

# Crimes Involving Property and Society

**Chapter 8** explores the critical aspects of property crimes and crimes against society that law enforcement officers encounter regularly. This comprehensive guide covers theft, burglary, white-collar crimes, and offenses that impact community safety and order.





## Course Structure

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### Unit 1: Property Crimes

Theft, criminal mischief, trespassing, burglary, white-collar crimes, and animal cruelty

2

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### Unit 2: Crimes Against Society

Loitering, prowling, disorderly behavior, illicit drugs, and vice crimes





## Unit 1: Property Crimes

# Property Crimes

Property crimes are offenses committed to interfere with or obtain money, property, or benefits from a victim. The primary result is depriving someone of the use or enjoyment of their property, while secondary results can involve physical or mental harm to the victim.





# Lesson 1: Theft

## Lesson Goal

At the end of this lesson, you will know how to respond to an incident involving petit or grand theft and incidents involving a stolen vehicle or property.

## Scenario

Lynda was sitting on a bench at the bus stop. She placed her purse on the seat next to her and got distracted by some loud teenagers across the street. Eric walked behind the bench she was sitting on and lifted her purse off the bench and ran away. What crime did Eric commit?



# Understanding Theft

## Legal Definition

Chapter 812, F.S., outlines the elements of theft. **Theft** occurs when a person knowingly obtains or uses, or tries to obtain or to use, the property of another with intent to deprive the victim of their rights to that property.

### Element 1

Knowingly obtains or uses, or tries to obtain or use, the property of another

### Element 2

Commits such actions with intent to temporarily or permanently deprive the victim

### Element 3

Takes the property for their own use or to the use of anyone not entitled to it



# Theft vs. Robbery vs. Burglary

## Robbery

### *Crime against a person*

Involves taking directly from another individual with force or fear

## Theft

### *Property crime*

Lacks direct person-to-person element; victim may not be present

## Burglary

### *Property crime*

Unlawful entry with intent to commit a crime inside



Be careful not to confuse these distinct offenses when documenting incidents and making arrests.



# What Constitutes Property?

Property can be anything of value and includes real property, tangible or intangible personal property, and services. Understanding what qualifies as property is essential for proper theft classification.



## Repairs & Improvements

Physical labor or skill applied to property, including professional services



## Transportation & Utilities

Private, public, or government communication, transportation, power, water, or sanitation services



## Lodging & Entertainment

Accommodations and admissions to places of exhibition or entertainment



# Petit Theft vs. Grand Theft

## ***Petit Theft***

**Value: \$100 to \$750**

First-degree misdemeanor. If the person has two or more prior theft convictions, it becomes a third-degree felony.

Theft of property valued at less than \$100, or if value cannot be established, is a second-degree misdemeanor.

## ***Grand Theft***

**Value: \$750 or more**

Can be a first, second, or third-degree felony. Also includes theft of items specified by statute regardless of value, or theft of \$40 or more from a dwelling or enclosed land surrounding a dwelling.

- ❑ Florida law reclassifies theft to a higher degree if the victim is a person 65 or older.





# Victim Information in Theft Cases

Even though the victim may not be present at the time of the incident, they can provide crucial information helpful to the investigation.



## Property Description

Detailed description of stolen property, including unique characteristics or serial numbers



## Timeline & Location

Last time and place they saw the property



## Value Assessment

The value of the item for proper classification of the offense



## Discovery & Witnesses

Who discovered the item was missing and if there were any witnesses

# Obtaining Food or Lodging with Intent to Defraud

Chapter 509, F.S., outlines the elements of theft of obtaining food, lodging, or other accommodations with the intent to defraud. This occurs when a person orders and eats a meal in a restaurant or occupies a room in a public lodging establishment, and then refuses to pay.

When a business operator and an officer follow the terms of this statute, the court cannot hold either criminally or civilly liable for false arrest, false imprisonment, or unlawful detention.





# Responding to a Theft



## Initial Contact

Contact the complainant, store manager, or loss prevention officer upon arrival. Obtain verbal statement to determine if a crime has been committed.



## Evidence Collection

Ask if there is video of the incident. Identify witnesses and review surveillance videos. Determine if suspect is still on scene.



## Suspect Statement

If suspect is on scene and crime committed, obtain suspect statement before arrest. Follow principles of procedural justice.



## Documentation

Photograph items before returning stolen property. Obtain receipt or itemized list to document value.



# Notification and Backup Procedures

## When to Notify Supervisor

- Making an arrest
- Need more resources (crime scene unit, EMS)
- Suspect becomes belligerent or violent
- Multiple suspects related to theft rings

## Backup Officer Duties

- Assist with recovering evidence
- Photograph evidence
- Obtain itemized list of stolen property

If detective responds, brief them on the incident. Contact dispatch to initiate a BOLO if suspect flees the scene.





# Retail Theft

A business can be a victim of theft through various methods. You can arrest someone for retail theft without a warrant even when the offense is not committed in your presence.



## Shoplifting

Taking merchandise with intent to deprive merchant



## Price Alteration

Altering or removing labels or price tags



## Container Transfer

Transferring merchandise from one container to another



## Cart Removal

Removing shopping cart from premises

# Business Theft Methods



## Embezzlement

Internal theft by employees



## Smash-and-Grab

Quick attacks on display cases



## Quick-Change Artists

Confusing cashiers during transactions



## Skimming

Theft from cash registers or petty cash



## Hijacking

Theft of delivery trucks or cargo



## Site Materials

Theft of agriculture, services, or construction materials



It is a felony to possess, use, or attempt to use an anti-shoplifting or inventory control device countermeasure to defeat security scanners.





# Responding to Motor Vehicle Theft

Motor vehicle theft requires systematic investigation to determine if the vehicle was actually stolen or if there are other explanations for its absence.

1

## Initial Interview

Ask victim to describe vehicle, show where they parked, and confirm they have their car key. Determine if family member may have a key or taken the vehicle.

2

## Scene Examination

Look for broken glass where car was parked or drag marks indicating towing. Call dispatch to check if vehicle was towed for repossession.

3

## Video Review

If parked outside a business and not listed in tow log, request to view exterior surveillance videos.

4

## Confirmation

If you conclude vehicle was stolen, determine proper ownership and query DAVID to obtain vehicle information.



# Motor Vehicle Theft: Next Steps

## Immediate Actions

- Activate any tracking devices the vehicle may have
- Contact dispatch to initiate a BOLO
- Provide license plate number
- Give description including dents or special identifiers
- Provide VIN for entry into FCIC/NCIC

## Special Considerations

**Exercise caution** in cases where complainant and suspect both claim ownership (domestic disputes, separated/divorced people).

A person may borrow a friend's vehicle and not return it. These may be **civil matters**.

Follow your agency's policies and procedures for these situations.





# Recovering a Stolen Vehicle

There are times when you investigate a suspicious vehicle. Recognizing signs of a stolen vehicle is crucial for recovery and investigation.

## Window Damage

Broken side and vent windows

## License Plate

Poorly attached license plate

## Lock Damage

Scratched door locks or punched-out hole below lock

## Ignition Damage

Punched-out ignition or damaged steering column





# Vehicle Recovery Procedures

If you recover a stolen vehicle, follow these critical steps to ensure proper documentation and notification.

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## Notify Dispatch

Report recovery to FCIC/NCIC and vehicle owner

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## Verify Vehicle

Check VIN, license plate number, engine number, hidden number, component part numbers, or other identifying characteristics

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## Locate VIN

VIN plate on most vehicles is on driver's side dashboard (seen through windshield) or on driver's side doorjamb





# Dealing in Stolen Property

Dealing in stolen property occurs when a person sells, transfers, distributes, or otherwise disposes of stolen property knowing or having reason to know that the property is in fact stolen. This is a first- or second-degree felony.

## Common Dealing or Trafficked Stolen Property

- Metals
- Electronics
- Jewelry
- Firearms

## Key Indicator

If the sale price for property is **substantially below fair market value**, the property may be stolen.



# Responding to Stolen Property Incidents

When responding to dealing or trafficking in stolen property, document that the suspect trafficked in or tried to traffic in property that the suspect knew or should have known was stolen.

1

## Victim Locates Property

If victim locates stolen property in pawnshop, put hold on item or seize it as evidence

2

## Gather Information

Get information on suspect from store personnel. People dealing in stolen property sometimes use false names. Pawnshops require thumbprint on transaction sheet—collect as evidence.

3

## Video Evidence

Obtain store video surveillance if available

4

## Follow-Up

Often a detective will conduct follow-up investigation on these types of crimes

☐ If you have probable cause to believe a suspect stole an item and the suspect resists reasonable efforts to recover property, charge the suspect with resisting in addition to theft.





# Lesson 2: Criminal Mischief, Trespassing, and Burglary

## Lesson Goal

At the end of this lesson, you will know how to respond to an incident involving criminal mischief, trespassing, or burglary, and how the Florida Statutes can enhance the penalties.

## Scenario

A neighbor is watching a home while the owners are away on vacation. Dispatch sends you to the house after the neighbor reported that graffiti appeared on the garage door overnight. While interviewing the neighbors, you learn that a group was seen outside the home the night before. What crime has been committed?

# Criminal Mischief

***Criminal mischief*** is the willful and malicious destruction of property belonging to another person. As outlined in chapter 806, F.S., it can include injury or damage to property, such as graffiti or other acts of vandalism.

## Element 1

The suspect injured or damaged real or personal property

## Element 2

The property belonged to the complainant

## Element 3

The injury or damage was willful and malicious







# Criminal Mischief Investigation

Proper documentation and investigation of criminal mischief requires systematic evidence collection and community engagement.



## Photograph Damage

Document all damage for your report with clear photographs



## Follow-Up Investigation

Based on agency policies and whether there is a suspect, conduct follow-up investigation



## Neighborhood Canvass

Gather information about suspects from neighbors and witnesses



## Victim Services

Provide victim with appropriate *victim brochures* and document this in your report



# Criminal Mischief: Statutory Enhancements

The Florida Statutes enhance penalties for criminal mischief based upon several factors, including the value of the property.

1

## Second-Degree Misdemeanor

Property damage less than \$200

2

## First-Degree Misdemeanor

Damage greater than \$200 but less than \$1,000

3

## Third-Degree Felony

Value of property damaged totals \$1,000 or more

4

## Felony (Prior Convictions)

One or more prior convictions for criminal mischief, regardless of damage amount

5

## Third-Degree Felony (Religious Property)

Willful and malicious damage to place of worship or religious article over \$200





# Trespassing

**Trespassing**, as outlined in chapter 810, F.S., occurs when a person willfully enters or remains in a structure, conveyance, or property without authorization, license, or invitation.

## Unauthorized Entry

Willfully enters or remains in structure, conveyance, or property without being authorized, licensed, or invited

## Posted Notice

Willfully enters or remains in property after owner tells them to leave or when trespassing notice is posted

## Refusal to Depart

Having been authorized, licensed, or invited, person is warned by owner or lessee to depart and refuses to do so

- ❑ A person authorized means an owner or lessee, or their agent, or any law enforcement officer whose agency has received written authorization from the owner, lessee, or their agent.



# Trespassing: Misdemeanor Offenses

Based on the location or intent, a person can be guilty of trespassing in several ways. These trespassing offenses are misdemeanors:

- A notice against entering or remaining is communicated or posted and a person disregards it
- Someone enters and remains on a property and intends to commit another offense
- Someone stays on the premises after law enforcement gave them a warning
- A transient person living in a residential property refuses to leave after law enforcement directed them to, even if the officer has a sworn affidavit from the property's owner
- Someone is not authorized, licensed or invited to enter or stay on a school campus
- A student who is suspended or expelled enters or stays on a school campus or any other campus the school owns
- Someone is on a school campus without legitimate business to be there



# Trespassing: Felony Offenses

These trespassing offenses are felonies and carry more severe penalties due to the nature of the location or intent:

Trespassing on designated, posted commercial horticulture property

Trespassing on designated, posted agriculture site for testing and research

Trespassing on designated, posted agricultural chemical manufacturing facility

Trespassing on school property while in possession of a firearm or weapon

Trespassing on designated, posted domestic violence shelter

Launching a projectile (using firearm, bow, or crossbow) across someone else's land with intent o

Entering and remaining on designated, posted construction site

Trespassing on legally posted operational area of airport with intent to injure person, damage prop





# Responding to Trespassing

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## Interview All Parties

Interview complainant, property owner, person authorized to act on behalf of owner, witnesses, and the suspect

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## Check for Posting

Determine if there is posting on property that clearly designates no trespassing on private property; photograph if needed

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## Verify Agreements

Determine if there are any valid trespassing agreements in place that allow you to arrest suspect for trespassing

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## Confirm Jurisdiction

Make sure you have jurisdiction, as property can expand into other private or public property (e.g., beach access)



# Burglary

**Burglary** is the unlawful entry into any structure with the intent to commit a crime inside. Chapter 810, F.S., outlines the elements of burglary and classifies burglaries according to the type of location entered.

## Element 1

Entered a structure or conveyance owned by or in possession of the complainant

## Element 2

At time of entering, had intent to commit a crime in that structure or conveyance

## Element 3

Was not licensed or invited to enter, and premises were not open to public at time of entering

❏ Penalties are more severe for a dwelling than a structure or conveyance.



# Distinguishing Property Crimes

## Trespassing

Being somewhere you do not own  
**without owner's permission**

## Burglary

Being somewhere you do not own  
without permission, **with intention  
to commit another crime**

## Robbery

Taking property from someone **by  
force or fear**

People will often tell you they have been "robbed" when they were not at home; however, they have been **burglarized**.

Generally, damage caused by unlawful entry (kicking in door, breaking window) is not criminal mischief, as that is a lesser offense. However, when suspect clearly and intentionally vandalizes the home during burglary, an additional charge of criminal mischief can apply.



# Burglary: Statutory Enhancements

The Florida Statutes enhance the penalties for burglary based on specific circumstances that increase the severity of the offense.



## Assault or Battery

Suspect commits assault or battery during burglary



## Armed

Suspect is armed during commission of burglary



## Vehicle Damage

Suspect uses vehicle to cause damage to property



## Property Damage

Suspect causes more than \$1,000 of damage to property



## Occupied Structure

Dwelling, structure, or conveyance was occupied at time of burglary



# Burglary Tools

**Burglary tools** may include screwdrivers, pliers and wrenches, pry bars, or spark plugs but can also be anything used to gain entry during a burglary, such as a rock or concrete block.



## Simple Entry

Unlocked doors and windows, using hidden key, removing hinge pins



## Forced Entry

Breaking glass, kicking in door, prying door or window frame



## Lock Manipulation

Slipping, pulling, or picking lock, using bump key (key cut to lowest pin positions)



## Electronic Entry

Garage door opener or electronic decoder for keyless entries





# Possession of Burglary Tools

For possession of burglary tools, document that the suspect intended to commit burglary or trespass and had in their possession a tool, machine, or implement they intended to use in committing trespass or burglary.

## Intent Element

Suspect intended to commit burglary or trespass

## Possession Element

Had in their possession a tool, machine, or implement they intended to use in committing the crime





# Responding to Burglary

Burglary is one of the crimes that you will investigate most frequently. Your response differs significantly depending on whether the burglary is in progress or delayed (occurred in the past).

## In-Progress Burglary

- **Notify your supervisor**
- Call for backup
- Set a perimeter
- Request additional resources

## Delayed Burglary

- Obtain statement from victim
- Call for backup if indicated in agency policies
- Conduct walk-through with victim
- Tell victim to preserve evidence and secure crime scene

If video footage provides suspect description and burglary occurred within past several hours, immediately contact dispatch to initiate a BOLO.



# Burglary Investigation Steps

## Establish Timeline

1

Ask victim when they left the building and when they returned

2

## Identify Entry/Exit Points

Determine entry and exit points burglar used, note disturbed areas and possible evidence for processing

## Document Stolen Items

3

Obtain detailed information: description, value, serial numbers, owner-applied numbers, or special identifiers

4

## Crime Scene Processing

Agency policies dictate if you process the scene or if additional resources conduct follow-up. If detective responds, maintain scene and start crime scene log.

## Neighborhood Canvass

5

Consider conducting neighborhood canvass for additional information

# Protecting Archaeological Sites

Chapter 267, F.S., outlines the elements of prohibited practices on archaeological sites. You may respond to a call concerning a violation of an archaeological site and will need to assess the scene.

## Misdemeanor

Walking on archaeological site and removing an object

## Felony

Digging into the site to retrieve an object

If you believe a crime was committed, secure and protect the scene, notify a supervisor, and inform local, state, or federal park rangers of the incident and any recovered evidence.







# Lesson 3: White-Collar Crimes

## Lesson Goal

At the end of this lesson, you will know how to respond to a variety of financial crimes such as fraud, telephone scams, phishing, and identity theft.



### Scenario

You respond to a call from dispatch involving an older man who claims he was robbed. When you arrive on the scene, Tom is standing in the doorway with his bank statement in his hand. He is extremely upset and claims that all of his money is gone. He tells you that someone has been using his debit card to make purchases in Nevada, he has never been to Nevada, and now he doesn't have any money. What actions should you take?



The expression white-collar crime refers to a range of frauds committed by individuals, business professionals, and government officials. These crimes do not involve a threat of physical force or violence but rather dishonesty, cover-up, or abuse of trust.



# Understanding Fraud

**Fraud** is the intentional falsification of the truth to induce another person or other entity to part with something of value or to surrender their legal right to it.



## Credit Card Fraud

Unlawful use of credit card information



## Bank Fraud

Schemes to defraud financial institutions



## Fraudulent Checks

Cashing forged or altered checks



## Identity Theft

Using another person's identifying information

Officers will most often respond to a delayed credit card fraud and file an incident report. Occasionally, you may respond to an in-progress incident of a fraudulent check, fraudulent use of a credit or gift card, or someone using counterfeit funds.



# Forgery vs. Uttering

There are two aspects of forgery that officers must understand and distinguish when investigating financial crimes.

## ***Forgery***

### **Creating the false document**

*Altering, forging, or counterfeiting a public record, certificate, legal document, bill of exchange, or promissory note, with intent to injure or defraud someone.*

## ***Uttering***

### **Using the false document**

*Knowingly exhibiting or publishing a document or attempting to cash a check by claiming the check and endorsement are real. This is a third-degree felony.*

The most common types of forgery an officer may encounter are forged signatures or endorsements on a check, use of a fictitious name, and forgery by altering the signature. Chapter 831, F.S., outlines the elements of uttering forged bills, checks, drafts, or notes.





# Responding to Fraudulent Check Incidents

The primary complainant for in-progress fraudulent checks is the financial institution. The victim is the person from whom the funds were drawn.

1

## Arrival Procedures

Before or right after arriving, ask if subject is on scene and get subject and vehicle description—they may pass you when exiting. If suspect present, call for backup if necessary.

2

## Evidence Collection

If suspect not on scene, collect altered financial or legal document that was uttered and process as evidence. Photograph front and back for incident report.

3

## Witness Interviews

Interview witnesses (teller, clerk, manager) and obtain statements. Ask for copy of surveillance video.

4

## Video Review & BOLO

Immediately view video if possible to identify suspect and contact dispatch to initiate BOLO.

5

## Follow-Up

Determine if crime committed and follow agency policies regarding requesting additional resources. Ask if complainant/victim wants to prosecute when suspect identified.

❏ You may take initial complaint for these incidents; however, an economic crime investigator typically investigates fraud.



# Credit Card Fraud

Chapter 817, F.S., outlines the elements of fraudulent credit card use. Credit card fraud is the unlawful use of a credit card to obtain property, goods, or services.

## Unlawful Use

Using false, fictitious, revoked, or expired credit card or credit card number

## Unauthorized Use

Using any credit card without the owner's authority

## Information Theft

Using credit information to obtain credit fraudulently

Suspects will fraudulently obtain and use debit or credit cards through falsified applications, burglary, theft, or robbery. A thief can also solicit a credit card number by calling unaware victims or by retrieving information on hotel room key cards.

**Felony Enhancement:** It is a felony if suspect fraudulently uses victim's credit card within six-month period, three times or more, or charges \$100 or more on victim's card.

# Skimming

Skimming is the act of extracting a customer's credit card information by using a skimming device. The skimmer attaches to a point of sale device and stores the customer's information as the payment is processed. More sophisticated skimmers can be wireless.

## Primary Complainant

The account holder

## Primary Victim

The issuing financial institution

## Other Victims

Merchant where card was fraudulently used and person whose name was forged on card







# Responding to Credit Card Fraud

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## Card Possession

Ask complainant if they are still in possession of card and document in report. Obtain card number and expiration date.

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## Determine Crime

Determine if crime actually occurred. Explain that although purchases may have been made out of state, you will file incident report providing case number for submission to financial institution.

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## Prosecution Intent

Ask victim if they want to prosecute suspect when identified and document in report.

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## Victim Guidance

Encourage complainant to contact financial institution to place hold on transactions and contact credit bureau to notify them of fraud. Provide educational material on prevention and Victims Rights Brochure.

 You may take initial complaint for these incidents; however, an economic crime investigator typically investigates fraud.



# Telephone Scams

Some phone or email solicitors misrepresent a bank, government agency, or relative and threaten to arrest the victim should they refuse to pay a fictitious debt or provide money to bail someone they know out of jail.

## Voice over Internet Protocol (VoIP)

Modern internet-based applications allow someone to create phone number and use it anywhere in the world where they can connect to internet. True location and identity can easily be hidden.

## IP Address Considerations

Suspect can hide true identity by using publicly offered internet connection (coffee shop) or victim's unsecured network. IP address used will belong to unrelated, innocent party.

- ❏ Because of unique considerations associated with investigating digital communications, consult with appropriate division within your agency before taking any action based solely on digital communication.



# Phishing

Phishing uses fake digital communication that mirrors a legitimate business to obtain personal and financial information from unsuspecting victims. Suspects use this information to steal identities, bank accounts, or credit availability.



## Email Phishing

Fake emails appearing to be from banks, government agencies, or trusted companies



## SMS Phishing

Text messages requesting personal information or directing to fraudulent websites



## Website Spoofing

Fake websites designed to look like legitimate businesses to capture login credentials

When examining any internet-based communication, consider that a suspect can hide their true identity by using an internet connection publicly offered by a coffee shop or a victim's unsecured (not password protected) network.



# Identity Theft

**Identity theft** is the unlawful possession or use of a person's identifying information to commit acts of fraud, such as apply for credit or loans, acquire services, establish or take over accounts, and commit crimes.



## Personal Identifiers

Social Security numbers, driver's license numbers, dates of birth



## Financial Information

Bank account numbers, credit card numbers, PINs



## Medical Records

Health insurance information, medical history



## Digital Credentials

Username, passwords, security questions





# Responding to Identity Theft

You may take the initial complaint for this type of incident; however, a detective typically investigates identity theft.

## Determine Jurisdiction

1

Based on whether victim is resident of your jurisdiction or if fraudulent activity occurred in your jurisdiction. If crime occurred outside jurisdiction, file incident report to provide case number for documentation and subsequent investigation.

2

## Investigate Source

Ask victim if they have any idea how their identity may have been compromised

3

## Prosecution Intent

Ask victim if they want to prosecute suspect if identified and document in report

4

## Victim Guidance

Encourage victim to contact financial institutions and at least one major credit bureau to notify them of identity theft. Provide educational material on prevention. Your agency may have Florida identity theft victim kit to provide and Victims Rights Phamplet





# Property Crimes & Crimes Against Society

Law Enforcement Training: Animal Cruelty, Loitering, Disorderly Conduct, and Illicit Drugs





# Unit 1: Property Crimes - Lesson 4

## Animal Cruelty

01

### Lesson Goal

At the end of this lesson, you will know how to respond to an incident involving animal cruelty.

02

### Scenario

Dispatch received a call regarding a report of a dog that appears to be malnourished and is tied up in a backyard on a short leash. When you arrive at the home, the neighbor reports that the homeowners moved out a week ago. They have not seen anyone provide food or water for the dog since they left.

03

### Your Response

How will you respond to this incident?

# LE814.1: Recognizing Animal Cruelty

## Physical Signs of Abuse

- Starvation
- Parasites, mange
- Collar too tight or heavy, causing strangulation or death
- Lack of needed medical attention
- Weakness, limping, or inability to walk properly

## Environmental Indicators

- Lack of adequate shelter
- Living conditions with excess feces, garbage, broken glass
- Inappropriate size cage for the animal to stand up and turn around





# Chapter 828, F.S.: Elements of Animal Cruelty

## Misdemeanor Cruelty

Document that the suspect committed a misdemeanor cruelty to animals by:

- Unnecessarily overloading, overdriving, or tormenting an animal
- Depriving an animal of necessary food or shelter
- Unnecessarily mutilating or killing any animal, or causing the same to be done
- Carrying in or on a vehicle any animal in a cruel or inhumane manner

## Aggravated Animal Cruelty (Felony)

A person who intentionally commits an act to any animal, or a person who owns or has the custody or control of any animal and fails to act, which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering, or causes this to be done, commits aggravated animal cruelty. In Florida, aggravated animal cruelty is a **felony**.



# Fighting or Baiting Animals

The elements of fighting or baiting animals include breeding, training, and promoting any rooster or other bird, canine, bear, or other animals for the purpose of fighting.

Animal fighting operations are serious criminal enterprises that require thorough investigation and coordination with animal control authorities.







# LE814.2: Responding to Animal Cruelty

1

## Determine Crime Occurred

After determining that a crime occurred, conduct a neighborhood canvass to get information about the abuse and animal ownership.

2

## Contact Animal Control

Call animal control to help in the investigation and to transport the animal to a veterinary hospital for medical treatment. If you are unsure if the incident is animal cruelty, animal control or a veterinarian can help determine that.

3

## Handle Abandoned Animals

If the animal is abandoned, animal control should remove the animal. If the animal is not abandoned and you have established ownership, request additional assistance to determine if the incident involves animal cruelty.

4

## Document Evidence

If there is a clear case of animal cruelty, follow your agency's policies and procedures for removing the animal. Photograph the animal, the surrounding area, and conditions you found the animal in, and include this information in your report.



# Unit 2: Crimes Against Society - Lesson 1

Loitering or Prowling, Disorderly Behavior

## Lesson Goal

At the end of this lesson, you will know how to respond to an incident involving loitering, prowling, breach of the peace, disorderly conduct, or disorderly intoxication, and how to coordinate with other officers when responding to an open house party.



# Scenario: Loitering Incident

You respond to a call from a grocery store manager who is claiming that a man is loitering in front of their store and drinking. When you arrive, you see that the man is sitting on the ground in front of the store and drinking a beer. He says he just needs a few minutes to collect himself, and then he will walk home. What should you do?



# LE821.1: Loitering or Prowling Defined

Standing or waiting around idly or without apparent purpose is not a criminal act. However, to linger or hang around in a public area without any apparent purpose for being there in a place, at a time, or in a manner not usual for law-abiding people, and under circumstances that raise alarm or immediate concern for the safety of people or property in the vicinity is ***loitering or prowling***.



## Flees When Officer Appears

The person flees when a law enforcement officer appears



## Refuses to Identify

The person refuses to identify themselves




## Attempts to Conceal

The person attempts to conceal themselves or any object



## Won't Explain Presence

The person will not explain why they are there and what they are doing

 **Note:** The fact that a person is out at odd hours, without showing any other suspicious activity, does not necessarily justify an investigative stop.





# LE821.2: Responding to Loitering or Prowling

## Initial Contact

Initiate a consensual encounter to dispel any concerns you may have. Explain exactly why you want to talk with them, give them a chance to explain why they are there, be transparent about what could happen next, and always treat them with respect.

Call for backup before making that initial contact. Take a few minutes to observe the person. Be respectful and give them an opportunity to identify themselves and explain their presence and conduct.

## Legal Considerations

Remember that the person is free to leave at any point during a consensual encounter. Should the encounter move from a consensual encounter to an interview, based on reasonable suspicion, you may need to issue a Miranda warning to conduct further questioning.

Unless there is probable cause of some other offense, if the person voluntarily explains their presence and conduct, and the explanation eases your alarm, release them without charge.

- ❏ A loitering and prowling charge will require articulating in your report and in court the totality of the circumstances to support an arrest. If you fail to release them when their explanation eases your alarm, the court may dismiss the case and you may face civil liability for a false arrest.



# Officer Safety in Loitering Incidents

These types of incidents pose significant officer safety issues that require a backup officer. Backup officers may stand by for officer safety, check for warrants on the subject, and check the building exterior for broken windows or unlocked doors.



# LE821.3: Breach of the Peace or Disorderly Conduct

Breach of the peace or disorderly conduct is not a catchall statute; however, it does include brawling, fighting, or an affray. An affray occurs when someone consents to fight with another person to terrorize other people in a public place. Urinating in public is also disorderly conduct, not an exposure of sexual organs.

## Public Place Requirement

To meet the conditions of ***breach of the peace or disorderly conduct*** according to chapter 877, F.S., the person's actions must endanger the safety of another person or property and occur in a public place or on public transportation, causing a public disturbance. A ***public place*** means somewhere the public has a right to be and to go, such as a grocery store or hospital.

# Elements of Breach of Peace or Disorderly Conduct

For the offense of ***breach of the peace or disorderly conduct***, document whether the suspect's action:



Corrupts Public Morals



Outrages Public Sense of Decency



Affects Peace and Quiet

Affects the peace and quiet of people who may witness it



Causes a Brawl or Fight



# Freedom of Speech Considerations

A person who simply curses at others or officers may not be arrested for disorderly conduct unless other factors are present that would threaten the safety of the officer or others. Unless a person's words actually incite a reaction from onlookers that might create a danger to others, such as shouting "fire" in a crowded theater, freedom of speech protects the person from arrest.

❏ **Important:** When you are on duty, you cannot be a victim of breach of the peace.





# LE821.4: Disorderly Intoxication

Intoxication is more than merely being under the influence of an alcoholic beverage. Intoxication means that after consuming substances, a person loses normal control of their body, mental faculties, or both.

1

## Intoxication Element

According to chapter 856, F.S., for ***disorderly intoxication***, document that the suspect was intoxicated and endangered the safety of another person or property

2

## Public Place Element

OR was intoxicated or drank alcohol in a public place or public transportation, and caused a public disturbance

The difference between disorderly conduct and disorderly intoxication is the element of intoxication. Taken alone, the person's admission that they consumed substances is not enough to prove beyond a reasonable doubt that they were under the influence; however, consider this admission along with other evidence.



# LE821.5: Response Protocol

Responding to Breach of Peace, Disorderly Conduct, or Disorderly Intoxication



## Use De-escalation

This is an opportunity for you to use verbal de-escalation techniques to calm the involved persons. Separate the suspect from any witnesses.



## Interview Witnesses

Interview any witnesses to the incident and collect statements. Document evidence of intoxication by identifying specific indicators, such as slurred speech, bloodshot eyes, or staggered gait.



## Call for Backup

Call for backup, or additional backup, as these incidents can pose significant officer safety issues. Backup officers may assist with crowd control.



## Determine Action

Determine if a crime actually occurred, or if you should consider using the Marchman Act.



# LE821.6: Open House Party

Chapter 856, F.S., outlines the elements of allowing an open house party. An **open house party** is a social gathering at a residence that is legal unless minors at the party consume alcohol or drugs. This term does not apply to using alcoholic beverages or other substances at legally protected religious observances or activities.







# Elements of Open House Party Offense

For the offense of an open house party, the Florida Statutes require that the suspect:

- 1** **Age Requirement**  
Is 18 or older
- 2** **Control of Residence**  
Had control over the residence at the time of the party
- 3** **Allowed the Party**  
Allowed an open house party at the residence
- 4** **Minor Consumption**  
Allowed a minor to possess or consume alcohol or drugs at the residence during the party
- 5** **Knowledge Element**  
Knew that the minor possessed or consumed alcohol or drugs at the residence during the party

The law expects adults to take reasonable steps to protect and prevent minors from engaging in these activities. Chapter 562, F.S., outlines the elements of the crime of selling or giving alcoholic beverages to a person younger than 21.



# LE821.7: Responding to Open House Party

## Initial Response

Most agencies will send multiple officers to an incident involving an open house party, as teenagers may scatter and drive under the influence. Call for additional backup if needed. Check with dispatch to determine if the residence has had prior similar calls.

Question the partygoers to determine if they are underage and drinking or using drugs. Document evidence of intoxication or drug use by identifying specific indicators, such as slurred speech, bloodshot eyes or dilated pupils, or staggered gait.

## Parent Contact

Find the teenager that lives there, ask for their parent or caregiver's contact information, and contact them.

Interview the parents or caregivers to determine if a crime has been committed, and make an arrest if necessary. Ask if they had knowledge of the party and the presence of alcohol or drugs, and ask if they knew who purchased these.

- ☐ If the parents are home while the open house party was going on or knew of the party and the presence of alcohol or drugs, the offense may be contributing to the delinquency of a minor in addition to an open house party violation.

Based on the circumstances and your agency policies and procedures, stand by while the parents or caregivers pick up the underage partygoers under the influence.

# Unit 2: Crimes Against Society - Lesson 2

## Illicit Drugs and Vice Crimes

### Lesson Goal

At the end of this lesson, you will know how to respond to an incident involving possession of a controlled substance, drug paraphernalia, or drug trafficking as well as how to recognize vice crimes and the characteristics of organized crime.



# Scenario: Prescription Drug Fraud

You respond to a call from a store where a pharmacy tech is reporting a woman who is requesting her second refill of narcotic pain medications in the same week. The pharmacy tech believes the woman has a stolen prescription pad and is misusing narcotics. How do you handle this situation?





# LE822.1: Illicit Drugs Overview

There are many sources of illicit drugs in the United States. Drugs are smuggled, diverted, and intercepted from legitimate and illegal sources. You may encounter drug manufacturing in clandestine laboratories or cultivation grow houses through information from a concerned resident or while responding to a call from dispatch.



## Transportation Methods

Common methods used to transport drugs include both private and public transportation and shipments via commercial delivery companies, as well as the U.S. Postal Service. Suspects may conceal drugs in items such as children's toys or other commodities.



## Prescription Drug Misuse

Prescription drugs are not necessarily illicit; however, misuse of prescription drugs is common in Florida. People may engage in "doctor shopping" or steal prescription pads to illegally obtain pharmaceuticals to meet their needs. Recent changes in the prescription drug monitoring program have contributed to a rise in opioid abuse.



## Medical Marijuana

It is illegal to drive under the influence of medical marijuana just as it would be with any other prescription medication that impairs your ability to drive.

# LE822.2: Florida Comprehensive Drug Abuse Prevention and Control Act

The Florida Comprehensive Drug Abuse Prevention and Control Act, or chapter 893, F.S., places all controlled substances regulated under existing federal law into one of five schedules based on medicinal value, harmfulness, and the potential for misuse and addiction. Historically, controlled substances' names and formulas change intermittently.

- ❏ The Drug Enforcement Administration (DEA) website contains information about the schedules of controlled substances, facts about commonly misused substances, color photos, methods of use, behavioral characteristics, signs, symptoms, and duration of effects.





# Elements of Possession of Controlled Substance

For possession of a controlled substance, document that the suspect:

## Knowledge of Presence

Knew that the illicit, controlled substance was present

## Control or Ownership

Exercised control or ownership over the illicit, controlled substance

## Knowledge of Substance

Knew the substance was an illicit, controlled substance



# Types of Possession

Florida law provides the following definitions to clarify the meaning of possession:

## ***Possession***

Means to have personal charge of or exercise the right of ownership, management, or control over the thing possessed. Possession may be actual, constructive, or joint.

## ***Actual Possession***

Means the controlled substance is in the hands of or on the suspect, or in a container in the hands of or on the suspect, or so close as to be within ready reach and is under the control of the suspect. Mere proximity to a controlled substance is not sufficient to establish possession over the substance when it is not in a place that the suspect has control.

## ***Constructive Possession***

Means the controlled substance is in a place over which the suspect has control, or in which the suspect has concealed it.

## ***Joint Possession***

Means two or more suspects may jointly possess an article, exercising control over it. In that case, each of those suspects is in possession of that article.





# Knowledge and Possession

## Sole Possession

If a suspect has sole possession of a controlled substance, infer or assume the suspect had knowledge of its presence.

## Non-Exclusive Possession

If a suspect does not have exclusive possession of a controlled substance, do not infer or assume the suspect had knowledge of its presence.

❏ **Important:** Be aware that a person's presence in a room or building where there are drugs or other contraband does not necessarily mean the person has committed a crime.



# LE822.4: Drug Trafficking

Chapter 893, F.S., outlines the quantities or weight of specific illicit, controlled substances that increase a possession charge to a drug trafficking charge:

**25 lbs**

Cannabis

Excess of 25 pounds, excess of  
300 plants

**28g**

Cocaine

Excess of 28 grams

**28g**

Hydrocodone

Excess of 28 grams

**14g**

Methamphetamine

Excess of 14 grams

**10g**

MDMA (Ecstasy)

Excess of 10 grams

**7g**

Oxycodone

Excess of 7 grams

**1g**

LSD (Acid)

Excess of 1 gram

Trafficking in illicit drugs is a felony. Florida law requires a minimum mandatory prison sentence for drug trafficking.

# LE822.5: Drug Paraphernalia

**Drug paraphernalia** is all equipment, products, and materials of any kind that are used or intended to:

- Plant, propagate, cultivate, grow, harvest
- Manufacture, compound, convert, produce, process, prepare
- Test, analyze
- Pack, repack, store
- Contain, conceal, inject, ingest, inhale, or otherwise introduce a controlled substance into the human body

Pipes, rolling paper, straws, or spoons are not drug paraphernalia until you can prove that they are being used or intended to be used to deliver an illicit drug. Possession of drug paraphernalia is a misdemeanor. Document that the suspect possesses any item that is used, intended to be used, or designed to be used as drug paraphernalia.





# LE822.6: Responding to Possession of Controlled Substance

When responding to an incident involving possession of a controlled substance and the suspect is incapacitated, seek medical attention. Begin your initial investigation and consider:

- **Call for Backup**

Calling for backup, as these types of incidents pose officer safety issues, can have a crime scene that needs to be searched, and can contain quantities of evidence

- **Interview Suspect**

Interviewing the suspect

- **Obtain Consent**

Getting consent to search from the suspect or establish probable cause for a search

- **Search for Contraband**

Searching the suspect for contraband

- **Request K-9 Unit**

Requesting a narcotics canine unit

- **Conduct Test**

Conducting a presumptive test

- **Process Scene**

Following basic crime scene processes for the recovery of any evidence

- **Document Evidence**

Photographing the illicit substance as you found it in the exact location you found it

- **Make Arrest**

If a crime occurred, making an arrest after establishing probable cause



# Presumptive Field Testing

As part of establishing probable cause and before making an arrest for possession of illicit drugs, conduct a presumptive field test of the substance using a kit provided by your agency. A presumptive test can establish that the sample is an illicit substance.

- 📄 **Safety First:** Be careful and always use PPE when collecting and handling evidence in narcotics cases. Notify your supervisor if you make an arrest.





# LE822.7: Vice Crimes

Vice crimes include offenses, such as alcohol and tobacco violations, gambling, and prostitution. Alcohol and tobacco violations are the vice crimes that most frequently involve people younger than 21.

## Alcohol and Tobacco Violations

Chapters 562 and 569, F.S., state that any adult that provides someone younger than 21 with alcohol or tobacco commits a misdemeanor. Possession of alcohol or tobacco by someone younger than 21 is also a misdemeanor.

## Unlicensed Operations

You may also respond to calls involving unlicensed establishments selling alcohol, moonshine operations, or establishments selling alcohol after hours. Vice investigations involve undercover work and develop information through intelligence, including confidential informants and surveillance operations.



# LE822.8: Gambling

Chapter 849, F.S., outlines the elements of gambling. Gambling offenses that you may encounter include bolita (a popular numbers game, especially in south Florida), dog or cock fighting, high-stakes card games, off-track betting, youth athletic events, or craps games on the street.

## Elements of Gambling

For gambling, document that the suspect played or engaged in a game of chance (including cards, keno, roulette, faro, dice, domino, or other games of chance) at any place, by any device, for money or other thing of value.





# LE822.9: Prostitution

Chapter 796, F.S., outlines the elements of prostitution. Prostitution is often associated with adult entertainment venues, massage parlors, escort services, and certain internet dating services. Street prostitutes tend to be located in particular geographical areas and truck stops.

- ❏ **Critical:** Prostitutes may be victims of human trafficking, especially if they are younger than 18. If the person is younger than 18, the law requires that you take them into custody and contact DCF.



# Responding to Prostitution

01

## Surveillance

Consider surveilling the area.

02

## Field Interview

Approach the person and conduct a field interview. While maintaining officer safety, treat the person with respect and dignity.

03

## Separate Parties

Should you encounter a person with a sex buyer, separate and interview them separately to establish any relationship.

04

## Run Checks

Ask dispatch to run an FCIC/NCIC check to confirm their identities and determine if they have any outstanding warrants.

05

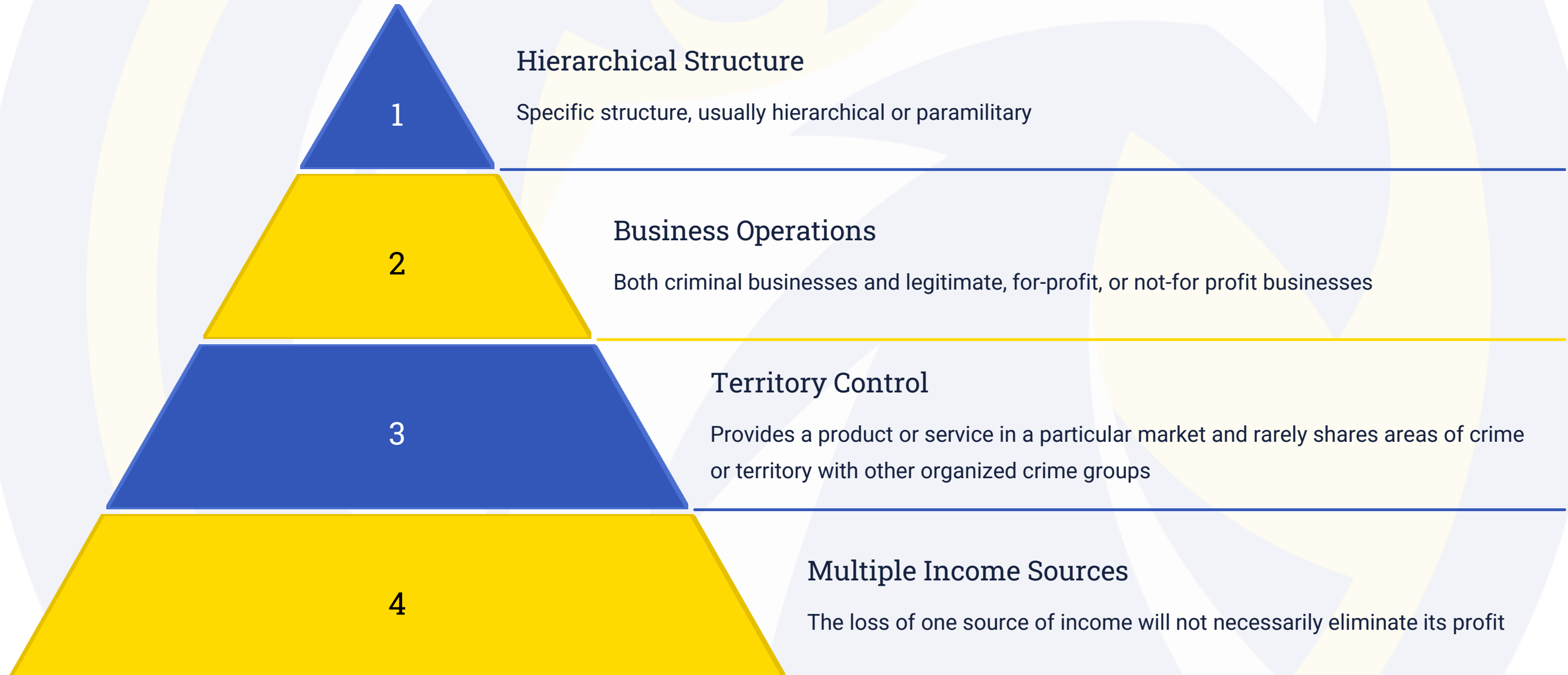
## Determine Crime

At the end of your preliminary investigation, determine if a crime actually occurred. Complete your paperwork detailing all the known facts.



# LE822.10: Organized Crime Characteristics

An organized crime operation has these basic characteristics:





# Organized Crime Operations

## Protection of Leadership

The higher-level personnel of the organization are relatively insulated from liability. The business structure is designed to protect them from infiltration by law enforcement and regulatory agencies. Members of the organization that you will encounter will be street level criminals.

## Intimidation Tactics

Members will attempt to intimidate or coerce witnesses and members of law enforcement and the judicial system. Organized crime promotes public corruption, street crime, and gang activity and can have a significant negative impact on the economy.





# Organized Crime Activities

Organized crime is often associated with:



Gambling



Prostitution



Pornography



Public Corruption



Drive-by Shootings



Loan Sharking



Human Trafficking



White-Collar Crime



Numbers Games



Adult Entertainment



Narcotics



Extortion



Fencing



Auto Theft



Money Laundering



# Combating Organized Crime

Some of the methods law enforcement uses to combat organized crime:



Asset Forfeiture



Concentration on Vice Offenses



Intelligence Gathering



Interagency Cooperation



RICO Act Prosecution