

WINTER HAVEN POLICE DEPARTMENT

GENERAL ORDER 41.1

PATROL OPERATIONS

**ACCREDITATION STANDARDS: CALEA – 41.1.1, 41.1.2, 41.2.1, 41.3.1, 41.3.2, 41.3.3;
CFA –14.01, 14.03, 14.06, 14.07, 14.08, 14.09, 15.10**

EFFECTIVE DATE: March 14, 1995

**RESCINDS: G.O. 41.1 January 5, 2018 and all applicable Amended/Temporary Orders prior to
February 4, 2019**

LAST REVISED DATE: February 4, 2019

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POLICY

It shall be the policy of the Winter Haven Police Department to maintain a highly visible and effective patrol function, which is responsive to the needs of the community, and to ensure the protection and preservation of every person's constitutional rights.

PURPOSE

The purpose of this General Order is to establish the organization, policies and procedures for the Department's patrol function.

SCOPE

This General Order shall apply to all Department members.

PROCEDURE

I. Organization and Administration

- A. The functions of the Patrol Division include, but are not limited to:

1. Preventive patrol, which is oriented toward prevention of crimes and crashes, maintenance of public order, and the discovery of hazardous situations.
2. Crime prevention activities.
3. Response to calls for service.
4. Investigation of crimes, offenses, incidents, and conditions, including arresting offenders.
5. Traffic control, direction and enforcement.
6. Regulation of certain businesses or activities as required by law.
7. Maintenance of public order.
8. Provision of emergency services.
9. Enforcement of City Ordinances.
10. Development of relationships between citizens and the Department.
11. Reporting of information to appropriate organizational components.

B. Intra-Departmental Communications:

1. The Department encourages and supports the exchange of information between Patrol and other components.
2. The primary methods of exchanging information are:
 - a. Information Report.
 - b. Information Bulletin.
 - c. Attendance at briefings by investigators.
 - d. Staff meetings.
 - e. Review of new component directives.
 - f. Daily exchange of BOLO's, wanted person information, etc.

C. Shift Coverage:

1. The Department provides twenty-four hours a day, seven days a week, response to law enforcement needs of the City. (CALEA 41.1.1a) (CFA 14.01)
2. To provide this service, the Patrol Division provides a minimum of four shifts with the following designation and hours: (CALEA 41.1.1b)
 - a. Squad 1 - 0600-1800 hrs
 - b. Squad 2 - 1800- 0600 hrs

- 3) Radar Operator.
- 4) Traffic Homicide Investigator.
- 5) Skills, Knowledge and Abilities.
- 6) Productivity.
- 7) Activity.
- 8) Ability to help the shift meet the established goals and objectives.

3. No shift assignments shall be used as punishment or harassment.
4. Members with special skills, knowledge or abilities may be required to rotate shifts more often or serve longer periods of time on a given shift until others are trained with similar skills.

F. Shift Transfers:

1. Members requesting transfers from their present shift must make their request in writing to their immediate supervisor.
2. All transfer requests shall detail the reasons for the change and be submitted for review and approval by the Uniform Services Bureau Commander.

G. Shift Rotation: (CALEA 41.1.1c)

1. Patrol shifts shall either rotate or be permanently assigned shifts at the discretion and approval of the Chief of Police or Uniform Services Bureau Commander.
2. Rotating shifts shall rotate shift assignments every fifty-six days or as directed by the Bureau Commander.
 - a. The shifts shall rotate in the following manner:
 - 1) 0600-1800 hrs rotates to 1800-0600 hrs.
 - 2) 1800-0600 hrs rotates to 0600-1800 hrs.
3. Permanent shifts assignments shall be based on criteria set forth by the Uniform Services Bureau Commander.

H. Shift Schedules:

1. The Patrol Division's shift schedule shall be presented to the Uniform Services Bureau Commander for approval.
2. Schedules with personnel changes will be reviewed with the individual officer(s) involved five days prior to the change, unless exigent circumstances exist.
3. It is each member's responsibility to check the shift schedule for changes prior to each effective change date.

4. Individuals who will be transferred from their present shift shall be notified, in person by their supervisor, on the day of posting or the member's next tour of duty.
 5. No member shall be transferred to another shift while on annual leave without being notified and given advance knowledge of the change.
- I.** Span of Control:
1. Each squad shall be commanded by a Lieutenant and a Sergeant.
 2. There shall be at least one sworn supervisor working each shift.
 3. The span of control for Patrol Supervisors normally should not exceed twelve persons.
- J.** Roll Call: (CALEA 41.1.2)
1. Patrol members are required to attend roll call fifteen minutes prior to the beginning of each shift. Roll call will be held in the squad room and shall be conducted by the Lieutenant or Sergeant.
 2. Briefing shall accomplish at a minimum:
 - a. Zone assignments;
 - b. Unusual occurrences information;
 - c. Stolen vehicle information;
 - d. Changes in schedules or assignments;
 - e. Wanted person information;
 - f. Changes in directives;
 - g. Special patrol information;
 - h. Training assignments;
 - i. New domestic violence injunctions;
 - j. Schools, In-Service Training;
 - k. Officer recognition;
 - l. Crime trends; and
 - m. Suppression Strategies.
 3. Supervisors shall conduct a line inspection to determine each person's readiness for patrol duties.
- K.** Zone Assignments (CALEA 41.1.1e)

1. Supervisors may, at their discretion, alter zone assignments.
2. Supervisors may assign their members in a manner that is most consistent with: (CALEA 41.1.1d)
 - a. Crime trends;
 - b. Calls for service;
 - c. Special needs of the zone; or
 - d. Shift goals and objectives.
3. Supervisors may assign any combination of units to zones that best meets the needs of the shift. (CALEA 41.1.1d)

L. Meals and Breaks:

1. Meals and breaks may not be taken outside the City without permission from the Supervisor.
2. Meals and breaks require approval from the Supervisor.
3. Members out of service on meals or breaks are subject to recall to duty.
4. Members are permitted one thirty minute meal break and two fifteen minute breaks per shift.
5. Members residing within the City are permitted to take their meals at their homes.

M. Preliminary Investigations: (CFA 15.10a)

1. The patrol officer is responsible for the preliminary investigation of all incidents which are reported to them or which they discover. A preliminary investigation includes thoroughly and completely interviewing all victims and witnesses, attempting to locate potential witnesses and filing a complete and accurate report. The goal of the investigation is to identify and apprehend the suspect.
2. The preliminary investigation shall establish the elements of the crime.
3. The preliminary investigation may clear the case eliminating the need for a follow up investigation.
4. When conducting preliminary investigations, members shall:
 - a. Observe all conditions and events and document remarks.
 - b. Attempt to locate all identifying witnesses.
 - c. Maintain the crime scene to protect all possible evidence.(CFA 15.10c)
 - d. Interview the complainant and all witnesses, when possible.

- e. Collect evidence. (CFA 15.10c)
 - f. Make an arrest when necessary and appropriate.
 - g. Report the incident fully, accurately and in a timely manner.
5. The first responding officer shall ensure that:
- a. The complainant is contacted, if possible.
 - b. The crime scene is located.
 - c. All witnesses and victims are located.
 - d. All witnesses and victims are kept separated, when possible.
 - e. Uninvolved persons are not allowed to question persons involved.
 - f. The names, telephone numbers and addresses are obtained from witnesses or victims who will not remain at the scene.

II. Operations

A. Response to Calls for Service: (CFA 14.06)

- 1. The number of members to respond to a call for service will vary depending on the nature of the call. Generally only one member will be needed on most calls involving delayed crimes or calls for routine service. Whenever there is a possibility that a suspect is still at the scene or indication that the responding officer will need assistance in handling the assignment, a backup unit shall be dispatched.
- 2. It shall be the responsibility of the Supervisors to monitor calls.
- 3. Supervisors shall respond to the following calls and may assume command when necessary but are not limited to: (CFA 14.03)
 - a. Incidents where intra-departmental coordination is needed.
 - b. Incidents where inter-departmental coordination is needed.
 - c. When requested by members on scene.
 - d. To perform inspection, evaluation or supervision tasks.

B. Non-Emergency Response: (CALEA 41.2.1) (CFA 14.06)

- 1. Non-emergency response is in accordance with all traffic regulations and without the use of emergency equipment.
- 2. A non-emergency response shall be used for all calls for assistance other than those specified in this general order. In general, all calls are considered to be non-emergency unless other circumstances dictate otherwise.

C. Emergency Response: (CFA 14.07a,b)

1. Initiation, operation and responsibilities of an emergency response shall be in accordance with General Order 41.4.

D. Authorized Emergency Equipment: (CALEA 41.2.1)

1. The authorized emergency equipment on Department vehicles includes, but is not limited to a siren and rotating red/blue lights. (CFA 14.07a,b)
2. Headlights shall be activated to augment the member's visibility, as well as, for others to see the vehicle.
3. During emergency response, four-way flashers shall not be used as they may interfere with the use of brake lights and turn signals. (CFA 14.07c)
4. In some emergency response situations, members may want to deactivate their emergency warning devices/equipment at a distance from the scene in order to avoid detection of their approach. This technique may be employed at the member's discretion; however, the responding member shall proceed thereafter in a manner that is consistent with a non-emergency response. (CFA 14.07a,b)

E. Field Interviews:

1. Field Intelligence Report (FIR) shall be completed in accordance with General Order 42.1.

F. Department Notification:

1. Members shall respond to all calls for service, assess each situation and make emergency notifications as needed, such as:
 - a. The Medical Examiner's Office shall be notified by the on-scene supervisor or their designee in incidents involving:
 - 1) Homicides;
 - 2) Suspicious deaths;
 - 3) Suicides;
 - 4) Accidents (e.g. traffic crashes, industrial accidents); and
 - 5) Child deaths.
 - b. The member shall supply the necessary information required by that agency, or insure that notification is made by Communication members.
 - c. Street/City Maintenance shall be notified by Communication members of traffic hazards requiring immediate attention.
 - d. Public Utilities shall be notified of emergency or hazardous situations involving public utilities which shall be made by the on-scene member

through Communications. Requests for response shall be made promptly.

- e. In situations requiring widespread notification to the public, the appropriate supervisor shall notify the Department's Public Information Officer, who shall then be responsible for contacting the media.

III. Patrol Vehicles

A. Patrol Vehicle Operation:

- 1. Members shall drive defensively, adhere to all traffic laws and drive in a safe and courteous manner.
 - a. Members shall not leave a patrol vehicle unattended with the engine running and the keys in the ignition.
 - b. Members shall not leave a patrol vehicle unsecured (unlocked) while unattended.

B. Patrol Vehicle Markings:

- 1. The Department shall conspicuously mark patrol vehicles so they may be identifiable from all directions. Vehicles assigned to detective, undercover and administrative members are exempt from the aforementioned markings. (CALEA 41.3.1)

C. Patrol Vehicle Emergency Equipment:

- 1. At a minimum, the following operational emergency equipment is required for each vehicle used in marked patrol services: (CALEA 41.3.1) (CFA 14.08)
 - a. Red/Blue emergency lights shall be mounted to be clearly visible from both the front and rear of the vehicle. (CFA 14.08a)
 - b. Siren.
 - c. Mobile/portable radio transceiver.
 - d. Exterior spotlight.
 - e. Alley lights and takedown lights on vehicles equipped with light bars.
 - f. Public address speaker.
 - g. Department approved cage to separate the rear passenger(s)/prisoner(s) from the driver.
- 2. The hazard warning lights and public address system will normally not be used in non-emergency situations, though will be left up to the discretion of the individual officer. Any use shall be in accordance with state law. The spotlight will routinely be used for external building checks at night, traffic stops, or any other situation which requires directed illumination. (CFA 14.07 c,d,e)

3. The hazard warning lights, public address system, and spotlight may be utilized, in accordance with state law and at the discretion of the officer, in emergency situations.
- D. Unmarked vehicles that are periodically used for traffic enforcement shall be equipped, at a minimum, with a siren and emergency blue light. (CALEA 41.3.1)
- E. Department Issued Equipment for Patrol Vehicles:
 1. The following department issued items or equipment shall be carried in each patrol vehicle: (CALEA 41.3.2) (CFA 14.08)
 - a. First-aid supplies; (CFA 14.08d)
 - b. Fire Extinguisher;(CFA 14.08b)
 - c. Florescent paint;
 - d. Personal Protective Equipment; and (CFA 14.08e)
 - e. Bio-safe kit.
 - f. Automated External Defibrillator (AED); and
 - g. Frisbouy (water rescue device).
- F. Members shall maintain Department issued equipment and supplies. Members shall ensure supplies are replenished or recharged as needed. (CALEA 41.3.2)
 1. Members shall ensure, at the end of their tour of duty, their patrol vehicle has no less than one half tank of fuel, unless extenuating circumstances occur.
 2. Members shall carry a sufficient supply of Department forms and associated papers and pamphlets.
- G. Seat Belt Usage:
 1. Seat belts shall be worn at all times when operating Department vehicles and shall be used in accordance with Florida State Statue 316.614. (CALEA 41.3.3) (CFA 14.09)
- H. In accordance with City policy, the use of any tobacco products is strictly prohibited in City vehicles and buildings.

IV. Portable Fingerprint Scanners:

1. Portable fingerprint scanners may be used to identify, confirm the identity, or obtain a criminal history of a subject.
2. Only those Department members who are FCIC certified and have received training in the use of a portable fingerprint scanner shall use a portable fingerprint scanner.

3. Portable fingerprint scanners shall be used in accordance with all federal law, state law, applicable case law, and constitutional amendments.
 - a. If there is probable cause for arrest or a subject is under arrest, members may use the portable fingerprint scanner to identify, confirm the identity, or obtain the criminal history of the subject.
 - b. If there is no probable cause for arrest, members shall obtain consent before utilizing the portable fingerprint scanner to identify, confirm the identity, or obtain a criminal history of the subject.
 - c. Criminal history information that is obtained through the use of a portable fingerprint scanner shall not be viewed by any member or person that is not FCIC certified.
4. Unless assigned to a specific member by a bureau commander, portable fingerprint scanners shall be stored in the equipment locker located in the patrol briefing room.
 - a. At the beginning of a tour of duty, portable fingerprint scanners shall be assigned to members by a supervisor. The supervisor shall document the assignment of a portable fingerprint scanner on the log sheet provided in the equipment locker.
 - b. At the end of a tour of duty, members shall return the portable fingerprint scanner to the equipment locker and a supervisor shall document the return on the log.
 - c. Any damages, loss, or malfunctions of a portable fingerprint scanner shall be reported to the Uniform Services Bureau Commander.

V. **Automated External Defibrillator:**

1. Only those department members who have received training in the use of an AED will utilize an AED for a medical emergency.
2. Members trained in the use of an AED shall not be dispatched to a medical emergency as the primary caregiver; however, in instances in which they arrive on scene prior to Emergency Medical Services (EMS) they shall, when assessment dictates, render Cardiopulmonary Resuscitation (CPR) and shall utilize an AED at the earliest possible time.
3. The AED shall be utilized in accordance with training received during CPR/AED certification.
4. The AED equipment shall remain in place, attached to the person, until responding EMS personnel authorize removal.
5. Following the use of any AED on a person, the member shall complete and AED/CPR Report and submit the report to their supervisor prior to the end of their shift.
6. Initial and re-certification training shall be in compliance with the American Heart Association standards.
7. AED trained members are responsible for renewing their certification every two (2) years and prior to the expiration date of their current expiration.

8. Members assigned an AED shall conduct preventive maintenance checks at the beginning of each shift, to include:
 - a. Conduct battery check to verify the AED is operational.
 - b. Check pads for expiration dates.
 - c. Check electrodes for loose wires.
 - d. Re-stock pads, if in need of replacement.
9. If damage occurs or an equipment failure occurs, members shall notify their supervisor immediately. Replacement batteries and pads will be available from the Training Coordinator.
10. Monthly inspections of AED equipment shall be completed in accordance with General Order 53.1.

VI. Video Recording and/or Photographing of Police Activity

- A.** It is increasingly common for uninvolved bystanders at the scene of police activity to photograph and/or video record the actions and conduct of police officers. Members should assume that at any time a member of the public is likely observing and possibly even photographing or video recording their activities.
 1. As a result members must understand that any bystander has the right to photograph and/or video record the actions of any police officer so long as the actions do not:
 - a. Place the safety of the bystander, any police officer, witness, victim, or suspect in jeopardy.
 - b. Hinder the execution or performance of an officer's official duty.
 - c. Interfere with or violate any section of law, ordinance, or code, including traffic regulations.
 - d. Involve any intrusion into any crime scene, private property, or other location under lawful police control and/or not normally accessible to the general public.
 - e. Attempt to incite an immediate breach of the peace or incite others to commit a violation of the law.
- B.** The acts of observing, photographing, and/or video recording police activity in a public setting are not criminal offenses and:
 1. These acts do not constitute probable cause for an arrest.
 2. These acts do not provide justification for an officer to review, seize, damage, erase, or otherwise inspect the contents of a person's camera or video recording device without exigent circumstances or a search warrant.
 - a. The general order does not eliminate an officer's ability to seek out, collect or gather evidence in the course of a criminal investigation. If an officer has probable cause to believe, or exigent circumstances indicate that a bystander is in possession of any still or video images that are or

could reasonably be considered evidence related to a crime, members should take all necessary lawful actions to collect evidence.

- b. A bystander may voluntarily consent to allow an officer(s) to examine or seize his/her camera or video recording device.
- c. If there is probable cause to believe evidence exists on a camera or video recording device and exigent circumstances exist indicating that there is reason to believe that the evidence is in immediate jeopardy of being tampered with, altered, deleted, or destroyed an officer may temporarily seize the device for safekeeping until a search warrant is obtained

C. Upon discovery that a bystander is observing, photographing, or video recording the action or conduct of police officers:

- 1. Do not impede or prevent the bystander's ability to do so based solely on his/her presence.
- 2. Do not seize or demand to take possession of any camera or video recording device the bystander may possess.
- 3. Do not demand to review, manipulate, or erase images or video recordings by the bystander.
- 4. Do not compromise the integrity of a crime scene or other secure/restricted area in order to allow a bystander to observe or record police activity.
 - a. Keep in mind that "press credentials" do not extend any special privileges or access to any individual.
- 5. Remember that the bystander may witness and/or capture images/video of events that may be evidence.
- 6. Members will notify their supervisor or the on duty patrol supervisor when they believe that a bystander(s) who is observing, photographing, or video recording the actions or conduct of police officers is obstructing a criminal investigation and/or creating hazardous conditions.

D. A supervisor shall respond to any scene where members under his/her supervision believe that a bystander who has been observing, photographing, or video recording an actions or conduct and is hindering or interfering with the successful execution of their official duties.

- 1. If a supervisor is on scene and the actions of a bystander who is observing, photographing, and/or video recording police activity are approaching the level of a criminal offense, it is the supervisor's responsibility to ensure that police response remains focused on the original situation that required police attention and not allow subordinates to become distracted.
- 2. The supervisor should inform the bystander that if his/her actions continue, they may rise to the level of a criminal offense and he/she would be subject to arrest.

3. The supervisor should inform the bystander, if tactically feasible, of an alternative location from which they may continue to observe, photograph, or video record police activity.
- E.** If it becomes necessary to affect the arrest of a bystander who is or has been observing, photographing, or video recording police activity.
1. Ensure that the arrest is for a criminal offense (e.g. disorderly conduct, obstruction, etc.).
 2. Notify your supervisor or the on duty patrol supervisor that an arrest of this nature has been made.
 3. Clearly articulate that facts and circumstances that led to the arrest in the arrest affidavit and offense report.

VII. Definition

- A.** *Patrol Zone* – A uniformed officer assigned to patrol a specified geographic area in a marked patrol vehicle.
- B.** *Zone* - A specific geographic area of the City of Winter Haven designated as an area to be patrolled by an officer.
- C.** *Photographing* – The act of capturing and storing a still image, whether in electronic/digital format, or on any type of light sensitive film (e.g. traditional 35mm film).
- D.** *Video recording* – The act of capturing a series of images that when replayed in succession, reproduce a sequence of activities in motion. Video recordings may be store on light-sensitive film, video cassette, or in any digital format, and may or may not include simultaneous audio recording these devices can include but not limited to (e.g. cell phones and smart phones, PDA devices, tablet style mobile computers, cameras and video cameras).

APPROVED 

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