

STANDARD OPERATING PROCEDURES



CRIMINAL INVESTIGATIONS DIVISION

ASSAULT UNIT

City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

ASSAULT UNIT

STANDARD OPERATING PROCEDURES

MASTER INDEX

SUBJECT

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ASSAULT UNIT



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City of Miami



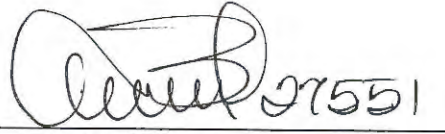
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ASSAULT UNIT

STANDARD OPERATING PROCEDURES

ENDORSEMENT SHEET

First Quarter
Inspection:


Unit Commander

1/15/20
Date

Second Quarter
Inspection:

Unit Commander

Date

Third Quarter
Inspection:

Unit Commander

Date

Fourth Quarter
Inspection:

Unit Commander

Date

Annual
Inspection:

Section Commander

Date



City of Miami



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ASSAULT UNIT

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LETTER OF PROMULGATION

These procedures are established to provide uniformity, efficiency, and effectiveness for the administration and operation of the Assault Unit of the City of Miami Police Department.

The procedures set forth here supplement, but do not supersede the Departmental Orders or other administrative and Operational Directives. Unforeseen conflict between the Standard Operating Procedures and the Departmental Orders shall be brought to the attention of the Unit Commander for appropriate corrective action.

Personnel assigned to the Assault Unit shall become familiar with these procedures.

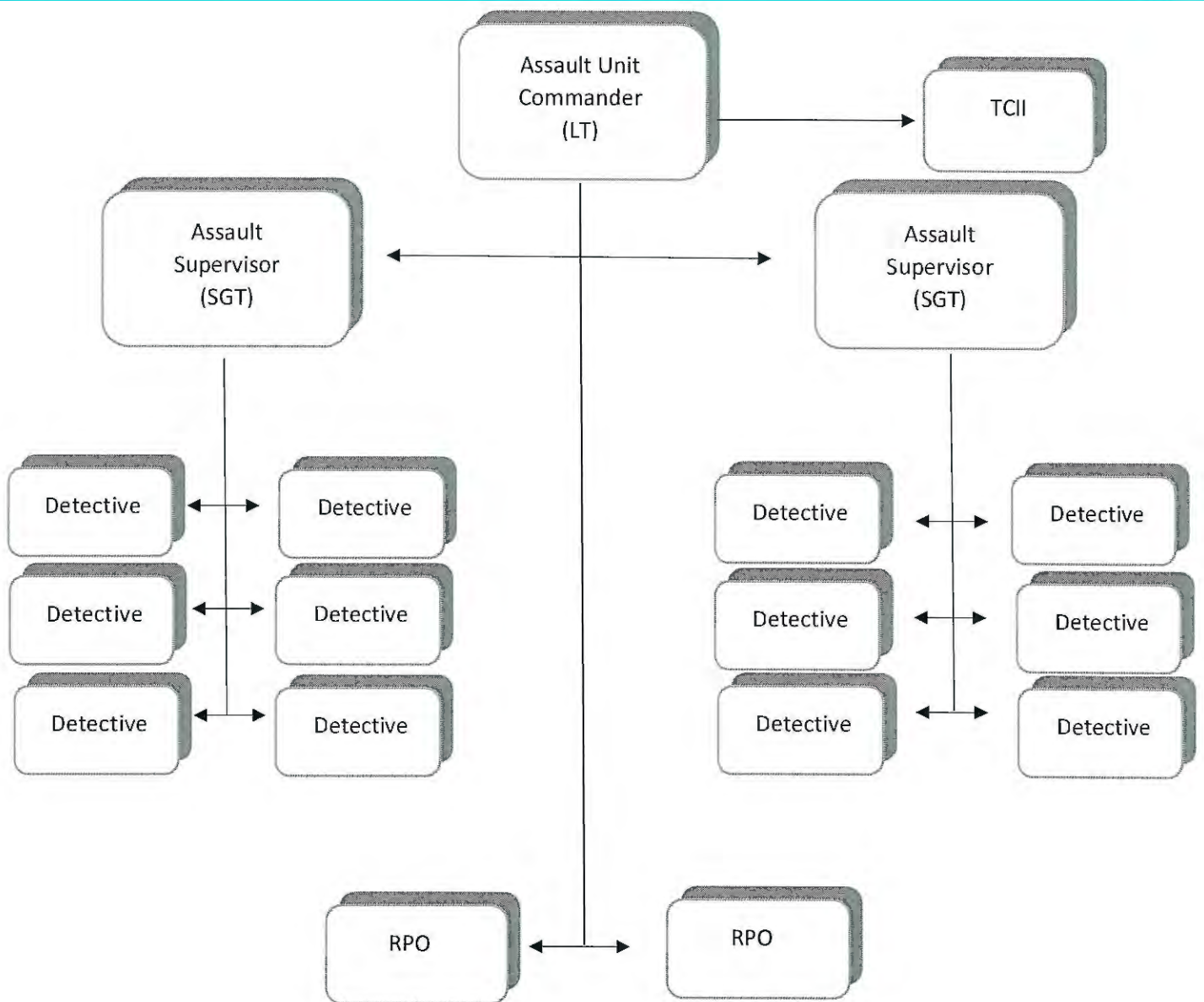
Lt. Weslyne Lewis
Commander
Assault Unit

1/15/20

Effective Date



ASSAULT UNIT ORGANIZATIONAL CHART



City of Miami



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ASSAULT UNIT

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MISSION, GOALS, AND OBJECTIVES

I. MISSION

The Assault Unit's mission is to investigate, arrest and present for prosecution the below-referenced cases and to evaluate trends, methods, and overall crime patterns related to these crimes in the City of Miami.

- A. Attempted Murder
- B. Aggravated Assaults (misdemeanors with unusual circumstances)
- C. Aggravated Battery (misdemeanors with unusual circumstances)
- D. Stalking (Excluding Domestic Violence cases)
- E. Arson involving attempted murder; excluding domestic and property crimes
- F. Hate Crimes
- G. Assaults on Police Officers and Firefighters

Lt. Weslyne Lewis
Commander
Assault Unit.

1/15/20

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DUTY HOURS AND DRESS

All personnel assigned, both sworn and civilian:

- I. The duty hours for the Unit Commander are flexible but normally 0600-1600 with an hour lunch. All other sworn personnel, supervisors and detectives, will work ten-hour days with half an hour for lunch.
- II. The following represents shift scheduling for Assault detectives:
 - A Shift - 0600 to 1600 hours
 - Mid Shift – 1100-2100 hours
 - B Shift - 1500 to 0100 hours
 - C Shift – 2100-0700
- III. The Typist Clerk II / Clerk II is on-duty from 0800-1700 with an hour for lunch.
- IV. A duty roster is submitted to the Assault Unit Commander one week prior to the start of each new month listing the hours of work assigned to each detective.
 - A. The approved duty roster will then be updated in the staffing application.
 - B. Changes and modifications will be annotated on the duty roster as well as the staffing application.
- V. All personnel of the Assault Unit shall wear appropriately presentable civilian attire, as directed by Departmental Orders.
 - A. Suits, sport coats, and slacks will be worn year-round.
 - B. When suits or sport coats are worn, a tie is mandatory.

Lt. Weslyne Lewis
Commander
Assault Unit

1/15/20

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ASSAULT UNIT

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DUTIES AND RESPONSIBILITIES

- I. It is the responsibility of the Assault Unit Commander to provide leadership and direction. He/ she will ensure that maximum effectiveness is achieved in the accomplishment of the unit's mission, with specific functions as follows:

A. Responsibilities of Assault Unit Commander

1. The Assault Unit Commander will maintain an environment that encourages the development of motivation and competence in subordinates.
2. He or she is responsible for the development, implementation and ongoing evaluation of administrative, operational and control procedures that facilitate compliance with departmental policy.
3. The Assault Unit Commander will be advised of and respond, if necessary, to crime scenes as needed. He/she is responsible for the overall direction of the investigative process.
4. The Assault Unit Commander will continually evaluate the performance of his/her immediate subordinates.
5. The ongoing evaluation and control of overtime expenditures is the direct responsibility of the Assault Unit Commander.
6. Liaison with other departmental units and appropriate outside agencies will be a priority of the Assault Unit Commander.
7. The Assault Unit Commander may respond to police shootings where a police officer or offender is shot, as needed.

Lt. Weslyne Lewis
Commander
Assault Unit

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MISSION GOALS AND OBJECTIVES
(Continuation)

II. **GOALS**

To properly integrate personnel time and resources for the successful investigation of assigned cases.

III. **OBJECTIVES**

- A. To investigate all Assault and Battery felony cases or misdemeanor cases with unusual circumstances and achieve a clearance rate comparable to the national average based on UCR statistics.
- B. To increase the successful prosecution of individuals arrested by the Assault Unit.
- C. To continue to improve working relationships with other units and personnel of the Miami Police Department, as well as other local, state and federal agencies.
- D. To successfully conduct investigations with the overall objective of reducing crime and arresting offenders.

DUTIES AND RESPONSIBILITIES OF PERSONNEL:
(Continuation)

- B. Notification of the Assault Unit Commander will be made, while on or off duty:
1. Whenever a departmental report involving an Assault Unit Personnel requires review and on the scene investigation by a Command level officer, lieutenant or above. (These reports include Response to Resistance, Discharge of Firearms, Vehicle Accident, etc.)
 2. Whenever an Assault Unit Personnel is admitted into a hospital, for any reason, while on-duty.
 3. All assaults with serious injuries, involving juveniles or multiple people.
 4. Any other time, on or off duty, when an Assault Unit Personnel desires the assistance of a Command-level officer to deal with a professional or personal issue.

DUTIES AND RESPONSIBILITIES OF PERSONNEL:
(Continuation)

II. The Assault Supervisors are responsible for guiding, directing and reviewing the activities of personnel. They will ensure compliance with Departmental Orders, Rules and Regulations, Standard Operating Procedures, Applicable Laws and Lawful Orders of Superior Officers.

A. Responsibilities of Assault Supervisors

1. The supervisor is responsible for the work product of his/her detectives, including the correction of spelling and grammar, press releases, 301's, supplements and special bulletins.
2. On assault crime scenes, the supervisor will maintain a leadership role and coordinate the activities of his own and support personnel. They will be responsible for informing the Assault Unit Commander of all major assault incidents. The supervisor will respond to all scenes which detectives are actively working.
3. In addition to their primary supervisory duties, the supervisor will perform such administrative tasks as the Assault Unit Commander deems necessary.
4. Supervisor's notebook: This will be maintained on all personnel assigned to the supervisor's team. This notebook will be available for periodic review by the Assault Unit Commander.
5. Supervisor's LRMS/ Premier One: Maintaining and tracking all assault cases received by the Records Unit. Ensuring that cases are assigned to a detective and approved in a timely manner.
6. Supervisor's Case Assignment Log: Each supervisor will maintain a Case Assignment Log. This provides a procedure for tracking cases assigned to team members, to ensure timely completion of supplementary reports and to show a record of cases assigned per person to aid in case assignment. Each supervisor will record the following:
 - A. A case assignment log sheet for each one of his team members
 - B. List only assigned cases
 - C. Case number, victim, type of case as indicated
 - D. Enter "Date Assigned" for each case

DUTIES AND RESPONSIBILITIES OF PERSONNEL:

(Continuation)

- E. Enter the date the completed supplementary report is received and reviewed by the team supervisor in the "Date Supplemented" column.
- F. It will be the supervisor's responsibility to maintain and condense log pages as necessary.
- 7. Supervisors are responsible for checking the Premier One Unassigned Assaults on a daily basis to ensure that all reported cases have been properly assigned.
- 8. Supervisors will be responsible for submitting statistical information for monthly reports to the Assault Unit Commander.
- 9. Supervisors will be required, unless excused by the Assault Unit Commander, to attend monthly assault unit meetings and be prepared to discuss current open and ongoing investigations.
- 10. Each supervisor will be required to actively work with the State Attorney's Office, Public Defender's Office as well as other concerned agencies and individuals in order to eliminate unnecessary court appearances for themselves and persons under their supervision. Every attempt should be made to schedule or reschedule court-related appearances during on-duty hours.
- 11. Supervisors should become cognizant of their detectives court-related appearances with the intended purpose of securing successful prosecutions. Contact should be made with the State Attorney's Office to receive feedback on detective's case preparation. If a prosecution is not successful due to an detective's work product, supervisors will be responsible for taking actions to eliminate further case preparation problems. This may take the form of closer supervision or additional training.
- 12. It will be the responsibility of the Assault Supervisor to coordinate training for all newly assigned Assault Detectives.

DUTIES AND RESPONSIBILITIES OF PERSONNEL:
(Continuation)

- III. The Assault Unit Detective is responsible for the overall coordination and follow-up investigations of assigned cases and other responsibilities in accordance with Federal, State and Local laws, Departmental Rules and Regulations, General Orders and Standard Operating Procedures.
- A. Police detectives assigned to the Assault Unit are responsible for, but not limited to, performing the following duties:
1. Responding to scenes of crimes when required and coordinating all aspects of a criminal investigation with all support units.
 2. Coordinating the creation of inner and outer perimeters for crime scene preservation according to CIS directives. Interviewing of witnesses, victims, etc.
 3. Interviewing of suspects for the intended purpose of securing sworn statements taken under proper legal circumstances.
 4. Coordinating the identification and collection of physical evidence.
 5. Properly documenting all investigatory efforts and actions taken. This will be accomplished with the use of the detective's notebook and by prescribed 301 Reports.
 6. Conduct neighborhood canvasses when appropriate.
 7. Prepare proper photo lineups and video lineups as appropriate.
 8. Become proficient in the area of interviewing suspects and witnesses.
 9. Become proficient in establishing probable cause for securing arrest and search warrants through the State Attorney's Office.
 10. Communicate the status and all updates of the case to the Assault Unit Commander and Supervisor. Communication of new information is imperative.

DUTIES AND RESPONSIBILITIES OF PERSONNEL:
(Continuation)

11. Become familiar with the capabilities and limitations of the polygraph.
 12. Coordinate with the Crime Analysts to ensure proper distribution of investigative fliers for Department wide distribution.
 13. Become familiar with telephone and US Mail traces.
 14. Coordinate BOLO information with the Communications Unit.
 15. Cultivation and use of informants.
-
16. Follow the prescribed format for recording information for the 301 boards. The detective will follow the proper format to ensure uniformity.
 17. Forward all media requests through the Public Information Office.
 18. Become familiar with the procedures of the following internal and external agencies:
 - A. Patrol Section
 - B. Crime Scene Investigations Unit
 - C. Special Victims Unit
 - D. Internal Affairs Division
 - E. Medical Examiner's Office
 - F. Rape Treatment Center
 - G. Miami-Dade Laboratory
 - H. Emergency Room at J.M.H.
 - I. State Attorney's Office
 - J. US Attorney's Office
 - K. F.B.I.
 - L. D.E.A.
 - M. Customs
 - N. Investigative Support Section

DUTIES AND RESPONSIBILITIES OF PERSONNEL:
(Continuation)

19. Become proficient in using Premier One Case Management to complete cases.
 20. Become familiar with the N.I.B.I.N. system.
- B. Assault Detectives shall make contact with all victims and witnesses in open investigations. This contact shall be made within the first thirty days of the investigation.
- IV. It is the responsibility of the Typist Clerk II to perform varied clerical work at the intermediate level, including the skilled use of the computer.
- A. Responsibilities of Typist Clerk II
1. Considerable knowledge of modern office methods and procedures.
 2. Considerable knowledge of business English, spelling and mathematics.
 - a. Type highly involved or intricate reports; type letters, forms and other material from copy, rough draft or dictating machine.
 - b. Compose and type routine correspondence, usually for signature of a supervisor.
 - c. Answer the telephone, assist the public in a courteous manner.
 - d. Maintain public request, case status and case assignment logs.
 - e. Any other assignments the Assault Unit Commander deems necessary.

City of Miami



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UNIT POLICIES

- I. All cases are assigned to the individual detectives by the Assault Supervisor. ~~Related reports, information, messages will be sent to the detective's queue/email.~~ It will be the responsibility of the detective to check daily or upon returning to work after excused absences for new content.
- II. Detectives are required to respond to and conduct on-scene investigations of any Felony Assault, Felony Battery, Stalking, and Hate Crime incidents.
- III. Assault Unit personnel will comply with the Departmental Orders, the Rules and Regulations that govern all members of the Miami Police Department.
- IV. Assault Unit personnel call numbers begin with a 3200 prefix (i.e. 3211) and will monitor Channel 1.
- V. It shall be incumbent upon each Assault Supervisor to conduct periodic checks to ensure that their assigned personnel comply with the above directives.

Lt. Weslyne Lewis
Commander
Assault Unit

1/15/20

Effective Date



City of Miami



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ASSAULT UNIT

STANDARD OPERATING PROCEDURES

SOP: 1

SUBJECT: Training for Newly Assigned Unit Personnel

PURPOSE: To outline duties and responsibilities for newly assigned detectives.

SCOPE: In an effort to acquaint detectives with their new work assignment, they will familiarize themselves with the type of cases handled by the unit.

Lt. Weslyne Lewis
Commander
Assault Unit

1/15/20

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STANDARD OPERATING PROCEDURES: S.O.P. 1
(Continuation)

- I. New detectives will be assigned to work with an experienced detective.
- II. New detectives will be required to attend Interview & Interrogation, Court Room Preparation, Basic Criminal Investigation and Advanced Report Writing training classes within a year of being in the unit. They will be given a training manual which must be completed within sixty days of being in the unit. The immediate supervisor will review the training manual to ensure accuracy.
- III. New detectives may be assigned a caseload, depending upon unit workload. If assignments are made, he/she shall be responsible for all required subsequent reports pertaining to those assigned cases.
- IV. In addition to investigating cases, the detective is expected to read and become familiar with unit SOPs, office filing system, and other unit procedures.
 - A. It is anticipated that within (2) two weeks of their transfer, the new detective shall have received instructions in the following areas:
 1. On–scene and follow–up investigation
 2. Supplementary reports preparation
 3. Case file preparation
 4. Preparation of constitutional rights forms
 5. Interrogation of offenders and interviewing of witnesses
 6. Record searches with other agencies
 7. Viewing of mug shot photos
 8. Line ups and video
 9. Use of composites
 10. Basic Criminal Investigation
 11. Advanced Report Writing
 12. Case filing with the State Attorney's Office and Warrant procedures
 13. Evidence handling
 14. Testifying in court
 - B. At the end of three months, the newly assigned detective should be capable of handling any type of investigation. If any questions arise, he/she shall ask and will receive assistance from a senior detective.

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STANDARD OPERATING PROCEDURES

S.O.P. 2

SUBJECT: Assault Unit Information and Reporting Systems

PURPOSE: To provide a system of disseminating information to both civilian and sworn personnel through the use of various processes.

SCOPE:

I. Assault Unit Email Distribution

- A. The email distribution shall be reviewed by each person at the beginning of his or her tour of duty.
- B. If a member is away from the unit for longer than seven days, it will be his or her immediate supervisor's responsibility to ensure that the person obtains the pertinent information upon his or her return.

Lt. Weslyne Lewis
Commander
Assault Unit

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STANDARD OPERATING PROCEDURES: S.O.P. 2
(Continuation)

- II. Report of investigation (301) Binder
 - A. The report of investigation (301's) binder is located in the Lieutenant's Office.
 - B. Reports of investigation that have been reviewed and signed by a supervisor will be placed in the designated binder and uploaded in Premier One.
 - C. It is the responsibility of every supervisor and detective to review all 301's daily.

 - III. Search and Arrest Warrants
 - A. All search and arrest warrants will be approved by the Assault Unit Commander prior to submitting to the State Attorney.

 - IV. Arrest Forms/ F.A.T.
 - A. All arrest forms will be reviewed by a supervisor to ensure they are thoroughly completed.
 - B. All FAT Packages will be reviewed and approved by a supervisor prior to submitting to the Felony Apprehension Team.
 - C. All arrest forms and warrants will be sent to the Assault Email Distribution List.
-

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ASSAULT UNIT

STANDARD OPERATING PROCEDURES

S.O.P. 3

SUBJECT: Investigative Procedures

PURPOSE: To establish guidelines for handling an investigation at both preliminary and follow-up stages.

SCOPE: This standard operating procedure is for the purpose of instructing Assault Unit Detectives of the proper procedures for conducting an investigation.

Lt. Weslyne Lewis
Commander
Assault Unit

1/15/20

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STANDARD OPERATING PROCEDURES S.O.P. 3
(Continuation)

1. Preliminary Investigation

Consistent with other responsibilities, the uniformed officer will conduct the preliminary investigation to a point where a lapse in the investigation will not hamper or jeopardize the outcome of the case nor prohibit the officer's return to service without undue delay. Unique circumstances may occur which require notification and an initial response from non-uniformed detectives. In such cases, the detective assumes responsibility for both the preliminary and follow-up investigation.

A. Preliminary Investigations

Preliminary investigations may include:

1. Observing all conditions and events surrounding the crime scene.
2. Locating and identifying witnesses.
3. Conducting an area canvas.
4. Maintaining the crime scene and protecting evidence.
5. Interviewing the complainant and witnesses.
6. Obtaining a suspect description and issuing a BOLO.
7. Interrogating the suspect.
8. Arranging for the collection and/or preservation of evidence.
9. Effecting the arrest of the criminal.
10. Checking on the status of the victim.
11. Reporting the incident fully and accurately via 301.

B. Follow-up investigations may include:

1. Reviewing and analyzing preliminary reports
2. Conducting interviews and interrogations.
3. Reviewing departmental records.
4. Seeking additional information from the complainant, uniformed officers, witnesses, neighbors and informants.
5. Reviewing results from laboratory examinations.
6. Arranging for dissemination of information, as appropriate.
7. Planning, organizing and conducting searches.
8. Preparing cases for court presentation
9. Assisting in prosecution.
10. Identifying and apprehending suspects.
11. Collecting physical evidence.
12. Determining involvement of suspects in other crimes.
13. Checking suspects criminal histories.
14. Soliciting assistance/information from other units and/or outside law enforcement agencies.

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ASSAULT UNIT

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S.O.P. 4

SUBJECT: Detective's Notebook

PURPOSE: To provide a procedure for the recording and use of the detective's notes. Accurate and complete notes taken by the detective are considered necessary for the completion of Reports of Investigation (301's), Supplemental Reports, notes for court presentation, and the overall evaluation of the activities generated in an investigation.

SCOPE:

- I. All Assault Unit detectives and Sergeants will maintain a complete and detailed notebook of daily activities in chronological order.
 - A. Notebooks will be maintained indefinitely by Assault Unit personnel to ensure its availability for review.
 - B. Notebooks will be used as a daily worksheet of all activities during each tour of duty.
 - C. Notebooks shall be subject to periodic inspection for the purpose of ensuring all requirements are being adhered to.

Lt. Weslyne Lewis
Commander
Assault Unit

1/15/20

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ASSAULT UNIT

STANDARD OPERATING PROCEDURES

S.O.P. 5

SUBJECT: Requests for Investigation and Calls for Assistance

PURPOSE: To outline the procedures to be followed when an Assault detective is requested to conduct an investigation or provide other assistance.

SCOPE:

- I. All requests for an Assault detective to conduct an investigation will be directed through the on-duty Assault Sergeant or his designee.
 - A. An Assault Sergeant or his designee will be responsible for assigning an Assault detective to the request.
 - B. Requests for information or notification of Assault when there is no response or investigation needed, can be handled by any Assault detective.
 - C. Any request for an Assault detective to make a decision for another officer that does not involve an assault investigation should be referred to the requesting officer's first line supervisor.
 - D. When an officer contacts an Assault detective via police radio, the detective shall obtain preliminary info on the TAC channel. The detective shall request a landline to exchange/receive information after being provided a brief synopsis of the incident. This is to reduce lengthy conversations that tie up the radio.

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ASSAULT UNIT

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S.O.P. 6

SUBJECT: **Crime Scene Preservation**

PURPOSE: To provide the Assault detective with a set of guidelines that addresses the responsibilities for crime scene preservation.

SCOPE: Assault detectives shall be responsible for crime scene preservation at any crime scene in which the Assault Unit will have investigative responsibility.

- I. Upon arrival at a crime scene, the Assault detective shall ensure that the scene is secured. Patrol Officers will be utilized to secure the crime scene with the black and yellow crime scene tape.
- II. On all assault crime scenes, an inner perimeter and an outer perimeter will be established.
 - A. The inner perimeter shall be the area where evidence of the crime is located.
 - B. The inner scene area will be accessible only to the investigating Assault Unit personnel, the assigned Crime Scene Investigators, and the Assault Unit Commander.

Lt. Weslyne Lewis
Commander
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STANDARD OPERATING PROCEDURES: S.O.P. 6
(Continuation)

- C. All other police, medical and support personnel will be confined to the outer perimeter.
 - D. The outer perimeter will keep the viewing public, media, and onlookers at a distance that is sufficient so as not to interfere with or impede the investigation.
-
- III. The Assault detective will be responsible to ensure that no unauthorized personnel enter the inner or outer perimeter.
 - IV. The Assault detective will be responsible to ensure that no evidence or suspected evidence is disturbed, moved or destroyed prior to being documented.
 - A. Do not touch or allow anyone to touch anything of suspected evidentiary value.
 - B. Do not place or allow anyone to place anything on the crime scene. (Cigarette butts, coffee cups or food wrappers).

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S.O.P. 7

SUBJECT: Reports of Investigation - 301's

PURPOSE: To provide a method for the reporting and documentation of the investigative effort.

SCOPE:

- I. Reports of Investigation (301's) are intended to:
 - A. Update the Section Commander, Supervisors and detectives with current information with ongoing investigations.
 - B. Provide a documented report on the progress of an investigation.
 - C. Provide necessary information to complete the Supplemental Report.
 - D. Document the final disposition of the case.

- II. When a detective responds to a scene or is assigned to conduct an investigation, a 301 will be completed. The 301 will be reviewed by the respective supervisor and sent through the Assault Unit Distribution List prior to the end of their tour of duty.

Lt. Weslyne Lewis
Commander
Assault Unit

11/15/20

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STANDARD OPERATING PROCEDURES: S.O.P. 7
(Continuation)

- III. A 301 Report will be completed on the following investigations:
 - A. Aggravated Assaults/ Batteries
 - B. School Threats
 - C. Arson and Bombings which involve injury.
 - D. Any other incident when the detective is instructed to document an investigation that was conducted.
 - E. Any instance where or information of interest or value to other cases is identified.
 - F. Hate Crimes

- IV. Reporting the Progress of an Investigation
 - A. A 301 will be completed that details the investigative steps taken on an incident that he/she responded to. The completed 301 will be reviewed (if possible) by the supervisor and submitted to the Assault Unit Commander before the end of the tour of duty.
 - B. If the 301 report is returned for corrections or for the inclusion of additional information, then the corrections will be immediately made to the report by the author.
 - C. The corrected 301 report will then be forwarded back to the reviewing supervisor and submitted to the Assault Unit Commander before going off duty.

- V. 301 Distribution
 - A. The original 301 is submitted to the Assault Unit Commander for review and emailed to the CID Assault E-mail Distribution. After being reviewed, it is returned to the detective to be placed in the case file.

STANDARD OPERATING PROCEDURES: S.O.P. 7
(Continuation)

- VI. 301 Report will be completed on the following investigations:
 - A. Arsons involving a person.
 - B. Any Aggravated Assault or Battery when the detective responds to the scene.
 - C. Any incident or information of interest or value to other details.
- VII. Reporting the Progress of an Investigation.
 - A. A 301 will be completed during each tour of duty that details any work done on a case. The completed 301 will be reviewed (if possible) by the supervisor and submitted to the Assault Unit Commander before the end of the tour.
- VIII. 301 Distribution
 - A. The original 301 is submitted to the Assault Unit Commander for review and emailed to the CID Assault and Homicide E-mail Distribution. After review by the unit and section commanders, it is returned to the detective to be placed in the case.

City of Miami



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STANDARD OPERATING PROCEDURES

S.O. P. 8

SUBJECT: Supplementary Reports and Report Format

PURPOSE: To provide a procedure for the recording of the investigative effort.

SCOPE: The completed Supplementary Report provides a summary of the investigation. All assigned cases require the preparation and submission of a Supplementary Report. The following guidelines will assist in the proper utilization of the supplement.

I. First Supplemental Reporting

The first supplement report for any investigation shall be completed within fourteen (14) days of the on-scene investigation.

II. Additional Supplemental Reporting

For any continuing investigation, additional supplement reports shall be completed no more than every thirty (30) days from date of the first supplement. Once an investigation is determined to be "**No Further Investigation**," "**No Further Information**" or "**Closed**" the final supplement shall be completed within fourteen (14) days. A Supervisor must approve all **NFI** cases.

Lt. Weslyne Lewis
Commander
Assault Unit

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STANDARD OPERATING PROCEDURES: S.O.P. 8
(Continuation)

- III. Supervisors are responsible for ensuring that a case file is maintained for each case assigned to his/her detectives and that cases are reviewed to determine their continued status, and supplemental reports are submitted according to the guidelines of this SOP.

- IV. All supplementary reports will be made according to the following format:
 - A. Supplemental Report Number
 - 1. First supplemental report, second supplemental report, etc.

 - B. Classification (Original Offense/Incident)
 - 1. Classification to remain the same
 - 2. Classification changed from _____ to _____

 - C. Status (What is the current status of the investigation effort)
 - 1. Case cleared by arrest of an offender
 - a. Attach A-Form to case folder, List name, DOB, address, phone number, charge and date of arrest. Note if there are other offenders
 - b. No further police action
 - 2. Case cleared by ECA
 - a. Meet ECA requirements
 - b. List name, DOB, address, phone number, height and weight
 - c. No further police action

STANDARD OPERATING PROCEDURES: S.O.P. 8
(Continuation)

3. Case filed as NFI
 - a. After a case has been assigned, all investigatory leads have been exhausted, and the investigation has reached a dead end.
 - b. Explain details in the narrative
4. Case open, investigation continuing or pending.
 - a. Explain details in the narrative
 - b. Further police action - Yes
5. Case open, investigation complete, warrant obtained or pending arrest of offender.
 - a. Further police action - Yes
6. Case closed or investigation complete.

NOTE: It is not necessary to indicate "Pending Court"

V. Unfounded Complaints

- A. Unfounded complaints are those which are determined to be false or baseless.
 1. Follow-up investigation has determined that the reported crime did not, in fact, occur.
- B. The following questions should be considered and reported in the narrative portion of the supplementary report when unbounding a report.
 1. Was there any visible evidence to indicate that a crime in fact occurred?
 2. Were there any additional witnesses to the reported crime?
 - a. If any of the above are answered "YES", it is not appropriate to unbound the report

STANDARD OPERATING PROCEDURES: S.O.P.8
(Continuation)

VI. Clearance by Arrest

- A. Clearance by arrest is determined when a person is arrested;
1. Charged with the commission of the offense.
 2. Case turned over to the SAO for prosecution.
 3. Arrest of a principal aider, abettor, or conspirator permits a clearance by arrest even if charged with a lesser offense.

VII. Exceptional Clearances

- A. In certain situations, law enforcement officials are not able to follow the three steps outlined above for a "Clearance by Arrest". Yet, they have done everything possible to clear the case. If all of the following questions can be answered "yes", then the offense may be listed as exceptionally cleared.
1. Has the investigation definitely established the identity of the offender?
 2. Is there enough information to support an arrest, charge and prosecution?
 3. Do you know the exact location of the offender so that you could take him into custody now?
 4. Is there some reason beyond law enforcement control that stops you from arresting, charging and prosecuting the offender?
 - a. The following are examples of some of the situations meeting the criteria of the above questions:
 1. Suicide of the offender (the person responsible is dead).
 2. Double (two persons kill each other).
 3. Dying declaration (the person responsible dies after making the confession).

STANDARD OPERATING PROCEDURES: S.O.P. 8
(Continuation)

4. Offender killed by law enforcement officers or citizen law enforcement.
5. Confession by offender already in custody or serving sentence. If a decision is made not to prosecute for the admitted offenses, then exceptional clearances will be taken. If prosecution was started, the clearances would be by arrest.
6. An offender prosecuted in another city for a different offense by State or local authorities or prosecuted for an offense which may be the same. (You attempt to return him for prosecution, but the other jurisdiction will not release the offender to you).
7. Extradition is denied.

VIII. No Further Information Status

- A. After a case has been assigned and all investigatory leads have been exhausted and the investigation has reached a dead end. All leads and the steps were taken to follow – up those leads and must be thoroughly detailed in the narrative of the Supplementary Report. All attempts must be noted and dated via case file.
- B. The following three criteria must be met when a case is closed with an NFI status:
 1. Physical contact made at the victim's address listed on the report. If the victim is not home a business card must be left.
 2. Phone contact attempts via the number listed on the report.
 3. A certified letter with return receipt will be sent to the victim.

City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

ASSAULT UNIT

STANDARD OPERATING PROCEDURES

S.O.P. 9

SUBJECT: Media Relations

PURPOSE: To provide a procedure for release of information to the media.

SCOPE: The nature of the Assault Unit's mission generates frequent contact with representatives of the media. It is the policy of the Miami Police Department that all contact with the media be coordinated through the Public Information Office.

- I. Precautionary measures should be taken to only release information that is not prohibited by law, that will not harm/embarrass innocent persons nor hamper the investigative effort.
 - A. All Assault personnel should be cautious of pretrial publicity of assault cases which could adversely impact a defendant's ability to receive a fair trial.
- II. Specific information which could only be known by the perpetrator should be kept confidential in order to aid subsequent interviews of suspects.

Lt. Weslyne Lewis
Commander
Assault Unit

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(Continuation)

- III. Specific information which shall not be released includes:
 - A. Any reference to informants including name and address.
 - B. Names and addresses of witnesses.
 - C. Specific information contained in any confession.
 - D. Name and address of juvenile suspects.
 - E. Name and address of victims of sexual assaults.

- IV. The press release should contain the following basic information:
 - A. How police were alerted.
 - B. Date, time, and location of incident.
 - C. Name, age, and sex of victim (unless victim was also sexually assaulted).
 - D. Offender's name, age and sex (unless offender is a juvenile).
 - E. Charges against offender.
 - F. Case number.
 - G. A brief description of the incident.

- V. After supervisory approval, the following distribution is made.
 - A. Copy to Assault Unit Commander.
 - B. Original to Public Information Office.
 - C. Copy to Case File.
 - D. Copy to C.I.S. Commanding Officer.
 - E. Copy to Patrol District Major.

STANDARD OPERATING PROCEDURES: S.O.P. 9
Continuation)

- VI. On major crime scenes, a representative of the Public Information Office will generally be present to establish liaison with the media and create a press release.
 - A. Refer to the on-call Public Information Office list after hours for call out.
- VII. Public Information Office

 - A. All requests from the media for interviews and media assistance should be routed through the Public Information Office. Members of the media appearing at the station should be instructed to report to the Public Information Office.
 - B. All requests for interviews which are granted by the Public Information Office will be coordinated through the Assault Unit Commander and an appointment will be set up. Interviews will not be set up to discuss the results of any open or pending assault investigation.
- VIII. No exceptions will be made to this policy without the Assault Unit Commander or higher authority granting approval.

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City Manager

STANDARD OPERATING PROCEDURES

S.O.P. 10

SUBJECT: Responsibility for Arrestees and Witnesses

PURPOSE: To establish a procedure for handling arrestees and witnesses within the Assault Office.

SCOPE:

- I. Assault personnel will assume primary responsibility of arrestees and witnesses within the Assault office.
 - A. Assistance should be requested from transporting officers when appropriate.
 - B. Uniformed officers will resume their responsibility for arrestees when they leave the office with a prisoner.
 - C. At no time will non-sworn employees of the Assault Unit assume responsibility for the custody of a prisoner.
 - D. Prisoners will not be left unattended or unmonitored in interview rooms or any other section of the office.
 - E. Discretion will be exercised when removing handcuffs of prisoners in the office. It is understood that in some cases the handcuffing of prisoners may interfere with establishing and maintaining rapport.
 - F. When an arrestee is interviewed, two detectives should be present.
 - G. Interviewing of juvenile arrestees will be conducted in compliance with Departmental Orders and applicable law. The juvenile log will be completed by the interviewing officer.

A handwritten signature in black ink, appearing to read "Weslyne Lewis", written over a horizontal line.

Lt. Weslyne Lewis
Commander
Assault Unit

A handwritten date "1/15/20" in black ink, written over a horizontal line.

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Continuation)

- II. When prisoners are taken on location; appropriate security precautions must be observed. The prisoner must be handcuffed. Exceptions due to age, physical disability, or injury must be approved by a supervisor or above.
- III. Arrestees who require immediate medical attention will be attended to without undue delay.
- IV. Witnesses, after giving statements, shall not be left in an interview room. Witnesses shall be asked to sit in the lobby area.
- V. Detectives are reminded that, if you relinquish the responsibility of transporting witnesses or offenders to another detective or patrol officer, ensure that the witnesses or offenders are introduced to the transporting officer. Supervisors will be notified of any arrangements that are made.
- VI. At the beginning of each tour of duty, the supervisor or designee will be responsible for the inspection of each of the Interview Rooms. Rooms should be checked for cleanliness, property or unauthorized personnel.
- VII. When not in use, the doors to the Interview Rooms are to be left open. The on-duty supervisor will periodically check for compliance.

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ASSAULT UNIT

STANDARD OPERATING PROCEDURES

S.O.P. 11

SUBJECT: Reassignment of Open Assaults

PURPOSE: To establish a procedure for reassignment of open Assault cases upon the transfer of the lead detective.

SCOPE:

- I. Prior to the transfer of any detective from the Assault Unit, the following shall occur.
 - A. There will be a meeting between the detective, his immediate supervisor and the Assault Unit Commander.
 - B. The meeting will be for the purpose of reviewing all the detective's "Open" assaults.
 - C. The "Open" Assaults will then be reassigned.
 - D. No detective shall be allowed to leave the unit until a first supplemental report has been completed documenting the investigative steps which have been completed up to that point on each open case.
 - E. It shall be the supervisor's responsibility to ensure that no detective accumulates open assault cases for which no supplemental report has been completed.

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ASSAULT UNIT

STANDARD OPERATING PROCEDURES

S.O.P. 12

SUBJECT: Minimum Staffing

PURPOSE: To provide guidelines on minimum level staffing.

SCOPE:

- I. There will be a minimum level staffing of two detective per shift.

- II. There will be no exceptions to this policy. If only one detective is scheduled to work and calls in sick or has an emergency, another person will be called in to work. This may necessitate "V" or "EO" days to be cancelled, to ensure that at least one detective is working at all times.

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ASSAULT UNIT

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S.O.P. 13

SUBJECT: Crime Scene Photograph Requests

PURPOSE: To outline procedures for photograph requests.

SCOPE:

- I. Standard Procedure of Assault crime scene photos are supplied by the Crime Scene Investigations Unit to the Assault Unit for case files without any request.
 - A. If additional prints or enlargements are needed for investigation purposes, a Request for Photographic Services Form will be made and submitted.
 - B. Requests should be made as soon as possible to avoid rush or emergency requests.
- II. Procedure for State Attorney and Public Defender requests.
 - A. All requests for photos will be made directly to the Crime Scene Investigations Unit.
- III. Public Requests.
 - A. All requests for photos will be made directly to the Crime Scene Investigations Unit. The Crime Scene Supervisor will obtain authorization for release from the Assault Unit Commander.

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S.O.P. 14

SUBJECT: Photographic Identification General Guidelines

PURPOSE: To establish a procedure for showing victim(s)/witness(es) Photographic Display(s) of suspects.

SCOPE:

- I. Whenever a victim(s)/witness(es) will be shown a Photographic Display for the purpose of seeking an identification of a suspect(s)/offender(s), the following procedures will be adhered to:
 - A. ***Use a Minimum of Six Photographs:*** All of the photos should depict similar looking suspects – size, hair, race, age, etc. Photographs for photographic identification may be obtained from the Identification records.
 - B. ***Block out or cover all Visible Notations:*** In particular, names, dates, and other information should not be visible to victim(s)/witness(es). The Photo Display Folder will usually block out this information. If it is necessary to block-out or cover a notation on one photograph, then similar block-out or covering marks should be placed on all photos so that all will appear alike.
 - C. ***Victim(s)/Witness(es) Admonition:*** Prior to showing the Photo Display Folder to a witness, the Photo Line-up Admonition, which appears below, must be read to the victim(s)/witness(es).

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STANDARD OPERATING PROCEDURES: S.O.P. 14
(Continuation)

PHOTOGRAPHIC SHOW-UP ADMONITION

“In a moment I am going to show you a group of photographs. This group of photographs may or may not contain a picture of the person who committed the crime now being investigated. Keep in mind that hairstyles, beards, and mustaches may be easily changed. Also, photographs may not always depict the true complexion of a person – it may be lighter or darker than shown in the photo. Pay no attention to any markings or numbers that may appear on the photos or any other differences in the type or style of the photographs. When you have looked at all the photos, tell me whether or not you see the person who committed the crime. Do not tell other victim(s)/witness(es) that you have or have not identified anyone.”

- D. ***Show the Photo Display Folder:*** Each victim(s)/witness(es) should view the folder separately and individually. Do not allow victim(s)/witness(es) to talk to one another during the photo line-up procedure. Victim(s)/Witness(es) must not be allowed to consult with one another about their identification either before, during or after the line-up procedure. Each witness making an identification should initial and date the back of the photograph he identifies.

- E. ***Victim(s)/Witness(es)' Comments:*** Comments by a victim(s)/witness(es) who is shown photographs in a Photo Display Folder should be recorded as part of a Formal Statement, if possible.

Victim(s)/Witness(es) should sign and date the back of any photographs selected and sign the Formal Statement. Victim(s)/Witness(es) should not be told that they have picked the “Right” or “Wrong” photo.

If a victim(s)/witness(es) cannot make an identification, he/she may then be asked:

“Do any of the persons shown in the photographs resemble the person you saw?”

If the victim(s)/witness(es) then selects a photo, he should be questioned about the reasons that particular photo resembles the suspect. These comments made by the victim(s)/witness(es) should be recorded and made a portion of the Supplementary Report. The victim(s)/witness(es) should initial and date the back of the photograph he selected.

- F. The Photo Display Folder containing all photographs and photo identification reports used in the photographic line-up shall be retained for presentation in any subsequent court proceeding.

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STANDARD OPERATING PROCEDURES

S.O.P

15

SUBJECT:

Hate Crimes

PURPOSE:

To provide instruction and guidance on the recognition, recording, reporting and investigation of hate crimes and hate incidents.

SCOPE:

I. The complete and proper reporting of any incident involving a hate crime is mandatory for our department crime victims, who have indicated they were assaulted because of their national origin or sexual preference. All original incident reports must include a type of offense(s) relating to the report that is being generated. Underneath the "offenses" tab, author must indicate in the "hate/bias" drop down box, the perceived hate crime motive.

A. A hate crime is a criminal act committed or attempted by any person or group of persons against a person or the property of another person or group, which in any way constitutes an expression of hatred toward the victim because of his/her personal characteristics. Personal characteristics include but not limited to:

1. race/color
2. gender/gender identity
3. religion
4. ethnicity/ancestry/national origin
5. sexual orientation
6. advanced age
7. mental/physical disability
8. homeless status

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STANDARD OPERATING PROCEDURES: S.O.P. 15

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- II. All hate crime reports will be reviewed by personnel in the Assault Unit. All primary crimes, i.e. robbery, burglary, vandalism, will continue to be investigated by investigators in the Criminal Investigation Section.
 - A. Assault Unit supervisors will review the "Weekly Biased Report" to identify any new reports.
 - B. All open cases for investigation will be assigned to an investigator by an Assaults Unit Supervisor or Commander.
 - C. All hate crime investigations will be documented on a 301 report and forwarded through the chain of command.
 - D. If a review of the assigned case indicates that the crime committed didn't meet the hate crime bias, the investigator will complete a supplemental report in Premier One. Underneath the "offenses" tab, author must indicate in the "hate/bias" drop down box "None (No Bias)". Report will be forwarded to an Assaults supervisor for review and approval.
 - E. All cases where a hate crime bias has been identified requires a completion of a "Hate Crime Reporting Form" by the lead investigator. The form shall be forwarded to the department's Hate Crime Reporting designee.
 - F. The lead investigator will also contact the State Attorney's Office to assist in seeking the appropriate enhancement for the original criminal act.
- III. The motivation behind the act is the key element in determining whether an incident is hate related.
 - A. The mention of a prejudicial remark does not necessarily make a criminal incident hate motivated any more than the absence of such a remark makes the criminal incident a non-hate crime.
 - 1. Investigators must rely on their investigative skills as well as probable cause to assist them in determining whether a specific incident constitutes a hate motivated crime.

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(Continuation)

2. Statements of victims or witnesses, as well as physical evidence, may be used to make this determination.
- B. Evidence of prejudice while committing an offense; enhance penalties under Florida Statutes 775.085
- C. The penalty for any felony or misdemeanor shall be reclassified as provided in this subsection if the commission of such felony or misdemeanor evidences prejudice based on the race, color, ancestry, ethnicity, religion, sexual orientation, national origin, homeless status, or advanced age of the victim:
1. A misdemeanor of the second degree is reclassified to a misdemeanor of the first degree.
 2. A misdemeanor of the first degree is reclassified to a felony of the third degree.
 3. A felony of the third degree is reclassified to a felony of the second degree.
 4. A felony of the second degree is reclassified to a felony of the first degree.
 5. A felony of the first degree is reclassified to a life felony.
- D. All reports of hate crimes will be reported to the Unit Commander for the primary crime.
1. The Violent Crime Intervention Administrator will assign a Victim Advocate to assist in providing additional intervention that maybe necessary or requested by the victim.
 2. The NET Area Commander will be briefed on the incident in order to assist with any other additional intervention.