

402.1 SPECIFIC AFFIDAVIT SITUATIONS:

I. Tampa Police Department Cases:

A. Felony probable cause arrest (including felony traffic):

1. An electronic criminal report affidavit will be completed in its entirety in accordance with SOP 402 Electronic Criminal Report Affidavit (E-CRA).
2. The arresting officer shall mark PC- probable cause arrest, in the type of arrest area.
3. In the “Probable Cause” area, state facts to establish probable cause that a crime was committed. Also, state facts to establish probable cause that the defendant committed the crime.

The E-CRA will be submitted electronically to Central Booking once approved.

B. Placing a felony pick-up on probable cause:

1. An electronic criminal report affidavit will be completed in accordance with SOP 402.
2. The E-CRA will automatically advance to the PC Pick-Up Dashboard queue. When a Probable Cause Pick-up E-CRA is generated, signed by the Affiant and the Supervisor, it will stay in the Probable Cause Pick-up queue until the E-CRA is converted to a PC Arrest, a Direct File, Juvenile Pickup Order, or Warrant Request. The originating officer will notify the Pick-Up desk so they can enter the information in the Versadex RMS Warrants Module. Officers making arrests based on PC pick-ups will access the E-CRA in the PC Pickup Queue within the E-CRA Web Portal and convert the PC pick-up to a PC Arrest E-CRA. The E-CRA will be completed in its entirety and digitally signed by the arresting officer and supervisor. The arresting officer will notify the Pick-Up Desk to cancel the local pick-up in the Versadex RMS Warrants Module.

C. Arrest for Tampa Police Department cases, outstanding warrant(s), or capias:

1. Communications will make known to the arresting officer the charge and the warrant or capias number. The communications dispatcher will also verify the warrant(s) or capias to be valid. This information shall be communicated to the arresting officer for purposes of documenting this verification on the electronic criminal report affidavit e.g., “Valid and verified by Operator #4”. Copies of the hit(s), (FCIC-NCIC) are not required to accompany the criminal report affidavit but recommended when feasible. The Communications Bureau will not verify any hit unless the officer has the subject in custody. Any MDT hits must be verified over the radio frequency.

2. The officer shall mark Warrant-arrest in the type of arrest area.
3. The officer shall use the same charges on the Criminal Report Affidavit as indicated on the warrant(s) or capias.
4. In the “Probable Cause Statement” area, the officer shall indicate that the arrest was based on the authority of a warrant(s) or capias, the charge(s), the warrant or capias number, and state through which agency the warrant or capias was issued. Any additional probable cause, if any, that he/she may have developed as a result of the arrest; e.g., how the defendant was identified, shall be indicated.

D. Misdemeanor Assault or Battery Cases:

1. An electronic criminal report affidavit and a general offense report will be completed in accordance with SOP 402.
2. FIBRS reporting guidelines require the collection of victim information found in the incident report.

E. Criminal Traffic Cases:

1. When a custodial arrest has been affected for a criminal traffic offense, both a uniform traffic citation and a criminal report affidavit shall be completed.
2. When an operator is charged with Driving Under the Influence (DUI), the State Uniform DUI Traffic Citation shall be completed. The court copies must be attached to the E-CRA. The other copies should be filed according to SOP 349.1 (Florida DUI Administrative Suspension Law).

F. Direct File Cases:

1. Misdemeanors, felonies, and criminal traffic cases may be direct filed by any sworn member of this agency. An offense report and electronic criminal report affidavit must be originated and referred in accordance with SOP 402 and Legal Bulletin # 20-19.

II. Non-Tampa Police Department Cases:

A. In state cases, assist other jurisdiction:

1. Upon receiving a wanted notice on a subject from another jurisdiction in the State of Florida, the arresting officer will be given the warrant or capias number(s) and specific charges by the communications dispatcher. The Communications Bureau will indicate all verification of the warrant(s) or capias.

The officer will indicate on the electronic criminal report affidavit, that the warrant or capias hit has been verified and is valid. This is accomplished by documenting the operator number of the communications dispatcher, e.g., “valid and verified by Operator #4.” While it is not necessary to attach the copy of the hits (NCIC-FCIC) to the criminal report affidavit, it is recommended when feasible.

2. The arresting officer shall complete an electronic criminal report affidavit. Multiple outstanding warrants or capias on a defendant shall be placed on one affidavit. All warrants or capias numbers and charges appropriate to each shall be listed, along with the wanting agency for each.
3. The officer shall mark the Warrant-Arrest block in the arrest section.
4. The charge from the hit, and the charge statute number shall be placed in the section marked “Charge(s).”
5. In the “Probable Cause Statement” area, the officer shall indicate that the arrest was based on the authority of outstanding warrant(s) or capias, the warrant or capias number, and the charge(s).

B. Military Desertion or Absence Without Leave (AWOL) of Personnel of the Armed Forces:

1. If a wanted notice is received from NCIC or a military flyer on a subject, the hit shall be verified. Officers shall obtain the approval from their supervisor to verify by telephone the hit by calling a representative of the Armed Forces (refer to SOP 307.6 on Arrest Procedures).

If the hit is not confirmed as being active by one of the military service representatives above, take no further action.

If the hit is active, record the name and rank of the person who advised of the confirmation along with the headquarters he/she represents, and take the subject in custody for Military Desertion or Absence Without Leave (AWOL). Refer to SOP 307.6 – Military Deserters and Absence Without Leave.

After the NCIC or military flyer hit has been confirmed, the arresting officer will need two copies.

2. An electronic criminal report affidavit shall be completed.
3. The type of arrest is marked as Warrant.
4. The charge will be recorded as 00.00 Military Desertion-Federal on the E-CRA.

5. In the “Probable Cause Statement” area the officer shall indicate that the subject was apprehended on a hit from NCIC “hit” or military flyer, what branch of service issued the hit and who verified the hit. If the copy of the “hit” or flyer is available, attach it to the affidavit.

Supersedes SOP 402.1, dated 12/20