



Florida Fish and Wildlife Conservation Commission  
 Division of Law Enforcement

## DIVISION REPORTS AND RECORDS

GENERAL ORDER	EFFECTIVE DATE	RESCINDS/AMENDS	APPLICABILITY
35	June 6, 2018	October 25, 2017	All Members

### References

Ch. 119, F.S.; GS1-SL and GS2; IMPP 1.7;  
 CFA 26.01M, 26.02, 26.03M, 26.05, 26.08, 26.09M

## 1 POLICY

- A** It is the policy of the Division 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 Division 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 the policy of the Division to comply with the provisions of Chapter 119, Florida Statutes, concerning the appropriate handling of public records.
- D** It is the policy of the Division 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 Division 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 submitting 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) Documents requiring a signature must be completed with a handwritten or electronic signature. An electronic signature is intended to provide a secure and accurate identification method, ensuring that the signatory:
  - (a) Is uniquely identifiable and linked to the signature, and
  - (b) Has sole control of the private key to create the electronic signature, and
  - (c) Is capable of identifying if data has been tampered with after the message was signed.

### 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 exempt 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 a public records request.
- (4) Performance evaluations and other documents necessary to evaluate members shall be maintained in accordance with established records retention schedules.
- (5) While a complaint of misconduct against an employee is being investigated, the complaint and investigative file are confidential and exempt from disclosure, pursuant to Section 119.071(2)(k), Florida Statutes. After the investigation is completed, the file then becomes a public record regardless of the outcome of the investigation.
- (6) Active criminal intelligence information and active criminal investigative information are exempt from public disclosure and dissemination to the public pursuant to Section 119.071(2)(c), Florida Statutes. The Division Director or designee may approve the release of active criminal intelligence information or active criminal investigative information as needed.
- (7) Work notes, including electronic notes, if they are retained 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 shall use a single approved automated records management system to track and monitor the status of all pending and completed reports. 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) Members who request or obtain any information through the FCIC/NCIC or DAVID systems shall not release such information outside the agency except for law enforcement use. Members shall 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*.

#### **D Citations and Warnings**

- (1) The Fleet and Technical Services Section shall purchase, issue and track the distribution of paper citations and warning books to the field.
  - (a) The Regional Commander or designee shall maintain accountability for all paper citations and warnings.
  - (b) The Fleet and Technical Services Section shall maintain the official database for all electronic citation, warning and report numbers.
  - (c) Paper citation and warning books shall be securely stored.
  - (d) Lost, stolen, damaged, and voided paper citations and warnings shall be tracked in the Division authorized automated records management system on the Incident Summary Report and be entered into the electronic citation tracking system by each Regional Office designee.
  - (e) Voided electronic citations shall be entered into the Division authorized automated records management system by the member who issued the citation. A member who voids an electronic citation shall prepare and submit an Incident Summary Report explaining the reason/s the citation is being voided.
- (2) The Fleet and Technical Services Section shall enter the arrest and warning data into a database.
- (3) The Fleet and Technical Services Section shall not receive any original citations or warnings.
- (4) The Fleet and Technical Services Section shall purchase carbon copy (NCR) forms, and evidence labels and provide those forms to the Regions.
- (5) Scanned copies of issued paper citations and warnings shall be submitted to the Records Services Subsection in Tallahassee no later than 15 calendar days from the date issued. Approval for deviations from this timeframe must be requested in writing, stating the reason for the delay and must be submitted to the Fleet and Technical Services Section Leader through the appropriate Regional Commander.

#### **E Region and Section Records**

- (1) The Regions and Sections are responsible for the maintenance and security of all arrest citations, warnings, and transmittal forms. All other original records shall be processed and secured in the Region/Section as required, unless specific written instructions state otherwise.
  - (a) A thorough audit of all citations, warnings and transmittal forms (to include voided, destroyed, lost or stolen forms) issued during the preceding calendar year shall be conducted by each region and section and submitted to the Fleet and Technical Services Section by no later than March 1st of each year.

- (2) 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.
- (3) Regional Commanders / Section Leaders shall maintain a document indicating the appointment of the Office/Section Records Manager and alternate(s).
- (4) Records shall be available to Division members via the Division authorized automated records management system, the appointed Office/Section Records manager, and in accordance with *IMPP 1.7, Commission Records*.
- (5) The photographs and fingerprints of juveniles taken into custody shall be marked "**Juvenile Confidential**" and be kept in a separate file.
- (6) 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**

- (1) Incident Summary Reports shall be completed using Mobile Forms 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) All criminal citations issued.
  - (l) Instances that will likely result in news media coverage or other potentially controversial encounters.
  - (m) Loss of Division badge or identification card.
  - (n) Incidents which are reported to the Uniform Crime Reporting Program (UCR).
  - (o) Upon request of a supervisor.
- (2) Sworn members shall transmit finished Incident Summary Reports to their supervisor as soon as practicable, but no later than 72 hours, unless an extension is granted by a supervisor.
- (3) If the incident is ongoing after 72 hours, a supplemental report shall be completed and transmitted for approval.
- (4) All incomplete reports regarding an ongoing incident shall be updated with a supplemental report at least every 30 days.
- (5) A sworn supervisor is required to review, approve, or reject Incident Summary Reports as soon as practicable, but not to exceed 7 days after the report is submitted, using the Division authorized automated records management system.

- (6) When locations are required, document a common name, and latitude/longitude coordinates in the following format are required: 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 Collection, Use and Release of Social Security Numbers**

- (1) Members shall not collect an individual’s social security number unless specifically authorized to do so by federal or state law.
- (2) When a social security number is collected, the individual shall be supplied, in writing, with the specific federal or state law governing the collection, use, or release of social security numbers for each purpose the number was collected, including any authorized exceptions that apply to such collection, use, or release.
- (3) Collected social security numbers shall not be used for any purpose except as indicated in the supplied written notification.
- (4) The following are situations where social security numbers may be collected by sworn members with a written notification supplied to the affected individual:
  - (a) As part of the hiring process;
  - (b) During background investigations; or
  - (c) When documenting job-related injuries.
- (5) Social security numbers maintained by the Division shall not be released or disclosed unless the release or disclosure is specifically authorized by federal or state law or a court order.

**H Forms Management**

- (1) The Operational Support Section shall maintain all electronic forms which are not contained in Mobile Forms for the Division of Law Enforcement.
- (2) The following procedures shall be adhered to:
  - (a) All forms shall be distributed electronically. However, distribution of carbon copy forms shall be done by the Fleet and Technical Services Section.
  - (b) The creation and use of forms in applications other than Word, Excel or PDF, unless specifically authorized, is prohibited.
  - (c) All Division forms can be found on the Division’s intranet site at: <http://portal2.fwc.state.fl.us/sites/LE/DLE%20Forms%20Library/Forms/AllItems1.aspx>  
The Operational Support Section must authorize a form to be implemented for use and distribution.
  - (d) Recommendations to change or create a form shall be accomplished by submitting a Form Change Request (FWC/DLE-523A) through the appropriate chain of command to the Operational Support Section. Altering forms from the original Division approved format as posted in the DLE Forms library is prohibited. Only the Operational Support Section, which is responsible for forms management, is authorized to make changes to forms.

**4 FORMS**

FORM NUMBER	FORM TITLE
	Incident Summary Report
FWC/DLE-523A	Form Change Request