Lesson Goal

At the end of this lesson, you will be able to recognize different types of evidence and the need to preserve evidence.

Objectives

- ☑ **AL713.1. Recognize the types of evidence found at a crime scene**
- ☑ **AL713.2. Recognize the types of evidence search patterns**
- ☑ **AL713.3. Describe the types of trace evidence at a crime scene**
- ☑ **AL713.4. Describe the types of biological evidence at a crime scene**
- ☑ **AL713.5. Describe the types of impression evidence at a crime scene**
- ☑ **AL713.6. Describe the types of electronic evidence at a crime scene**
- ☑ **AL713.7. Describe the types of chemical or toxicological evidence for analysis**
- ☑ **AL713.8. Describe the types of document evidence at a crime scene**
- ☑ **AL713.9. Apply evidence security measures of a chain of custody when handling evidence**
- ☑ **AL713.10. Determine how to take possession of a firearm safely and record identifying marks**

Evidence Considerations

A few examples of evidence that you may find at a crime scene are fingerprints, shoe prints, blood, fibers, hair, tool marks, paint scratches, broken glass, body fluids, controlled substances, electronics equipment and computers, firearms, broken or damaged materials, tire tracks, documents, and bones. The type of crime committed will guide the types of evidence that you will search for at a scene.

Only trained personnel should collect evidence. The collection and preservation of evidence is critical to the success of a criminal investigation. You will not be asked to do anything at a crime scene but perform security, participate in a search, or transport collected evidence. The following sections are for your general knowledge and information, but are not meant to be considered in-depth training for evidence collection. Your agency policy will direct evidence-handling procedures.

Never handle evidence with your bare hands. Use personal protective equipment (PPE) whenever you handle or collect evidence. PPE will protect the evidence from contamination and you from exposure to dangerous substances. You may need gloves, booties, facemasks, goggles, aprons, or other protective clothing and gear, depending on the type of evidence.

Search for Evidence

When searching a scene for evidence, you will follow a systematic approach or an established pattern. The type of crime scene will help dictate the type of search pattern. You might use one or more of the following search patterns:

- strip/line search pattern: usually used outside by several people. Divide the search area into lanes. Search each lane by moving in both directions, examining all areas.
- grid search pattern: often used indoors; a variation of the strip/line search pattern. Searchers overlap a series of lanes in a cross pattern, making the search more thorough.
- pie/wheel search pattern: divide the area into a number of wedge-shaped sections, which are searched like the strip/line search pattern. Use this method for extremely large search areas.
- spiral search pattern: usually used outside by one person. The searcher begins at a central point and walks in gradually larger circles to the search area's farthest boundary.
- zone/quadrant search pattern: used for vehicle searches, outdoors, or a large area. Divide the area into four sections and search each using one of the other search patterns.

Trace Evidence

Sometimes fibers transfer between the clothes of the victim and the assailant. Fibers can come from clothing, carpet, rope, automobile carpeting, upholstery, or other articles. Fiber analysis can reveal the manufacturer and other information about the source item. The relation that fiber evidence has to the victim, suspect, or the crime scene is crucial evidence in many cases. Broken windows, torn screens, or other sharp edges may snag fibers during a subject's entry into or exit from a building. If the inside of a vehicle is part of a crime scene, examine the seat belts, airbag, steering wheel, and other places for fibers by holding a flashlight to create side light and using a magnifying glass.

Paint transfer can provide useful evidence in solving crimes such as a hit-and-run crash. Samples may show that paint at the scene and on the suspect's vehicle came from a common source. Tools used to gain illegal entry into buildings and safes can leave paint residue. The soil from a crime scene can attach to a suspect or victim's clothing, shoes, or tires, and then fall off in another location.

Biological Evidence

Biological evidence left at crime scenes may contain DNA. Consider all objects at a crime scene as possible sources of DNA evidence. These specimens could be blood, saliva, urine, semen, perspiration, vaginal secretions, feces, or vomit. Blood evidence may include blood pooled on the floor, a wet or dried stain on upholstery or carpet, or a sample collected from the victim or the suspect after the incident. Evidence that might contain saliva and require examination are cigarette butts, drinking straws, soda and beer cans, masks, and bottles.

In the event that you discover human skeletal remains, contact the scene supervisor immediately and wait for instructions. Because of the nature of this evidence, a medical examiner or a trained forensic specialist should see the bones at the site as discovered.

Impression Evidence

Working edges of tools leave distinct marks on surfaces. Never try to fit a suspect's tool into a mark. Footwear impressions and tire tracks can link a suspect to a crime when such impressions at the scene match an object in the suspect's possession. You can find these types of impressions in mud, soil, or another pliable material. Surface footwear impressions or tire prints can remain on wood, tile, paper, or paint, or in dust, blood, or grease.

Teeth can provide dental evidence in the form of bite mark impressions that can lead to the identity of the suspect. There is a high likelihood of saliva being present in bite marks as well

FINGERPRINTS

Consider all objects at a crime scene as possible sources of fingerprints. ***Patent prints*** are transferred from the friction ridges on fingers by a foreign substance like blood, paint, or dirt, and are readily visible. A ***plastic print*** is a molded or imbedded fingerprint created by touching an impressionable surface, such as wet paint or mud that you can easily see. ***Latent prints*** are among the most common types of evidence you will recover at a crime scene. Though invisible to the naked eye, latent prints result from body residues, such as the natural oils skin produces, left behind when the friction ridges of the hands or feet make contact with a surface.

Firearms Evidence

When recovering a firearm or ammunition at a crime scene, follow agency policy for handling such evidence. Secure the weapon by clearing all bullets from the chamber or cylinder and dislodging the magazine and any ammunition. Carefully examine the firearm to identify the manufacturer, country of origin, serial number, model number, and caliber and document this information in your field notes. Place the weapon in a firearm or evidence box, put the magazine and the ammunition in a separate container, and place them both in the firearm or evidence box. If a wooden object or other material contains an embedded bullet, do not attempt to remove it.

Electronic Evidence

Computers are commonly found at crime scenes and can often store vital evidence. DO NOT touch any part of the equipment. Computer evidence recovery is a complex task that requires highly specialized training. Follow agency policy for computer evidence recovery.

You may also find cell phones at crime scenes, but you cannot access the information in a cell phone without a search warrant. The US Supreme Court ruled that it is unconstitutional to search a cell phone without a search warrant unless there are officer safety concerns or exigent circumstances.

Chemical or Toxicological Evidence

The crime laboratory's chemistry section analyzes substances to determine the presence or absence of any controlled substance. The toxicology section of a laboratory analyzes samples of blood to determine chemical and alcohol content, and urine to detect chemical content. Such cases usually result from investigations of DUI, sexual assault, and death. Toxicology also analyzes alcoholic beverages for suspected chemicals, such as date-rape drugs or alcohol levels.

Document Evidence

A document is anything containing a mark to convey a message. Carefully handle all documents found in a crime scene to preserve them. When you find money at a crime scene, follow your agency's policy for handling it as evidence. When handling money taken from crime scenes or seized from suspects, always be very careful to avoid any appearance of impropriety.

Chain of Custody

Chain of custody documentation records everyone who handled evidence as well as when, why, and what changes, if any, were made to it. A chain of custody document also proves that the evidence submitted in court is the same evidence you collected at the crime scene. Follow agency policy regarding chain of custody documentation to help eliminate concerns about the handling and preservation of evidence. It is a felony to alter, destroy, conceal, or remove any record, document, or thing with the purpose to impair its truth or availability in a criminal trial or investigation.

LESSON VOCABULARY

chain of custody

latent prints

patent prints

plastic prints

UNIT 2 COURT PROCEDURES

LESSON 1 LEGAL RESPONSE TO CRIMINAL CHARGES

Lesson Goal

At the end of this lesson, you will be able to understand possible responses the defense may raise in a criminal case.

Objectives

☑ **AL721.1. Describe the different types of legal defenses to criminal responsibility**

☑ **AL721.2. Explain the concept of a statute of limitations**

☑ **AL721.3. Explain consent as used as a legal defense to criminal responsibility**

☑ **AL721.4. Explain the exceptions to consent as a legal defense**

Throughout an investigation, anticipate any potential legal defenses that subjects may raise in court, and be prepared to rebut them with evidence to the contrary.

Exculpatory evidence is any evidence that might point to a defendant's innocence. You have a responsibility to investigate and notify the state attorney if this evidence exists.

An ***alibi*** is a defendant's claim that they were not present when the alleged act was committed. You need to follow up on any claim of an alibi in the investigation of a crime.

A ***mistake or ignorance of fact*** is a legal defense where the accused does not possess the intent required to commit a criminal offense because of a mistaken belief about the facts relating to the circumstances.

Coercion occurs when a person who faces a threat from another and commits a criminal act in response to that threat. This defense requires that the defendant must reasonably believe that the only way to avoid death or great bodily harm is to commit the crime.

Entrapment occurs when a law enforcement officer uses undue persuasion or fraudulent means to induce a person to commit a crime he would not have otherwise committed.

Insanity is defined legally as any mental disorder so severe that it prevents a person from having legal capacity and excuses the person from criminal or civil responsibility. In the state of Florida, courts follow the M'Naghten Rule, which states that a person is not criminally responsible if, at the time of the alleged crime, the defendant, by reason of a mental disease or defect, (1) does not know of the nature or consequences of their act; or (2) is unable to distinguish right from wrong. If the defense cannot show insanity at the time the crime occurred, it cannot use this legal defense.

Mental incompetence recognizes that a criminal defendant will be judged on their present ability to assist counsel by participating in the criminal defense. A person deemed mentally incompetent at the

time of trial cannot legally stand trial or testify. It is possible for a person to regain competence, at which time the person would be required to stand trial.

Statute of limitations prevents the state from prosecuting an individual after a certain period has elapsed since the criminal act occurred. The rules are as follows, with some exceptions:

- Prosecution may begin at any time after the commission of a capital offense, a life felony, or a felony that resulted in death.
- Prosecution must begin within four years after the commission of a felony of the first degree and within three years after the commission of any other felony.
- Prosecution must begin within two years after the commission of a misdemeanor of the first degree and within one year after the commission of a misdemeanor of the second degree or a non-criminal offense.

Consent is a possible defense against civil or criminal liability. Defendants who use this argument contend they are not liable because the acts in question were committed with the victim's consent and permission. Generally, if there is consent, there is no crime. Victims who, because of age, mental illness, or intoxication, are not legally capable of reasonable judgment may not give consent.

LESSON VOCABULARY

alibi

coercion

entrapment

exculpatory evidence

insanity

mental incompetence

mistake or ignorance of fact

statute of limitations

UNIT 2 COURT PROCEDURES

LESSON 2 COURTROOM PROTOCOL

Lesson Goal

At the end of this lesson, you will be able to understand the different types of court proceedings.

Objectives

☑ **AL722.1. Describe the officer's role in a first appearance hearing after the arrest of a suspect**

☑ **AL722.2. Describe the purpose of a bond hearing**

☑ **AL722.3. Identify appropriate procedures to follow for giving testimony during a deposition**

☑ **AL722.4. Describe the officer's role in a suppression hearing**

☑ **AL722.5. Describe the officer's role when preparing for trial during a pretrial meeting**

☑ **AL722.6. Describe the process of a trial by judge or jury for an adult and a juvenile**

☑ **AL722.7. Describe the officer's role in a sentencing hearing**

First Appearance Hearing

All arrested individuals go to a first appearance hearing, except under the following circumstances:

- an officer issues a notice to appear in a designated court at a specified date and time
- the magistrate releases the person from custody on their own recognizance, or
- the individual bonds out from custody.

According to Florida law, the first appearance hearing must occur within 24 hours of the arrest. At the first appearance hearing, the judge appoints counsel if the defendant qualifies and desires it. The judge reviews the probable cause affidavit and other information to decide if probable cause exists that supports the defendant's commission of the alleged offense. Establishing probable cause is necessary to continuing the criminal proceedings. Usually, a prosecutor is present and an appointed public defender may attend the hearing, and you will not be present unless the state attorney requests your attendance. You may also attend when there is a need to clarify or supplement the affidavit.

Bond Hearing

A bond hearing determines if the defendant is eligible to bond out, based upon criminal history, offense, and flight risk. The court may ask you to provide insight into the defendant's flight risk and danger to the community.

Deposition

Before trial, you may receive a subpoena or notice to give a deposition. A ***deposition*** is an official court proceeding in which all parties, with the exception of the defendant, provide sworn testimonies regarding the facts of the case to one of the attorneys prior to trial. It is the attorneys' chance to assess the case further and document your verbal testimony before a trial or hearing.

An attorney from the state attorney's office may be present during the deposition. At a deposition, the attorney asks questions about the case. A court reporter or electronic recording device will record all responses, transcribe them, and then print them for the case file and the involved parties.

The defense attorney will only ask questions that are reasonably relevant and important to the case. If asked an improper question, you may answer, "Please certify the question." This requires the attorney to present the question to a judge who may decide to order an answer to the question. Do not answer questions by saying the requested information is "off the record." Off the record refers to information not recorded in an official document.

When the deposition ends, the attorney will ask if you wish to read the transcribed or typed deposition or waive the review. It is not advisable to waive the review. Although you cannot demand changes, you can point out and notify the state and defense attorneys of errors or misstatements. By reviewing and signing a copy of the deposition, you have an additional opportunity to refresh your memory before testifying at a hearing or trial.

Suppression Hearing

A ***suppression hearing*** occurs after the defense files a motion to suppress or to exclude certain testimony or evidence from the trial, alleging that your improper actions violated their client's rights. This hearing usually occurs before the trial but also may occur during the trial. The court will call on you to testify to your actions related to the stop, detention, arrest, search, seizure, statements, confessions, or evidence that the defense is trying to suppress.

Pretrial Meeting

The state attorney will request a pretrial meeting with you, the victim, and any witnesses. The pretrial meeting allows the state attorney to clarify the facts of the case and correct any inconsistencies. They may discuss the admissibility of evidence and may ask you to bring evidence to trial. Be prepared to discuss the facts, evidence, and any other information relevant to the case, such as:

- the elements of the crime
- witness, victim, and suspect statements
- criminal history (local records, FCIC/NCIC) and past offenses (reported and unreported)
- information in the offense report and supplemental reports
- information in other agency documents such as internal affairs reports
- use of canine reports
- response to resistance or use of force reports

- type and location of physical evidence
- past experience with or knowledge of the defense counsel
- past experience with or knowledge of any witnesses, the victim, or the defendant

The state attorney must know or have access to everything you know about the case. They will also want to know if you properly maintained the physical evidence through a legally defensible chain of custody and through required documentation. Identify whether evidence supports or does not support the facts presented in the arrest affidavit.

Minimize damaging the case by helping the state attorney identify potential weaknesses in the case. Point out any conflicting statements or problems in the documentation of evidence and the errors you or another officer may have made. Never enhance facts or manufacture evidence to fill in for the missing elements of the crime.

Leave the pretrial conference confident that you have fully informed the state attorney and done your best job to help the attorney prepare for trial. You have a continuing obligation to keep all parties informed of any developments in the case.

Trial

A ***trial*** is the examination of facts and related law presided over by a judge or magistrate who has the authority or jurisdiction to hear the matter. The defendant selects a trial by judge or jury, unless the defendant is a juvenile. Juveniles are entitled to a trial by a judge, unless tried as an adult. The judge will read the statement of charges against the defendant. Each party is entitled to an opening statement. The prosecution presents the case, followed by the presentation of evidence. The defendant can present a case, follow with a possible rebuttal of evidence, and then finish with a final statement. If it is a jury trial, the jury will receive instructions and decide the verdict. If there is no jury, the judge will render judgment.

Sentencing Hearing

Most often, a sentencing hearing occurs after a trial. A sentencing hearing can occur before a trial if the defendant accepts a plea. If during a trial, the defendant accepts a plea, a sentencing hearing will occur after a review of the defendant's previous convictions. The state attorney's office may request that you attend a sentencing hearing.

At a sentencing hearing, both the defense and the prosecution have an opportunity to present evidence and testimony to recommend an appropriate sentence to the judge. The victim also has the right to make a victim impact statement. Your role is to provide the court with a complete picture of the defendant's actions, and the impact on the victim and society.

LESSON VOCABULARY

deposition

suppression hearing

trial

UNIT 2 COURT PROCEDURES

LESSON 3 GIVING TESTIMONY

Lesson Goal

At the end of this lesson, you will know how to prepare and give testimony.

Objectives

☑ **AL723.1. Review case notes, reports, photographs, and evidence prior to giving testimony**

☑ **AL723.2. Identify procedures to follow when providing testimony during a court proceeding**

Preparing for Testimony

To prepare for a court proceeding, focus on the reports and your official activity related to the case. Review all reports, evidence, and information used in making the decision to arrest. Obtain copies of all case reports for the court proceeding from the records section or the designated personnel in your agency. Review the case file, including all supplemental reports, photos, and information of the evidence and chain of custody, and be prepared to answer questions on all relevant facts.

Remove objects, such as keys and loose change, from your person that may cause distractions, and turn off beepers, radios, and cellular phones. Follow agency policy regarding appropriate dress for a court appearance. If you are to appear at a trial or hearing before or after a shift, look professional and dress in uniform. How you prepare for and present yourself affects the success of your testimony at a deposition, hearing, or trial.

Check in with the state attorney and follow the attorney's instructions to address last-minute concerns. A state attorney usually has a large docket of cases and goes from one case to another every day. They may ask you to go over relevant details and major facts one more time. Remember:

- Never take a case lightly.
- Always prepare the same way.
- Review case documentation.
- Discuss the case with the state attorney.
- Follow the guidelines for giving an effective testimony.

Giving Testimony

Giving testimony may take place in an attorney's office, in the judge's chambers, or on the witness stand. Before testifying, you will take an oath or make an affirmation that the testimony you are going to give is the truth. The method is generally the same regardless of where the testimony is given or who administers the oath or affirmation to you. Remember that all court proceedings are recorded.

Your job is to provide an accurate and complete testimony. Look directly at the attorney or judge and listen carefully to the questions that they ask. When an attorney or judge asks questions, pause and glace at the state attorney to see if they object to the question before answering. Once someone makes an objection, the judge will either sustain or overrule it. Upon hearing an objection, stop speaking until the judge rules. If the judge sustains the objection, do not answer the question. If the objection is overruled, you must answer the question.

Make sure you understand the questions and that you answer them accurately, clearly, and completely. If necessary, state that you do not understand a question, or you can ask the judge or attorney to clarify or repeat the question. Testifying truthfully and accurately keeps testimony consistent, makes it effective and credible, and keeps you out of trouble. Always use plain, professional terminology, not slang or police jargon.

Never volunteer unsolicited information, and only answer the question asked. Never answer with a guess. It is acceptable to say, “I don’t know.” The judge may permit you to explain why you do not know. After answering a question, resist the urge to fill the pause after your answer with extra information.

Always use good posture, be attentive, and place your hands on your knees or the arms of the chair and not over your mouth. Convey confidence and avoid fidgeting or showing other signs of nervousness.

Just as with a deposition, lawyers may occasionally ask improper questions. Maintain the same demeanor for the defense attorney and the state attorney; do not change your attitude when responding to the opposing counsel’s questions just because the counsel is an opponent. Challenging your credibility is the opposing counsel’s job and is usually not personal. Attorneys may use a variety of tactics during a criminal trial to discredit, misrepresent, or confuse you when giving testimony. Be aware that defense counsel may use condescension to give the impression that you are inept, unreliable, or lacking in confidence.

ACRONYMS

ADA – Americans With Disabilities Act

ALEO – Auxiliary Law Enforcement Officer

AOCE – Auxiliary Officer Certification Examination

BOLO – Be On the Look Out

CI – confidential informant

CJIS – Criminal Justice Information Services

CJNet – Criminal Justice Network

CJSTC – Criminal Justice Standards and Training Commission

DAVID – Driver and Vehicle Information Database

DCF – Florida Department of Children and Families

DHSMV – Florida Department of Highway Safety and Motor Vehicles

DJJ – Florida Department of Juvenile Justice

ERG – Emergency Response Guidebook

F.A.C. – Florida Administrative Code

FCIC – Florida Crime Information Center

FDLE – Florida Department of Law Enforcement

FEMA – Federal Emergency Management Agency

F.S. – Florida Statutes

hazmat – hazardous materials

NCIC – National Crime Information Center

PPE – Personal Protective Equipment

SARA – Scanning, Analysis, Response, Assessment

TBI – traumatic brain injury

GLOSSARY OF TERMS

A

abandoned vehicle: a vehicle without a known driver or person responsible for the vehicle (Traffic Stops and Crash Investigations)

accessory: a person who aids or assists in the commission or concealment of a crime (Legal Concepts)

accessory after the fact: an offense in which a person maintains or assists an offender and while giving assistance knows that the offender committed the felony, and assists the offender to avoid or escape detection, arrest, trial, or punishment (Legal Concepts)

active listening: the practice of listening in which the listener concentrates on what the speaker says, focusing on the words, ideas, and important information related to the topic (Patrol and Professional Communication)

administrative law: the body of law that contains all the statutes, judicial decisions, and regulations that allow for the creation of public regulatory agencies (Legal Concepts)

admissibility of evidence: the legal requirement that must be met before a jury is allowed to see or hear about the evidence (Crime Scene and Courtroom Procedures)

affirmation: a solemn and formal declaration or assertion made in place of an oath (Patrol and Professional Communication)

alibi: a defendant's claim that he was not present when the alleged act was committed (Crime Scene and Courtroom Procedures)

area of collision: the location of the first harmful event, or the first damage-producing event in a traffic crash (Traffic Stops and Crash Investigations)

arrest: depriving a person of his or her liberty by legal authority (Legal Concepts)

arrest warrant: a court order authorizing an officer to take the individual named on the warrant into custody to answer for charges specified in the warrant (Legal Concepts)

assumption: a statement or belief about a person, group, or event that may or may not be factual (Introduction to Law Enforcement)

attempt: an offense when the person did some act toward committing the crime that went beyond just thinking or talking about it, or would have committed the crime except that someone or something prevented the person from committing it. (Legal Concepts)

autism spectrum disorders: a type of developmental disorder that is characterized by communication and social skill deficits and includes a range of functioning levels. People with autism may engage in repetitive coping skills when faced with adverse situations, including rocking, humming, pacing, or other behaviors. (Interactions in a Diverse Community)

autonomous vehicle: a vehicle equipped with technology that senses the environment and allows the vehicle to move on the road without a person actively controlling or monitoring, such as a driverless, self-driving, or robotic car (Traffic Stops and Crash Investigations)

B

bicycle path: any road or path open to bicycle travel, physically separated from motorized vehicular traffic by an open space or by a barrier and is located either within the highway right-of-way or within an independent right-of-way (Traffic Stops and Crash Investigations)

Bill of Rights: the first ten Amendments to the U.S. Constitution (Legal Concepts)

BOLO: an abbreviation for Be On the Look Out. A BOLO is a description of missing or wanted persons, stolen property, suspicious activity, or areas needing extra patrols (Legal Concepts)

bribery: to knowingly and intentionally give, offer, or promise to any public servant, or, if a public servant, to knowingly and intentionally request, solicit, or agree to accept for himself or herself or another, any pecuniary or other benefit not authorized by law with an intent or purpose to influence the performance of any act or omission which the person believes to be, or the public servant represents as being, within the official discretion of a public servant, in violation of a public duty, or in performance of a public duty (Introduction to Law Enforcement)

C

***capias*:** a legal order for an arrest issued by the clerk of the court at the request of the state attorney's office (Calls for Service and Arrest Procedures)

case law: the body of law that is formed by the decisions of the court system (Legal Concepts)

chain of command: the order of authority within an organization (Introduction to Law Enforcement)

chain of custody: documentation of everyone who handled evidence as well as when, why, and what changes, if any, were made to it (Crime Scene and Courtroom Procedures)

indirect or circumstantial evidence: evidence which requires the judge or jury to infer from the evidence that the defendant committed the crime (Crime Scene and Courtroom Procedures)

civil law: the area of law that pertains to the legal action that a person takes to resolve a private dispute with another person (Legal Concepts)

civil standby: a situation where a police officer stands by to keep the peace in a situation

involving a civil dispute, such as landlord-tenant disputes (Calls for Service and Arrest Procedures)

coercion: when a person faces a threat from another and reasonably believes that the only way to avoid death or great bodily harm to self or a third party is to commit the crime (Crime Scene and Courtroom Procedures)

cognitive interviewing: asking questions designed to reveal cognitive memory through sensory recall and experience (Patrol and Professional Communication)

command presence: the demeanor and confidence an officer exhibits through professional bearing, erect posture, alertness, and awareness of surroundings (Patrol and Professional Communication)

communication: the act of transferring information from one place to another (Patrol and Professional Communication)

community: the people and locations that make up the neighborhoods, institutions, and businesses in the area where an officer works and lives (Patrol and Professional Communication)

complainant: a person who reports a crime (Legal Concepts)

concealment: an object or environment that provides camouflage but will not stop incoming gunfire (Patrol and Professional Communication)

confidential informant: a person who provides information in confidence about a crime, either from a sense of civic duty or in the expectation of some personal benefit or advantage, and whose identity is normally not disclosed until required by law (Legal Concepts)

conflict of interest: a situation in which regard for a private interest tends to lead to disregard of a public duty or interest (Introduction to Law Enforcement)

conflict resolution: the process of resolving or managing a dispute or disagreement rationally and effectively by increased awareness and understanding of each party's concerns and how they can each reach an understanding (Patrol and Professional Communication)

consensual encounter: when an officer comes into voluntary contact with a citizen under circumstances in which a reasonable person would feel free to disregard the police and go about his or her business (Legal Concepts)

conspiracy: a situation in which the offender agreed, conspired, combined, or confederated with the person(s) alleged to cause a crime to be committed (Legal Concepts)

constitutional law: the area of United States law which defines its form of representative government, and identifies its powers and limitations (Legal Concepts)

contact officer: the officer who is responsible for directing the approach and handling all communication with the suspect, including commands and interviews (Calls for Service and Arrest Procedures)

contraband: anything that is illegal to produce, possess, or transport (Legal Concepts)

contributing traffic violation: a direct cause or contribution to a crash, such as a vehicle running a red light and striking another vehicle (Traffic Stops and Crash Investigations)

control officer: the career officer assigned to work with an auxiliary officer, acting as the auxiliary officer's immediate source of law enforcement information and directing the auxiliary officer throughout their duty day (Introduction to Law Enforcement)

***corpus delicti*:** a legal term meaning the "body of the offense" which describes the principle that the officer must determine whether the elements of a criminal act are present and have probable cause to believe that the person to be charged committed the crime (Legal Concepts)

corrections: the component of the criminal justice system that is responsible for enforcing punishment as defined by the court system (Introduction to Law Enforcement)

court: the component of the criminal justice system that is responsible for the interpretation of laws (Introduction to Law Enforcement)

courtesy: showing consideration, respect, and cooperation when interacting with others (Patrol and Professional Communication)

cover: anything that protects an officer from incoming gunfire (Patrol and Professional Communication)

cover officer: the backup officer who is strictly responsible for officer safety concerns at a scene (Calls for Service and Arrest Procedures)

crime scene log: a record that documents the name, rank, and agency of each person entering or leaving a crime scene, the date and time of the person's entry or exit, and the reason the person was at the scene; provides proof of security and validates the evidence collected at a crime scene

criminal justice: the structures, functions, and decision-making processes of agencies that deal with the management and control of crime and criminal offenders (Introduction to Law Enforcement)

criminal law: comprises statutes that define unacceptable behaviors and government prosecution of those who commit these behaviors (Legal Concepts)

crosswalk: that part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface (Traffic Stops and Crash Investigations)

curtilage: the ground and outbuildings immediately surrounding a structure (Legal Concepts)

custody: the suspect is deprived of freedom in a significant way (Patrol and Professional Communication)

D

dating violence: violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature (Interactions in a Diverse Community)

deadly force: any force that is likely to cause great bodily harm or death (Legal Concepts)

deep corners: corners that cannot be visually cleared from a doorway but that must be checked before entry (Calls for Service and Arrest Procedures)

defense of property: a common legal term describing a person's authority to take reasonable steps, including the use of force or threatening the use of force, to the extent that a person reasonably believes it is necessary to protect their possessions from trespass or theft or to stop these acts.

delegation of authority: when a person with authority grants decision-making power to another person (Introduction to Law Enforcement)

deposition: an official court proceeding in which sworn testimony regarding the case facts is provided to the defense or prosecuting attorney prior to trial (Crime Scene and Courtroom Procedures)

designation: an optional identifier that appears on the bottom right of a Florida driver's license—V for veterans and D for the developmentally disabled (Traffic Stops and Crash Investigations)

direct evidence: evidence which proves a fact without an inference or presumption and which conclusively establishes that fact (Crime Scene and Courtroom Procedures)

discrimination: negative behavior toward a person or because of prejudice based on color, race, sex, age, religion, ethnic and national origin, handicap, or marital status (Introduction to Law Enforcement)

discriminatory or bias-based policing: the unequal treatment of any person, including stopping, questioning, searching, detaining, or arresting a person because of the person's race, ethnicity, religion, gender, sexual orientation, or socioeconomic status (Patrol and Professional Communication)

divided attention: the ability to concentrate on two or more tasks at the same time (Traffic Stops and Crash Investigations)

documentary evidence: anything written or printed is offered to prove or disprove facts pertaining to the case (Crime Scene and Courtroom Procedures)

domestic violence: not a specific crime but actions that include any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another (Interactions in a Diverse Community)

driver: a person who is driving a vehicle, is in physical control of a vehicle, or is controlling or steering a vehicle in tow (Traffic Stops and Crash Investigations)

due process: the legal requirement that the state must respect all legal rights that are owed to a person; there are two parts to due process: substantive due process, for rights not specifically listed in the Constitution, and procedural due process, to protect individuals in governmental proceedings (Legal Concepts)

E

***Emergency Response Guidebook (ERG)*:** produced by the US Department of Transportation; used to identify hazardous materials (Traffic Stops and Crash Investigations)

endorsement: a special authorization printed on a Florida driver's license permitting a driver to drive certain types of vehicles or transport certain types of property or number of passengers (Traffic Stops and Crash Investigations)

entrapment: when a law enforcement officer uses undue persuasion or fraudulent means to induce a person to commit a crime that he or she would not have otherwise committed; can be used as a legal defense (Crime Scene and Courtroom Procedures)

ethical behavior: principled, value-based decision making, practiced daily (Introduction to Law Enforcement)

ethical principles: rules of conduct derived from ethical values (Introduction to Law Enforcement)

ethics: a standard of conduct based on moral duties and virtues that are derived from the principles of right and wrong (Introduction to Law Enforcement)

evidence: anything presented in a court of law to prove or disprove the existence of a fact (Legal Concepts)

excited utterances: unplanned, spontaneous statements that occur during or after a shocking event, or having suffered an injury, and may be relied upon for truthfulness (Crime Scene and Courtroom Procedures)

exclusionary rule: a rule which states that evidence obtained illegally by law enforcement cannot be used as evidence in court (Legal Concepts)

exculpatory evidence: any evidence which might point to a defendant's innocence (Crime Scene and Courtroom Procedures)

F

false imprisonment: when a suspect forcibly or, by threat, or secretly confines, abducts, imprisons, or restrains another person without lawful authority and against his or her will with any purpose other than those referred to in kidnapping (Interactions in a Diverse Community)

family or household member: spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family, or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married; with the exception of persons who have a child in common, the family or household members must be currently residing, or have in the past resided, together in the same single dwelling unit (Legal Concepts)

fatal funnels: narrow spaces that restrict movement, such as doorways, hallways, and windows (Calls for Service and Arrest Procedures)

fatal injury: an injury causing death within a 12-month period after a crash (Traffic Stops and Crash Investigations)

fellow officer rule: a rule that involves relying on the collective knowledge of other officers in taking law enforcement action (Legal Concepts)

felony: a criminal offense that is punishable by death or imprisonment in a state penitentiary for a period longer than one year. (Legal Concepts)

Florida Crime Information Center (FCIC): Florida's central database for statewide information on people and property, driver's licenses and registration information, wanted and missing people, stolen guns, vehicles, and other property, and a person's status files and computerized criminal histories (Patrol and Professional Communication)

forcible felony: any of the following offenses defined in s. 776.08, F.S.—treason; murder; manslaughter; sexual battery; carjacking; home-invasion robbery; robbery; burglary; arson; kidnapping; aggravated assault; aggravated battery; aggravated stalking; aircraft piracy; unlawful throwing, placing, or discharging of a destructive device or bomb; and any other felony that involves the use of threat or physical force or violence against any individual (Legal Concepts)

fresh pursuit: pursuit by a law enforcement officer (with or without a warrant) for the purpose of preventing the escape or implementing the arrest of any person who is suspected of committing, or having committed, a crime (Legal Concepts)

H

hearsay: a statement of another person's words by a witness while testifying at a trial or hearing (Crime Scene and Courtroom Procedures)

hit: an exact match in a computer database search (Patrol and Professional Communication)

human smuggling: transporting into this state an individual who the person knows, or should know, is illegally entering the United States from another country; an offense against the integrity of the United States borders (Legal Concepts)

human trafficking: transporting, soliciting, recruiting, harboring, providing, enticing, maintaining, or obtaining another person for the purpose of exploitation of that person (Legal Concepts)

hypervigilance: an enhanced state of awareness or "being on guard" that impedes one's ability to relax and disengage from a stressful situation (Interactions in a Diverse Community)

I

impound: the removal of a vehicle from its present location to a designated secure impound lot or storage facility due to reasonable suspicion of criminal activity (Traffic Stops and Crash Investigations)

incapacitating injury: visible or non-visible signs of injury, such as a bleeding wound, that creates a substantial risk of death, serious personal disfigurement, or loss or impairment of a limb or organ and that requires emergency transportation to a medical facility (Traffic Stops and Crash Investigations)

informational alert: a Florida driver's license restriction that provides information about a person's health condition or public safety status (Traffic Stops and Crash Investigations)

injunction: a court order which requires a person to do or refrain from doing specific acts (Interactions in a Diverse Community)

insanity: any mental disorder so severe that it prevents a person from having legal capacity and excuses the person from criminal or civil responsibility (Crime Scene and Courtroom Procedures)

insubordination: the failure to follow orders from superiors in the chain of command (Introduction to Law Enforcement)

intent: a determination to perform a particular act or to act in a particular manner for a criminal or wrongful purpose (Legal Concepts)

interrogation: the process of questioning a suspect by law enforcement intended to directly or indirectly elicit an incriminating response (Patrol and Professional Communication)

investigative stop: also called a *Terry* stop; a stop that may be made only if an officer has reasonable suspicion that the person stopped was committing, is committing, or is about to commit a law violation (Legal Concepts)

J

jurisdiction: the types of cases in which a court can make decisions; also the right of a political agency (municipal, county, state, federal) to exercise legal power over the people within its boundaries (Introduction to Law Enforcement)

justifiable use of force: force that is reasonable and necessary to defend a person when faced with the imminent threat of unlawful force (Legal Concepts)

K

kidnapping: when a suspect forcibly, secretly, or by threat confines, abducts, or imprisons another person against his or her will (Interactions in a Diverse Community)

L

laned highway: a road divided into two or more clearly marked lanes for vehicular traffic (Traffic Stops and Crash Investigations)

latent prints: a type of fingerprint that is invisible to the naked eye and is the most common evidence found at crime scenes; latent prints result from body residues left behind when the friction ridges of the hands or feet make contact with a surface (Crime Scene and Courtroom Procedures)

lateral communication: information that flows across the same level of employees or officers within the chain of command. (Introduction to Law Enforcement)

law enforcement: the component of the criminal justice system responsible for maintaining civil order (Introduction to Law Enforcement)

limited access facility: a road adjacent to private property to which the property owners have no right or easement to; however, the owners may have access to the light, air, or view over the property; can include a road with signage prohibiting or limiting access for trucks, buses, or commercial vehicles (Traffic Stops and Crash Investigations)

live line-up: the presentation of a number of individuals, which may include a known suspect, to a victim or witness in a non-suggestive manner for the purpose of identification (Legal Concepts)

M

mental incompetence: a legal defense which recognizes that a criminal defendant will be judged on his or her present ability to assist counsel by participating in the criminal defense (Crime Scene and Courtroom Procedures)

mere suspicion: a hunch or gut feeling based on law enforcement training and knowledge, but which does not grant any enforcement authority (Legal Concepts)

minimal encouragers: brief statements which indicate that you heard what the interviewee said and are inclined to hear more (Patrol and Professional Communication)

minority: a segment of a population that differs from the majority by one or more group characteristics (Patrol and Professional Communication)

mirroring: a type of active listening, where the interviewer repeats to the interviewee what he or she said but rephrases responses as questions and statements (Patrol and Professional Communication)

misdemeanor: a criminal offense that is punishable by a term of imprisonment in a municipal facility not in excess of one year (Legal Concepts)

missing and endangered person: a missing child younger than 18 years old; a missing adult younger than 26 years old; a missing adult older than 26 years and believed to be in danger or the victim of criminal activity; or a missing adult older than 18 years that meets the criteria for a Silver Alert (Interactions in a Diverse Community)

missing child: a person young than 18 years old whose temporary or permanent resident is in Florida (Interactions in a Diverse Community)

mistake or ignorance of fact: An error that is not caused by the neglect of a legal duty on the part of the person committing the error but rather consists of an unconscious ignorance of a past or present material event or circumstance or a belief in the present existence of a material event that does not exist or a belief in the past existence of a material event that did not exist. a legal defense that is used when the accused does not possess the mental state required to commit a criminal offense because of a reasonably mistaken belief about the facts relating to the circumstances; not to be confused with diminished mental capacity or insanity (Crime Scene and Courtroom Procedures)

N

National Crime Information Center (NCIC): a national database that contains information from records of stolen, abandoned, and recovered property, wanted and missing person files, and files of people on

supervised release, protection orders, foreign fugitives, immigration violators, and known or suspected terrorists or gang members (Patrol and Professional Communication)

non-criminal violation: an offense, also known as a civil infraction or non-criminal violation, for which the only penalty may be a fine, forfeiture, or other civil penalty (Legal Concepts)

non-contributing traffic violation: a violation that has no direct bearing on the cause of the crash, but is discovered during a crash investigation. Examples include expired license plate or seat belt violations (Traffic Stops and Crash Investigations)

non-incapacitating injury: visible or non-visible signs of injury or complaint of injury, that probably do not require transport from the scene (Traffic Stops and Crash Investigations)

non-traffic violation: a criminal offense discovered during the investigation of a traffic crash (Traffic Stops and Crash Investigations)

no retreat or stand your ground law: a law that states an individual has "no duty to retreat" when faced with imminent harm, "has the right to stand his or her ground," and may "use or threaten to use force, including deadly force" when the individual reasonably believes it is necessary to do so to prevent death or great bodily harm (Legal Concepts)

notice to appear: a written order issued by a law enforcement officer in lieu of physical arrest requiring a person accused of violating the law to appear in court at a specified date and time (Legal Concepts)

O

oath: a vow or a pledge to tell the truth regarding an incident or occurrence (Patrol and Professional Communication)

observation: the act of accurately noting someone or something in order to get information (Patrol and Professional Communication)

offense: a criminal or non-criminal act that is punishable by the law (Legal Concepts)

offset-angle position: a traffic stop position where the officer aligns the center of the patrol vehicle's hood with the taillight of the driver's vehicle, pointing the nose outward into the flow of traffic (Traffic Stops and Crash Investigations)

ordinance: a statute enacted by a municipal or county government and which applies only within the jurisdiction of the governmental entity that created it (Legal Concepts)

P

patent prints: fingerprints that are transferred from the friction ridges on fingers by a foreign substance (not a body residue) such as blood, paint, or dirt and are readily visible (Crime Scene and Courtroom Procedures)

pedestrian: a person on foot on a road, berm, shoulder, or sidewalk (Traffic Stops and Crash Investigations)

perception: the impression in a person's mind of an individual, a group of people, or events based on experiences, beliefs, assumptions, and observations (Introduction to Law Enforcement)

perjury: a statement that a person makes under oath and believes to be false. (Introduction to Law Enforcement)

personal identification information: a person's Social Security number, official state-issued or United States-issued driver license or identification number, alien registration number, government passport number, employer or taxpayer identification number, Medicare or food assistance account number, bank account number, credit or debit card number, and medical records (Legal Concepts)

personal values: an individual's convictions about what is right and wrong based on religious beliefs, cultural roots, family background, personal experiences, laws, organizational values, professional norms, and political habits (Introduction to Law Enforcement)

photo array: a presentation of a series of photographs to a victim or witness in a non-suggestive manner for the purpose of identifying a suspect (Legal Concepts)

physical or real evidence: actual objects offered to prove facts about a case (Crime Scene and Courtroom Procedures)

plain touch or feel doctrine: a rule that during a valid stop and frisk allows an officer to seize an item he or she readily recognizes as contraband even if it does not feel like a weapon (Legal Concepts)

plastic prints: fingerprints made by touching a sur face that is impressionable, such as wet paint or mud (Crime Scene and Courtroom Procedures)

post-traumatic stress disorder (PTSD): a severe anxiety disorder that develops after experiencing an extremely terrifying event (Interactions in a Diverse Community)

prejudice: a strong belief or feeling about a person, group, or subject, whether positive or negative, that is formed without reviewing all available facts or information (Introduction to Law Enforcement)

pretext stop: a traffic stop where the officer stops the vehicle due to an equipment violation but really the purpose of investigating other, more serious criminal activity (Legal Concepts)

principal in the first degree: a person who commits a criminal offense, or who helps another person to commit a crime and must be treated as if he or she had done all the things the other person did (Legal Concepts)

private road or driveway: a privately-owned space that owners, and people given owner permission, use for vehicular traffic (Traffic Stops and Crash Investigations)

probable cause: a fair probability or reasonable grounds to believe that a crime was committed, based on the totality of circumstances (Legal Concepts)

probable cause affidavit: a sworn statement made by an officer establishing why a judge should consent to an arrest or search warrant or why an arrest made during a crime was based on solid evidence that the person in custody is the person who is likely to have committed the crime (Legal Concepts)

professionalism: the competence, good judgment, and actions that are expected from one who is trained to do a job well (Introduction to Law Enforcement)

proof beyond a reasonable doubt: the standard used to determine if a criminal defendant is guilty, which is based on the facts of the case, and that there is no other reasonable explanation than that defendant committed the crime (Legal Concepts)

Q

querying: gathering information for law enforcement purposes through entering or running vehicle checks, records check, wants and warrants checks, or criminal justice database checks (Patrol and Professional Communication)

R

radio protocol: the customs and regulations for transmitting radio messages

reasonable suspicion: the standard of justification needed to support an investigative stop or detention (Legal Concepts)

repeat violence: two incidences of violence or stalking, committed by the suspect, one of which must have been within six months of the filing of the petition, and directed against the victim or the victim's immediate family member (Interactions in a Diverse Community)

restriction: a limitation on a driver for operating certain types of motor vehicles or requirements or require that he or she meet certain conditions when driving any motor vehicle (Traffic Stops and Crash Investigations)

roadway: a portion of a highway used for vehicular travel that does not include the berm, shoulder, or sidewalk; a highway that has two or more separate roadways, the term can mean separate or collective roads (Traffic Stops and Crash Investigations)

S

SARA: an acronym for Scanning, Analysis, Response, Assessment; a problem-solving model that officers can apply to find solutions to community issues (Patrol and Professional Communication)

search: examination of an area, person, or property for evidence by the government or a law enforcement officer in a place where a person has a reasonable expectation of privacy (Legal Concepts)

search warrant: a court order that authorizes an officer to conduct a search and seizure (Legal Concepts)

seizure: the act of the government taking possession of a person's property (Legal Concepts)

self-defense: a common legal term describing the justifiable use of force that is reasonable and necessary to protect oneself (Legal Concepts)

self-knowledge: the understanding of one's own nature, character, abilities, motives, and limitations (Patrol and Professional Communication)

self-talk: the practice of talking to yourself as you anticipate, encounter, or evaluate an event in order to instruct (follow steps), to motivate (encouragement), and to evaluate (review an incident for performance)

sexual battery: oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object (Legal Concepts)

sexual harassment: unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature (Introduction to Law Enforcement)

sexual violence: any one incident of sexual battery (Interactions in a Diverse Community)

show-up: when a law enforcement officer locates a suspect a short time after the commission of an offense and attempts to get a one-on-one identification of the suspect in the field by a victim or witness (Legal Concepts)

sidewalk: the area pedestrians use between the curb or lateral line of a road and the adjacent property lines (Traffic Stops and Crash Investigations)

smuggling: an offense against the integrity of the United States borders (Interactions in a Diverse Community)

solicitation: an offense where a person commands, encourages, hires, or requests someone to engage in specific conduct which would constitute the commission of an offense or an attempt to commit the offense (Legal Concepts)

spontaneous statement: a voluntary statement by a suspect who is in custody and made without questioning (Patrol and Professional Communication)

statement: a permanent verbal or written record of a person's account of an incident or occurrence (Patrol and Professional Communication)

state road: a highway designated as a state-maintained road by the Department of Transportation (Traffic Stops and Crash Investigations)

statute of limitations: the legal principle that bars the state from prosecuting an individual after a certain period of time has elapsed since the criminal act occurred (Crime Scene and Courtroom Procedures)

statutory law: the laws written and enacted by Congress, state legislatures, or local governing authorities in response to a perceived need (Legal Concepts)

stereotyping: a fixed and unvarying idea or opinion of a person, group, or subject (Introduction to Law Enforcement)

street or highway: the entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public for purposes of vehicular traffic (Traffic Stops and Crash Investigations)

suppression hearing: when the defense files a motion to suppress or to exclude certain testimony or evidence from a trial, alleging that an officer's actions were improper and violated their client's rights (Crime Scene and Courtroom Procedures)

suspect: the person believed to have committed a crime (Legal Concepts)

sworn statement: written or oral facts that are stated under oath or penalty of perjury (Patrol and Professional Communication)

T

testimonial evidence: witness statements presented in court about the facts of the case (Crime Scene and Courtroom Procedures)

totality of circumstances: a court review of all factors known to the officer at the time of the incident (Legal Concepts)

traffic crash: a collision, involving one or more vehicles, causing property damage, personal injury, or death (Traffic Stops and Crash Investigations)

traffic flow: the general speed and direction of vehicle or pedestrian movement (Traffic Stops and Crash Investigations)

traffic stop: the temporary detention of an individual in a vehicle by an officer for an investigative purpose (Traffic Stops and Crash Investigations)

trafficking: means when a person knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of illegal substances (Legal Concepts)

traumatic brain injury (TBI): structural damage sustained by the brain resulting in temporarily or permanently impaired brain function (Interactions in a Diverse Community)

trial: the examination of facts and related law presided over by a judge or other magistrate who has the authority or jurisdiction to hear the matter (Crime Scene and Courtroom Procedures)

tunnel vision: the narrowing of the field of view during a stressful event such as a vehicle pursuit, foot chase, or armed confrontation (Calls for Service and Arrest Procedures)

V

values: principles, standards, or qualities considered worthwhile or desirable (Introduction to Law Enforcement)

vehicle: every device that transports a person or property on a road (not rails or tracks) (Traffic Stops and Crash Investigations)

vertical communication: the information that flows down through the supervision level to the lowest levels of the organization (Introduction to Law Enforcement)

victim: a person or an entity that suffers an injury because of a crime (Legal Concepts)

vulnerable road user: a person or pedestrian that is working on a road to repair the road or utility facilities; working on emergency services; operating a bicycle, motorcycle, scooter, or moped; riding an animal; operating on a public right-of-way, crosswalk, or shoulder with a farm vehicle, a skateboard, roller skates, or in-line skates, a horse-drawn carriage, or an electric personal assistive mobility device or wheelchair (Traffic Stops and Crash Investigations)

W

witness: a person who has information about some element of the crime or about evidence or documents related to the crime and who may have heard statements or observed events before, during, or after the crime (Legal Concepts)

writ of replevin: a court order that entitles the creditor to possess collateral after the borrower defaults (Calls for Service and Arrest Procedures)

SELECT COURT CASES

Arizona v. Gant, 556 U.S. 332, (2009): The Supreme Court held that police may search the vehicle of its recent occupant after the person's arrest only if it is reasonable to believe that the arrestee might access the vehicle at the time of the search or that the vehicle contains evidence of the offense of the arrest, and that "when a policeman has made a lawful arrest… he may, as a contemporaneous incident of that arrest, search the passenger compartment of that automobile."

Carroll v. United States, 267 U.S. 132 (1925): A decision by the U.S. Supreme Court that upheld the warrantless search of an automobile, because there is a lower expectation of privacy in motor vehicles due to the regulations under which they operate.

Draper v. United States, 358 U.S. 307 (1959): The Supreme Court held that evidence required to show probable cause is not held to the same standard as evidence required to prove guilt at trial. Knowledge provided by an informant gives the police probable **cause** to arrest and search a suspect despite the fact that information would be inadmissible at trial as hearsay.

Florida v. Bostick, 501 U.S. 429 (1991): The Court noted that when deciding if a search request is overly coercive, as within a confined space, one must not look at whether a party felt "free to leave," but whether a party felt free to decline or terminate the search encounter. The Court held that in the absence of intimidation or harassment, a subject could refuse the search request. This is the test of whether a "reasonable person" felt free to decline or terminate a search.

Florida v. Royer, 460 U.S. 491 (1983): This case establishes a firm line where law enforcement may conduct search and seizure without a warrant. The Court ruled that, while it is legal for the police to target and approach a person based on mere suspicion of their behavior, they cannot detain or search the individual without a warrant because there is no probable cause.

Graham v. Connor, 490 U.S. 386 (1989): a U.S. Supreme Court case held that all law enforcement use of force cases are to be judged by **a**n objective reasonableness standard based upon the Fourth Amendment. The use of force is to be judged from the perspective of a reasonable officer under the same circumstances without the benefit of hindsight.

Horton v. California, 496 U.S. 128 (1990): a U.S. Supreme Court case in which the Court held that the 4th Amendment does not prohibit the warrantless seizure of evidence which is in plain view. The discovery of the evidence does not have to be inadvertent, although that is a characteristic of most legitimate plain-view seizures. The opinion clarified the plain view doctrine under the Fourth Amendment to the Constitution.

Horton test: This is the test that must apply to discoveries under the *plain view doctrine* in order for the officer to seize evidence without a warrant. The officer must lawfully be in the viewing area; he must discover the evidence inadvertently; and it must be immediately apparent to the officer that the item is contraband. The officer must have probable cause to believe the item is somehow associated with a criminal activity.

Illinois v. Gates, 462 U.S. 213 (1983): a U.S. Supreme Court case which established the totality of circumstances test for determining if a citizen's Fourth Amendment rights against unreasonable search and seizure have been violated.

Katz v. United States, 389 U.S. 347 (1967): a U.S. Supreme Court case discussing the nature of the right to privacy and the legal definition of a search. The Court's ruling refined previous interpretations of the

unreasonable search and seizure clause of the Fourth Amendment to count immaterial intrusion with technology as a search, and extended Fourth Amendment protection to all areas where a person has a "reasonable expectation of privacy."

Minnesota v. Dickerson, 508 U.S. 366 (1993): The U.S. Supreme Court case where it was held that a police officer may seize contraband when it is in plain sight, and "its incriminating character is immediately apparent". It held that instances in which an officer uses the sense of sight to discover illegal goods are analogous to those involving the sense of touch. The Court also reasoned that the tactile detection of contraband during a lawful pat-down search does not constitute any further invasion of privacy, therefore warrantless seizure was permissible.

Miranda v. Arizona, 384 U.S. 436 (1966): the U.S. Supreme Court case which ruled that Fifth Amendment privilege against self-incrimination requires law enforcement officials to advise a suspect interrogated in custody of his or her rights to remain silent and to obtain an attorney

Steagald v. United States, 451 U.S. 204 (1981): The Court held that the Fourth Amendment prevents all warrantless searches of homes unless there are clearly exigent circumstances, and this prevents police officers from searching for a suspect in the home of a third party without obtaining a warrant.

Terry v. Ohio, 392 U.S. 1 (1968): The U.S. Supreme Court case which ruled that Fourth Amendment rights against unreasonable search and seizure are not violated if a suspect is stopped and frisked by a law enforcement officer if that officer had reasonable suspicion that the person committed, is committing, or is about to commit a crime, and has a reasonable belief that the person may be armed and presently dangerous.

United States v. Cortez, 449 U.S. 411 (1981): The Supreme Court ruled that in determining what cause is sufficient to authorize police to stop a person, the “totality of the circumstances” must be taken into account. Officers must have a particularized and objective basis for suspecting the particular person stopped of criminal activity. The process of assessing all of the circumstances does not deal with hard certainties, but with probabilities, and the evidence collected must be weighed as understood by those versed in the field of law enforcement. Also, the process must raise a suspicion that the particular individual being stopped is engaged in wrongdoing.

United States v. Sokolow, 490 U.S. 1 (1989): The Court upheld the search and reasoned that the agents had a "reasonable suspicion that respondent was engaged in wrongdoing." The validity of such a stop should be based on the "totality of the circumstances which, in this case, gave agents a clear reason to approach and search the suspect.

Whren v. United States, 517 U.S. 806 (1996): The Supreme Court held that as long as officers have a reasonable cause to believe that a traffic violation occurred, they may stop any vehicle.