

INTERAGENCY AGREEMENT BETWEEN

THE OFFICE OF THE STATE ATTORNEY TWENTIETH JUDICIAL CIRCUIT

AND

SANIBEL POLICE DEPARTMENT FOR THE ELECTRONIC TRANSMISSION OF DIGITAL MEDIA AND CASE FILE DATA

Effective immediately, both parties agree that the Sanibel Police Department will continue to transmit case information electronically, and the Office of the State Attorney commits to continuing to receive the information through the Document Exchange Portal.

For the Law Enforcement Agencies that do not utilize Axon/Evidence.com for their body cam/dash cam/media platforms effective May 1st 2021 the official means by which the Office of State Attorney, 20th Circuit will receive this media is through our Axon/Evidence.com account (this includes individual disk as well). We will no longer be accessing 3rd party systems to retreive this information. Law Enforcement will be provided a logon account and training to upload the information.

It is each individual agency's responsibility to possess the hardware and software necessary to administer this policy. Appropriate and reasonable quality assurance procedures must be in place to ensure that only complete, accurate, and valid information is transmitted through these systems.

In the event of computer outage or natural disaster, the Office of the State Attorney will accept information in paper or physical format.

Both agencies are FDLE CJIS recognized Criminal Justice Agencies and attest that the information will remain confidential. Should any employee violate this confidentiality, they will be disciplined accordingly. To ensure continued access as set forth above, the designated interface agency agrees to adhere to all CJIS policies, as set forth in the CJIS Security Policy and FDLE CJIS Criminal Justice User Agreement.

Specific guidelines for electronic transmission are outlined within the policy attachment for this interagency Memoradum of Understanding.

Termination: Either party may terminate this agreement upon 30-days written notification to the other party. The participant may terminate this agreement by delivering written notice to the SAO Executive Director.

×	
Amira D. Fox, State Attorney Twentieth Judicial Circuit	{Law Enforcement Signee} Sanibel Police Department
Date:	Date:

APPROVED FINANCIAL SUFFICIENCY

Steven C. Chaipel, Finance Director

APPROVED AS TO FORM:

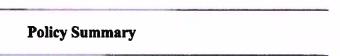
CITY ATTORNEY

Digital Media and Case Files Transmission Policy State Attorney's Office, 20th Judicial Circuit

Contents

Policy Summary	2
Organization of Digital Media and Case Files	3
Transmission of Case Materials and Digital Media	3
Notification of Program Usage/ Procedure Change	5
Document Exchange Portal (DEP)	6

Policy: Digital Media and Case Files Transmission Policy Number: 2021.02 State Attorney's Office, 20th Judicial Circuit



This policy provides guidelines that will govern the exchange and/or transmission of digital media and case files between Law Enforcement and the 20th Judicial Circuit State Attorney's Office (SAO). In accordance with Florida Criminal Rule of Procedure 3.115, Duties of State Attorney; Criminal Intake, the guidelines set-forth in this policy were developed in conjunction with the Electronic Exchange of Discovery and Case Related Materials for the Document Exchange Portal (DEP) Memorandum of Understanding for Law Enforcement.

Organization of Digital Media and Case Files

To ensure consistency in both reference and organization, these guidelines provide standards and structure to materials submitted to the SAO for review. The aim is to ensure that individual files are immediately identifiable in relation to the corresponding case as well as for discovery purposes in the prosecution. Following the formula below guarantees the organization of digital media and case files.

- 1. All case files and/or media submitted to the 20th Judicial Circuit SAO must be accompanied with identifying information such as:
 - a. Law Enforcement Agency Name and Agency Issued Number
 - b. Defendant Name(s) (if known)
 - i. Including reference to co-defendant(s) name(s) when appropriate
 - ii. Co-Defendant files should be provided together, as one submission
- 2. Digital Media must be organized in sub-folders based on media type or media reference-for instance, Body Camera Videos, Witness Statements, and/or Scene Photos
 - a. Exceptions include when there are 10 files or less
 - b. Individual files within sub-folders should be free of duplication
- 3. Individual digital media files must include unique identifiable file names and/or numerical reference

Transmission of Case Materials and Digital Media

All case related materials should be submitted to the 20th Judicial Circuit SAO upon submission of a case review and/or arrest.

- 1. All files in document format (to include but not limited to case reports, affidavits and written statements) should be submitted through the Document Exchange Portal (DEP).
- 2. "Digital Media" such as photos, audio recorded statements, and video recordings may be submitted through the DEP, Law Enforcement Agency (LEA) established AXON account, or may be submitted through the SAO established AXON account, while adhering to the Organization of Digital Media and Case Files as outlined above. If avoidable and excluding the exceptions below, digital media should not be transmitted via digital disc either CD or DVD.
- 3. All Body Camera and/or In-Car Camera Videos:
 - a. LEA AXON Users: such digital media must be transmitted through the LEA established AXON account

State Attorney's Office, 20th Judicial Circuit

- b. LEA Non-AXON Users: such digital media must be uploaded to the SAO established AXON account using the AXON Evidence Upload XT Windows Application
- 4. For non-AXON users, account access for submission will be provided by the SAO to the appropriate LEA. Established AXON users must submit cases to "SAO Evidence" badge 9999, which is connected to mediaevidence@sao.cjis20.org.
- 5. Any proprietary media that requires its own player must be transmitted after being compressed into a .zip file with the respective media player included therein.
- 6. Digital Media and Investigative Reports shall be transmitted at the same time, even when different platforms (such as the DEP or AXON) are utilized for submission.
- 7. Digital Media Exceptions include:
 - a. Forensic Child Interview / Child Protection Team (CPT) Video File(s) should be transmitted through the DEP. Due to the confidential nature of these items, such files should not be transmitted through Axon / Evidence.com or any other media platform.
 - i. The aforementioned files should be uploaded to the DEP in Windows
 Media Viewer (wmv.) format for all arrest cases, warrant requests, and
 agency reviews using the following description: "Video (Child Interview
 Victim Initials)", Document Type: "Investigation", and Sub Type:
 "Video CPT".
 - b. Data extractions from cellular phones, other mobile devices, hard drives, and/or other digital data storage device(s).
 - i. It is the responsibility of Law Enforcement to specify the existence of such data evidence within respective original case (or supplemental) reports. By default, Law Enforcement must submit data extractions specific to "pertinent evidence" to the case to the SAO for review. If additional data files from the associated data extraction(s) exist, it should be noted within the respective report that it is available for inspection. Entire (whole) data extractions (beyond pertinent evidence) shall only be submitted to the SAO for review after specific request by the SAO.
 - 1. Pertaining to transmission for review, *in-part and in-whole*, refer to the guideline below:
 - a. in part (pertinent evidence): after review by law enforcement, with the exclusion of explicit materials, and after files are identified as pertinent evidence, extracted data evidence may be provided through electronic means via the DEP.
 - b. in whole (all data files): with the exclusion of explicit materials, must be transmitted on a separate hard disk or hard drive.

Policy: Digital Media and Case Files Transmission Policy Number: 2021.02 State Attorney's Office, 20th Judicial Circuit

Notification of Program Usage/ Procedure Change

It is incumbent upon each Law Enforcement Agency to notify the SAO when access to the SAO established AXON account is required to transmit digital media files, in an effort to ensure proper accounts are set up and inter-agency procedures are established. Notification must be sent to mediaevidence@sao.cjis20.org.

Document Exchange Portal (DEP)

The conditions for electronic exchange of discovery and case related materials between the SAO and all participants with the Document Exchange Portal (DEP) are outlined below. This method of delivery will be accepted by each party to meet the statutory requirements.

The conditions of the DEP Process are as follows:

- a) Guidelines for the DEP will be provided by the Criminal Justice Information System programmers.
- b) The Participants will be responsible for the creation of their user accounts and delegate accounts, deactivation of their accounts, maintenance of correct e-mail addresses for their accounts, and resetting forgotten passwords. Each Participant will be responsible for ensuring there is no unauthorized access to the DEP. Each Participant is responsible for the training requirement for their staff.
- c) Accounts that have not been used within 180 days will be deactivated.
- d) All documents sent from SAO to Participant will be available on the portal for retrieval for 30 days. If the DEP is unavailable, Parties will exchange information in an alternative method.
- e) The Participants agree to have up to-date and active anti-malware installed on their systems.
- f) Either Party may terminate this agreement by providing 30 days written notice. The Participant may terminate this agreement by delivering written notice to the SAO Executive Director.
- g) Participants agree to adhere to all CJIS policies as set forth in the CJIS Security and FDLE CJIS Criminal Justice User Agreement.
- h) Participants are FDLE CJIS recognized Criminal Justice Agencies and attest that the information will remain confidential. Should any employee violate this confidentiality, they will be disciplined accordingly.
- i) Participants agree to adopt and adhere to appropriate and reasonable quality assurance procedures to ensure only complete, accurate, and valid case information is transmitted through the document portal.
- j) The document file format preferred is PDF with DOCX as a second choice and video format preferred is MP4.
- k) In the event that case information may include items having evidentiary value by virtue of their physical state or condition, or are otherwise not suitable for electronic transmission, the SAO will accept such case information in a physical format.

Participants agree to maintain active FDLE CJIS Criminal Justice Agreements and have adopted written policies and procedures governing the use, maintenance, and protection of confidential case information. Any Participant that violate such policies and procedures are subject to appropriate agency discipline.

Training: All training to utilize the DEP will be handled by Criminal Justice Information Systems (CJIS) at CJISWEBHELP@CA.CJIS20.ORG.