

WINTER HAVEN POLICE DEPARTMENT

GENERAL ORDER 42.4

Felony Case Preparation

ACCREDITATION STANDARDS:

EFFECTIVE DATE: March 24, 2003

RESCINDS: G.O. 42.4, March 4, 2013 and all applicable Amended/Temporary Orders prior to August 24, 2018

LAST REVISED DATE: August 24, 2018

CONTENTS

This General Order contains the following numbered sections:

- I.** Officer Responsibilities
 - II.** Supervisor Responsibilities
 - III.** Felony Intake Coordinator
 - IV.** Felony Packet
 - V.** Definitions
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POLICY

It shall be the policy of the Winter Haven Police Department to comply with the 10th Judicial Circuit State Attorney's Office procedural requirements, when filing arrest charges or complaints in felony cases.

PURPOSE

The purpose of this General Order is to establish guidelines for filing felony arrest and complaint affidavit cases.

SCOPE

This General Order shall apply to all Department members.

PROCEDURE

I. Officer Responsibilities

- A.** Any member making a felony arrest or filing a felony complaint affidavit shall be responsible for the completion of the offense report, arrest affidavit or complaint affidavit, and any supporting documentation. This shall be completed prior to the end of the arresting member's tour of duty.

- B. Each member involved in the investigation shall complete a sworn, supplemental, report documenting their involvement in the investigation. Supplemental reports shall be completed prior to the end of the member's tour of duty.
- C. When making a felony arrest or filing a felony complaint affidavit, the member shall complete a "Rights and Certification Form (WHPD-103)" for each victim/witness of a case. It documents that notification has been given to the victim/witness indicating that they are required to contact the Felony Intake Coordinator.
 - 1. This form shall notify the victim/witness to contact the Felony Intake Coordinator, within three business days, to make arrangements for their statement to be taken.
 - 2. If a victim/witness fails to comply with these instructions, the Felony Intake Coordinator shall attempt to re-contact the individual and obtain the statement.
- D. Members making a felony arrest and/or filing felony charges shall attempt to obtain a sworn statement from any person involved (suspect, victim, or witness) when the facts of the case make reasonable to do so. Factors that should be considered when deciding whether or not sworn taped statements should be taken by the officer included, but are not limited to the following:
 - 1. The persons' availability to provide a statement at a later date.
 - 2. The persons place of residency.
 - 3. The persons level of cooperation or anticipated level of cooperation at a later date.
 - 4. Any other factor that would reasonably indicate that obtaining a statement now rather than later would be in the best interest of that particular case.

II. Supervisor Responsibilities

- A. The supervisor is responsible for reviewing and approving the Offense Report, supplemental reports, arrest or complaint affidavit, and supporting documents.
- B. The supervisor shall complete a "Supervisors Felony Packet Approval Checklist (WHPD-111)" and forward it to the Felony Intake Coordinator.

III. Felony Intake Coordinator

- A. The Felony Intake Coordinator shall be under the administrative control of the Uniform Services Bureau Commander.
- B. The Felony Intake Coordinator shall be responsible for reviewing all felony cases from the Uniform Services Bureau. Once the review has been completed, the cases are forwarded to the State Attorney's Office.
- C. If the Felony Intake Coordinator determines that there is additional documentation needed for the Felony Packet, the Coordinator shall:
 - 1. Forward a Request for Information to the appropriate supervisor, outlining

specific details, as to what additional documentation is needed, or;

2. The Felony Intake Coordinator should obtain the needed documentation, if possible.
- D. Except as outlined in this general order, it shall be the responsibility of the Felony Intake Coordinator to take sworn taped statements of all involved in a felony incident.
- E. The Felony Intake Coordinator shall complete a sworn, supplemental report, documenting their involvement in the case.
- F. The Felony Intake Coordinator shall ensure that the completed felony packet is delivered or transmitted to the Intake Division of the State Attorney's Office.

IV. Felony Packet

- A. A felony packet shall contain:
 1. A copy of the sworn Offense Report,
 2. A copy of all sworn supplemental reports,
 3. A copy of the arrest affidavit (if applicable),
 4. A copy of the original complaint affidavit (if applicable),
 5. The Investigative Cost Affidavit (WHPD-6),
 6. Transmittal of all sworn taped statement(s) and;
 7. All supporting documentation.

V. Definitions – None

APPROVED



**Charles E. Bird
CHIEF OF POLICE**