



SOUTH MIAMI POLICE DEPARTMENT

GENERAL ORDER NUMBER: 19-4	DATE OF ISSUE: July 1, 2016	EFFECTIVE DATE: July 1, 2016	NUMBER OF PAGES: 3
CFA STANDARD: 15-18 SUBJECT: <i>Interviews of Victims, Suspects, and Defendants with Autism</i>	NEW (XX) RESCINDS () AMENDS () OTHER ()	By Order Of:  Rene Landa, CHIEF OF POLICE	

**CFA STANDARDS:
SECTIONS:**

- 19.4.1 Requesting a Professional**
- 19.4.2 Training**

PURPOSE: Officers shall be mindful of the special needs of individuals with developmental disabilities and ensure their rights guaranteed by Florida Statute and the United States Constitution are protected. Officers shall assess the needs of victims, suspects and defendants with developmental disabilities and make appropriate accommodations when necessary to insure fair justice. Communications, behaviors, intent, and ability levels of individuals with autism or autism spectrum disorder vary greatly. In some cases, the individual may have difficulties with social interaction and communication skills.

SCOPE: This General Order applies to all departmental personnel.

POLICY: It shall be the policy of the South Miami Police Department, that upon the request of a victim, suspect, or defendant diagnosed with autism or an autism spectrum disorder (or their parent or legal guardian), make a good faith effort to ensure that a psychiatrist, psychologist, mental health counselor, special education instructor, clinical social worker, or related professional (hereinafter referred to as “a Professional) is present at all interviews with the person.

DEFINITIONS:

Autism – a pervasive, neurologically based developmental disability of extended duration which causes serve 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. Fla. Stat. §393.063(3).

Autism Spectrum Disorder - is any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders if the American Psychiatric Association:

1. Autistic disorder;
2. Asperger's syndrome; and
3. Pervasive developmental disorder not otherwise specified. Fla. Stat. §627.6686(2)(b) and Fla. Stat. §641.31098(2).

Developmental Disability – a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, or Prader-Willie syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely. Fla. Stat. §393.063(9).

Professional – is defined as 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. Fla. Stat. §943.043

Procedure

A. Procedures for Requesting a Professional:

When a victim, suspect or defendant, diagnosed with autism or an autism spectrum disorder, or his or her parent or guardian, request a professional to be present during interviews, the interviewing officer or other individual designated by the interviewing officer, shall take the following steps:

1. Advise the individual making the request for a professional to be present, that all expenses related to the attendance of the professional shall be borne by the requesting individual. If the individual making the request for a professional is a victim, upon conviction of the offense in which the individual is a victim, the defendant shall reimburse the victim for all expenses related to the attendance of the professional at the interview as part of restitution.
2. Ask the individual making the request for a professional, if they have a particular professional he or she would like to request or knows of a professional who may be requested. If so, obtain the professional's contact information and contact the professional for assistance. The individual making the request for a professional, may contact the professional directly if that is his or her preference.

3. If the individual making the request, does not have or know of a particular professional to contact, the interviewing officer or designee may contact agencies/organizations for assistance and guidance in obtaining a professional. Those include but are not limited to:
 - a. Florida Autism Center, 850-391-6060
 - b. Center for Autism & Related Disabilities, 1-800-9-AUTISM
 - c. FSU Autism Institute, 850-644-3644
 - d. The University (FSU) Counseling Center, 850-644-8255 (advance notice & normal business hours)
 - e. Other organization, medical facility or private counseling center
4. The interviewing officer or designee shall document all attempts to obtain a professional for the interview.
5. If after all known sources for a professional have been exhausted and a good faith effort has been made to locate a professional and all attempts were unsuccessful, the interviewing officer may begin the interview without a professional present.
6. Officers should be aware that a professional may not be available on weekends and/or after normal business hours and in order to have a professional present during all interviews, advance arrangements may need to be made. The determination to delay an interview should be on a case by case basis and at the officers or supervisors discretion.

B. Training

All sworn members shall receive initial training and periodic refresher training on Autism Awareness and the Department's policies and procedures for Interviews of Victims, Suspects, and Defendants with Autism or Autism Spectrum Disorder.