


**FLORIDA FISH AND WILDLIFE
CONSERVATION COMMISSION**

**DIVISION OF LAW ENFORCEMENT
GENERAL ORDERS**

COLONEL JULIE JONES



TITLE	DIVISION REPORTS AND RECORDS	EFFECTIVE DATE	May 11, 2009
CHAPTER	GENERAL ORDER 35	RESCINDS/AMENDS	July 21, 2008
APPROVED		PAGES	5

**1
POLICY**

- A** It is the policy of the FWC Division of Law Enforcement that all required reports and forms documenting the activities of its members be completed accurately and in a timely manner.
- B** It is the policy of the FWC Division of Law Enforcement to comply with the FWC Internal Management Policy and Procedures (IMPP) Section 1.7, *Commission Records*, the Department of State's general records schedules GS1-SL for State and Local Government Agencies and GS2 for Law Enforcement Agencies, as well as the Florida Fish and Wildlife Conservation Commission's specific records retention schedules.
- C** It is also the policy of the FWC Division of Law Enforcement to comply with the provisions of Chapter 119, Florida Statutes, concerning the appropriate handling of public records.
- D** It is the policy of the FWC Division of Law Enforcement to establish controls to account for the status of the reports for which the member is responsible, and to ensure that appropriate copies of reports are secured and maintained according to policy.
- E** It is the policy of the FWC Division of Law Enforcement that Division reports and records information is available to sworn members on a 24-hour basis.

**2
RESPONSIBILITIES**

- A Supervisors**
 - (1)** Division supervisors are responsible for receiving, reviewing and approving reports and records completed by members, and for ensuring that reports and records are forwarded or delivered to the appropriate locations.
- B Members**
 - (1)** Members are responsible for accurately completing appropriate reports, forms, and records

and submit them in accordance with established policies and procedures.

- (2) All members are responsible for maintaining reports and records in a manner that ensures privacy and security.

3 PROCEDURES

A Personnel Records

- (1) Personnel records and files are subject to public inspection and copying. However, the following information is exempt from public disclosure under chapter 119, Florida Statutes and shall not be released except with the approval of a supervisor and for a legitimate governmental purpose.
 - (a) Home addresses, telephone numbers, social security numbers and photographs of active or former law enforcement personnel.
 - (b) Home addresses, telephone numbers, social security numbers, photographs, and places of employment of the spouses and children of active or former law enforcement personnel.
 - (c) Names and locations of schools and day care facilities attended by the children of active or former law enforcement personnel.
- (2) All requests for copies of official personnel files of current or former members or employees shall be referred to the official custodian of personnel records in the FWC's Office of Human Resources.
- (3) All confidential information listed in Section 3 Procedures, Subsection A Personnel Records, (1) (a) – (c) of this General Order shall be redacted or deleted prior to inspection or copying pursuant to an official public records request.
- (4) Performance evaluations and other documents necessary to evaluate members shall be maintained by the member's immediate supervisor in accordance with established records retention schedules.
- (5) While an internal complaint is being investigated, the complaint and investigative file are exempt from disclosure. After the internal investigation is completed, the file then becomes a public record regardless of the outcome of the investigation.
- (6) Active investigations containing criminal intelligence and investigative information are exempt from public disclosure and shall not be disseminated to the public. Refer to Section 119.07(6), Florida Statutes for details.
- (7) Work notes, including electronic notes kept by a member for the purpose of preparing investigative reports or notes kept by a supervisor to prepare performance evaluations or disciplinary actions, are public records upon completion of the investigation, evaluation or disciplinary action.

B Division Reports and Records

- (1) The Division will use a records system to track and monitor the status of pending and completed reports through the CAD system (i.e., Offense Activity, Overtime, Joint Enforcement Agreements, Manatee, Evidence and Equipment). Reports that require supervisory approval must be signed or electronically approved by a supervisor before being entered in or saved to any system.
- (2) Members shall accurately complete and submit all required reports. Reports shall be legible with minimal errors in spelling or grammar. No member shall knowingly enter, or cause to be entered, any inaccurate, false, or improper information. The supervisory review process shall not adversely affect the timely submission of reports. Corrections are to be made by means of a supplemental report, or at the direction of a supervisor.

- (3) No member shall destroy, alter, or remove any report or record of the Commission except as allowed by law or rule. Anyone having knowledge of such behavior must immediately report it to an appropriate supervisor.
- (4) Criminal history record information is exempt from disclosure under the public records laws. No member will release any criminal history record information or official report for any reason except in a manner consistent with state and federal law.
- (5) Members who request or obtain any information through the FCIC/NCIC system shall not release such information outside the agency except for law enforcement use. Members will be held accountable for unlawful dissemination of such information.

C Public Records

- (1) Requests for access to public records shall be handled in accordance with Chapter 119, Florida Statutes and FWC IMPP Section 1.7, *Commission Records*.
- (2) Records requests can be authorized by the Regional Commander or designee for records that are maintained in the Regional Office. However, release of records regarding personnel, finance and budget, internal investigations, or other records and reports specifically identified can only be authorized by the appropriate Deputy Director at GHQ or designee.

D Citations and Warnings

- (1) The Field Services Section shall purchase, issue and track the distribution of citations and warning books to the field units.
 - (a) The Regional Commander or designee will maintain accountability for citations and warnings.
 - (b) Citation and warning books will be securely stored.
 - (c) Lost, stolen, damaged and voided citations shall be tracked on the Incident Summary Report Narrative (FWC/DLE-045A) and each Regional Office shall maintain these records.
- (2) The Field Services Section will audit citations at the end of each fiscal year.
- (3) The Field Services Section shall enter the arrest and warning data into a database.
- (4) The Field Services Section shall not receive any original citations or warnings.
- (5) The Field Services Section shall purchase carbon copy (NCR) forms, evidence labels and issue those forms to the Regions.

E Region/Section Records

- (1) The Regions/Sections are responsible for the maintenance and security of all arrest citations, warnings, transmittal forms and incident summary reports. All other original records will be processed and secured in the Region/Section as required, unless specific written instructions state otherwise.
- (2) A thorough audit of all arrest citations (to include voided, destroyed lost or stolen), warnings and transmittal forms are required by each Region/Section annually
- (3) A tracking system for the issuance of all citations and warning books shall be maintained in each Region/Section.
- (4) Records shall be stored and maintained to ensure privacy and security. A Records Check-Out Log (FWC/DLE-560) shall be maintained by the records custodian, when any member removes any report or record from the office, it shall be documented in a log book with the date of removal, the returned date and time as well as the employee removing the item and the purpose for removal.
- (5) Each Field Office and Section shall maintain a document indicating the appointment of the

Office/Section Records Manager and alternate(s) by the Regional Commander or Section Leader.

- (6) A written procedure shall be documented and maintained in each Field Office/Section for 24 hour records availability. Files shall be available during normal working hours and can be accessed upon request at any time.
- (7) A separate file for Juvenile Records shall be maintained. The file shall be marked “**Juvenile Confidential.**”
- (8) The Regions are responsible for compliance with agency and state records retention schedules in accordance with FWC IMPP Section 1.7, *Commission Records*.

F Completion of the Incident Summary Report (FWC/DLE-045)

- (1) The Incident Summary Report (FWC/DLE-045) will be completed for:
 - (a) Biological and chemical scenes requiring the use of PPE.
 - (b) Custodial arrests.
 - (c) Wildlife Alert arrests.
 - (d) Property and evidence seizures.
 - (e) Assaults against members.
 - (f) Endangered or threatened species investigations.
 - (g) Narcotics-related investigations.
 - (h) Narcotics-related seizures.
 - (i) Cases involving resisting arrest with or without violence.
 - (j) Instances where assistance is given to another agency on **any of the above**.
 - (k) Derelict vessel investigations.
 - (l) Criminal traffic or boating cases
 - (m) Instances that will likely result in news media coverage or other potentially controversial encounters.
 - (n) Loss of a Division badge or identification card.
 - (o) Incidents which are reported to the Uniform Crime Reporting Program (UCR).
 - (p) Upon request of a supervisor.
- (2) Sworn members shall submit completed Incident Summary Reports to their supervisor as soon as practicable, but no later than 72 hours, unless specifically authorized by a supervisor.
- (3) If the incident is ongoing after 72 hours, an update of the incident shall be recorded on the continuation form and added to the incident file as necessary.
- (4) A sworn supervisor is required to review, approve and forward Incident Summary Reports to the appropriate Regional Commander/Section Leader or designee(s), via the chain of command.
- (5) Original Incident Summary Reports are to be retained in their respective Regional Offices.
- (6) The Incident Summary Report Narrative (FWC/DLE-045A) may be used alone to provide narrative information for other reports.
- (7) When locations are required, document a common name, and latitude/longitude coordinates in the following format: N degrees and decimal minutes: W degrees and decimal minutes. For example: **N26 12.878 W80 98.788** Members shall use at least three decimals after the period

to increase accuracy.

G Forms Management

- (1)** The Office of Policy and Planning shall maintain all electronic forms for the Division of Law Enforcement.
- (2)** The following procedures shall be adhered to:
 - (a)** All forms will be distributed electronically. However, distribution of carbon copy forms will be done by the Field Services Section.
 - (b)** The creation and use of forms in applications other than Word or Excel, unless specifically authorized, is prohibited.
 - (c)** All Division forms can be found on the Division's intranet site at: <https://share.myfwc.com/LE/DLE%20Forms%20Library/Forms/AllItems.aspx>
 - (d)** The Office of Policy and Planning must authorize a form to be implemented for use and distribution.
 - (e)** Changes to electronic forms will be controlled to prevent unauthorized changes to forms.
 - (f)** Recommendations to change or create a form may be accomplished by submitting a Form Change Request (FWC/DLE-523A) through the appropriate chain of command to the Office of Policy and Planning.
- (3)** This does not preclude the use of temporary worksheets.

4 FORMS

FWC/DLE-045	Incident Summary Report
FWC/DLE-045A	Incident Summary Report Narrative
FWC/DLE-523A	Form Change Request
FWC/DLE-560	Records Check-Out Log