

## **402     ELECTRONIC CRIMINAL REPORT AFFIDAVIT (E-CRA):**

- I.     Purpose: The purpose of this Standard Operating Procedure is to establish guidelines for the completion of Electronic Criminal Report Affidavits through the E-CRA system.
  
- II.    Discussion: The electronic criminal report affidavit (E-CRA) will be used to charge both adults and juveniles with criminal offenses, City of Tampa ordinance violations punishable by incarceration, and offense violations that are handled through diversion programs. The form will also be used to document juvenile dependency cases, as well as for releasing persons on their own recognizance through a Notice to Appear. The E-CRA system is managed and maintained by the Hillsborough County Sheriff's Office. The Police Records Coordinator and Communications Supervisors have the ability to maintain the Tampa Police Department's users, but not make system changes. The system should be intuitive to officers and requires all relevant fields to be filled out appropriately.
  
- III.   Procedures:
  - A.     Officers will begin an E-CRA by selecting the CRA Type of PC which may be "Arrest", "Request", or "Other".
  
  - B.     If "Arrest", officers will select from the following - Notice to Appear, PC Arrest, PC VOP/VOCC, Warrant arrest or Add On of one of the aforementioned types.
  
  - C.     If the E-CRA is a request, the arrest section will be left blank and one of the "Request" types will be selected - Juvenile Warrant Request, SAO Direct File Request or Warrant Request.
  
  - D.     If one of those apply, the "Other" section will be filled out - PC-Child Taken into Protective Custody-Non-Criminal, Probable Cause Pick-Up, Adult Pre-Arrest Diversion Program – APAD, or Juvenile Arrest Avoidance Program – JAAP.
  
  - E.     Once the CRA type is saved, officers will fill out the offense level, offense details, arrest details, and probable cause under the "Arrest Information" section of the E-CRA.
    - 1.     "Offense Level" select – Felony, Misdemeanor, Traffic, Tampa Ordinance, Juvenile Delinquency, or Civil Writs. A report number is also required.
  
    - 2.     "Offense Details" provide – date, time, and address of offense.
  
    - 3.     "Arrest Details" provide – date, time, and address of arrest.
  
    - 4.     "Probable Cause" – provide sufficient facts to establish all of the elements for probable cause for each charge. The "PC template" drop down

selection allows officers to select for “Warrant Service Fugitive” or “Local/Capias Warrant Template” which is further explained in Legal Bulletins # 2018-10 and # 2016-21.

- F. Officers will then proceed to the “Defendant” section and fill out the defendant’s identifying information as well as demographics, employment if applicable and physical descriptions. Under “Co-defendant information”, officers can click the “Add” button to input all of the required information to charge a co-defendant(s).
- G. After the defendant information is saved, the system will take officers to the “Charge” section to list all offenses/statutes/ordinances that apply to the defendant by selecting “Add Charge”. Charges can be located by statute number or a description of the charge.
- H. Next, any victim and/or witness information will be filled out in the “Victim/Witness” section. Officers should select the box to indicate whether the victim information is to be kept confidential in accordance with Marsy’s Law.
- I. If the affidavit is for a Notice to Appear (NTA) the officer will fill out the court information in the “Notice to Appear” section. Misdemeanor and ordinance NTA calendar dates and locations are not the same unless an ordinance is charged in the same CRA as a misdemeanor. The E-CRA system may auto-populate the court date for the NTA based on whether the offense level selected previously entered was a “misdemeanor” or “Tampa ordinance” offense. Misdemeanors are scheduled depending on the last name of the defendant and officers will select “View NTA Court Dates”, if necessary, to populate the NTA date and location. Officers will select “Tampa Ordinance Court” button to populate the date and location for ordinance NTA. Manual entry may be required and officers should follow the appropriate calendar schedule. NTA calendars are posted on TPDNet and with communications. See Legal Bulletin # 2022-18 for more information on municipal ordinance NTA calendar.
- J. If the affidavit is for direct filing purposes, officers will originate the police report and refer the case to the appropriate investigative squad after supervisory approval. The assigned latent investigator shall refer the case to the State Attorney’s Office (SAO) by attaching the E-CRA for direct file consideration using the designated e-mail: [mailprocessingstaff@SAO13th.com](mailto:mailprocessingstaff@SAO13th.com). In the subject line of a direct file e-mail it should state “DIRECT FILE”. A hard copy is no longer required to be sent to the SAO. See Legal Bulletin # 2020-19.
- K. The final section is the “Affiant” section where the officer will electronically sign the affidavit and click “Finish” to send it to his/her supervisor for approval. If any errors are found by the system, the officer will be required to correct them prior to sending for approval.

- L. Officers shall not list themselves as a witness/complainant if they are the affiant on the CRA.
- M. Officers should be mindful of Marsy's Law and other necessary protections for the identity of victims when completing an E-CRA. The probable cause portion of the E-CRA will be public through the Clerk's office once it is completed and submitted. Once completed, the details provided under "Victim/Witness " section will be visible to law enforcement and the SAO, but will not be seen through the Clerk's public website. However, in order to ensure the information remains confidential, officers should select "yes" under the box labeled "Marsy's Law". FSS 119 is the law covering public records. If victim/witness information should be kept confidential because of Marsy's Law or other statutory exemptions for crime victims or witnesses, officers should indicate this by selecting "yes". Therefore, when confidentiality is necessary, victims and certain witnesses (i.e.: homicide witnesses) identification information must only be provided in the Victim/Witness Information section by the E-CRA. The probable cause factual summary shall refer to them as "victim" or "witness" followed by an assigned number if multiple victims or witnesses are referenced in the probable cause portion of the E-CRA (i.e.: victim 1, witness 1).
- N. If there is damage to City property due to the defendant's actions, officers should list the City as a victim listing the name and address as: City of Tampa Risk Management, Attn: Risk Manager, 806 E. Jackson St., Floor 3E, Tampa, FL 33602. (*See* Legal Bulletin # 2015-14).
- O. The E-CRA portal also allows officers to access the E-Citation portal to charge civil citations for specified state statutory violations. Presently officers can use the E-Citation portal for underage smoking/vaping and carrying concealed firearm without identification. For more information on using the E-Citation portal see Legal Bulletin # 2023-15.

For further information, refer to **SOP 307.2** - Arrest Procedures; **SOP 402.1** - Specific Affidavit Situations; **SOP 313.4** - Juvenile Arrest Avoidance Program (JAAP); and **SOP 341** - Adult Pre-Arrest Diversion Program (APAD).

Supersedes SOP 402, dated 12/20.