

302.2 INTERVIEWS OF INDIVIDUALS WITH DEVELOPMENTAL DISORDERS

- I. **PURPOSE:** The purpose of this policy is to establish guidelines for interviewing victims, suspects or defendants diagnosed with autism or an autism spectrum disorder in compliance with Florida State Statute 943.0439 or individuals with other developmental disorders.
- II. **SCOPE:** Sworn Officers
- III. **DEFINITIONS:**
 - A. **Autism:** A pervasive, neurologically based developmental disability of extended duration which causes severe learning, communication and behavior disorders with age of onset during infancy or childhood. Individuals with autism exhibit impairment in reciprocal social interaction, impairment in verbal and nonverbal communication and imaginative ability, and a markedly restricted repertoire of activities and interests [F.S.S. 393.063(5)]
 - B. **Autism Spectrum Disorder:** a developmental disability that can cause significant social, communications, and behavioral challenges. The most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association defines Autism Spectrum Disorder as any of the following disorders:
 1. Autistic disorder
 2. Asperger's Syndrome; and Pervasive Development Disorder not otherwise specified [F.S.S. §627.6686(2) (b) and F.S.S. 641.310978(2)]
 - C. **Developmental Disability:** a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, Down syndrome, Phelan-McDermid syndrome, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely [F.S.S. 393.063(12)].
 - D. **Designated Professional-** a psychiatrist, psychologist, mental health counselor, special education instructor, clinical social worker, or related professional. The professional must have experience treating, teaching, or assisting patients or clients who have been diagnosed with autism or an autism spectrum disorder or related developmental disability or must be certified in special education with a concentration focused on persons with autism or an autism spectrum disorder [F.S.S. 943.0439].
- IV. **DISCUSSION:** The Center for Disease Control states that people with autism spectrum disorder may communicate, interact, behave, and learn in ways that are different from most other people. The range of abilities of individuals with autism spectrum disorder, behavioral and/or mental disorders can span from gifted to severely challenged. The Tampa Police Department interacts with a variety of individuals. Having a better understanding of persons with developmental disorders and how to interact with them improves the department's effectiveness and relationship

with the community. There are also requirements and limitations on certain interviews with these individuals.

V. PROCEDURE:

- A. Officers should be aware of and watch for signs of developmental disabilities in subjects they interact with. Officers should be aware of how the potential disabilities could affect their interaction and act in accordance with training guidelines.
- B. If an officer encounters a person with a developmental disability that they believe is the victim of an abuse case arising from F.S.S. 800.02, 800.03 or 825.102, they will follow the same procedures as they would for a victim of child or sexual abuse as outlined in SOP 313.7.
- C. If an officer is attempting to interview a victim, suspect or defendant who has been diagnosed with autism or an autism spectrum disorder and they or their parent or guardian requests the presence of a designated professional, officers shall:
 - 1. Notify their immediate supervisor.
 - 2. If a specific designated professional is requested, the officer will make a good faith effort to accommodate the request and have the specific designated professional present during any interviews.
 - 3. If no particular designated professional is requested or if the requestor finds it acceptable, officers may utilize the following service, which is cost-free for victims:

The Children's Advocacy Center
Mary Lee's House
2806 N. Armenia Avenue
Tampa, Florida 33607
(813) 272-KIDS (5437) or
(813) 307-3358 (intake)
8:00am-5:00pm
Monday-Friday

- 4. If there is an urgent need to conduct an immediate interview and a designated professional is not available after a good faith effort has been made, an interview may be conducted. Officers will fully document their efforts to attempt making a designated professional available.
- 5. If there is not an urgent need to conduct an interview, officers will complete as much of the investigation as possible and the report will be referred to the applicable Division based on the nature of the offense for assignment to a Detective.

- D. Once a Detective has been assigned, they will make every reasonable effort to facilitate having a designated professional present during any interviews.
- E. Costs, if any, related to the attendance of the designated professional will be the responsibility of the requesting parent, guardian or individual. Victims may be reimbursed by the defendant upon conviction if designated by the Courts. There is no charge for the use of The Children's Advocacy Center for victims.

VI. TRAINING:

- A. All sworn personnel, and other affected agency members, to include Communications Personnel and Community Service Officers, of the Tampa Police Department will complete training regarding the requirements of interviewing victims, suspects and defendants who are diagnosed with autism and autism spectrum disorder.
- B. Training materials and records will be maintained by the Training Unit.

Supersedes SOP 302.2, dated 4/19