


	HOLLYWOOD POLICE DEPARTMENT	SOP #104
PROFESSIONAL COMPLIANCE		
ORIGINATION DATE: 06/05/2000	REVISED DATE: 03/20/2019	
APPROVED: CHIEF OF POLICE, CHRIS O' BRIEN 		

PURPOSE: To establish accountability and procedures for handling inquiries into Department Members' conduct.

SCOPE: This SOP applies to all Members of the Department.

POLICY: The Law Enforcement profession derives its "Powers to Police" from the citizens it serves. The community is entitled to question how we execute the powers that have been uniquely bestowed upon us.

Therefore, to promote the highest level of public trust and cooperation, the Department must provide a responsive system of inquiry that will alert to unprofessional or illegal conduct or practices which may diminish our integrity, or actions that hinder the effective or efficient achievement of the Department's Mission.

Blue Team / IA-Pro are the Department's method of tracking all allegations of Member misconduct or violations of Department written directives. All Blue Team entries will be completed by a Supervisor.

Though the discovery of truth will be the basis of any Department inquiry, the Department will ensure the rights of Members are not violated and their reputations are guarded from any mistaken perceptions or deliberate false accusations.

Hence, all inquiries or investigations will begin without any preconceived notions or bias to anyone. They will be conducted with the utmost thoroughness, and recorded with acute accuracy.

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PROCEDURE:

I. LEGAL REQUIREMENTS

A. Establishment of a Citizen Complaint System:

1. Department has established this SOP in compliance with **FSS 112.533(1)(a)**, which requires “every law enforcement agency and correctional agency shall establish and put into operation a system for the receipt, investigation, and determination of complaints received by such agency from any person, which shall be the procedure for investigating a complaint against a law enforcement and correctional officer and for determining whether to proceed with disciplinary action or to file disciplinary charges, notwithstanding any other law or ordinance to the contrary.”

B. Confidentiality of Citizen Complaints:

To ensure the integrity of the process:

1. **FSS 112.533 (2)(a)**, mandates that any complaint and “all information obtained pursuant to the investigation will be confidential and exempt from the provisions of **FSS 119.07 (1)** (The Public Records Law), until the investigation ceases to be active, i.e. no findings within 45 days of the complaint being filed or the investigation has been concluded.
2. Therefore, “any person who is a participant in an internal investigation including the complainant, the subject of the investigation, the investigator..., and any witnesses... who willfully discloses any information...including the identity of the Officer under investigation, the nature of the questions asked, information revealed or documents furnished...before such complaint...becomes a public record ...commits a misdemeanor of the first degree”
FSS 112.533 (4)

C. Discovery of Truth:

The “discovery of truth” is the basis for any Department inquiry:

1. Notice of **FSS 837.012**, “Perjury When Not in an Official Proceeding” and **FSS 837.02** “Perjury in an Official Proceeding” will be incorporated into all the appropriate appendixes as a warning to any participant to be truthful in this process. These Statutes advise “whoever makes a false statement, which he/she does not believe to be true, whether in an official proceeding or not, in regard to any material matter” may be charged with a criminal offense up to a felony of the third degree.
2. Knowledge of the materiality of the statement is not an element of the crime, and the defendant’s mistaken belief that his statement was not material, is not a defense.

D. “Law Enforcement Officers’ Bill of Rights:”

The “Law Enforcement Officers’ and Correctional Officers’ Bill of Rights” established by **FSS 112.532**, will be integrated into this Standard Operating Procedure to inform sworn Members of their rights under the Law should they become the subject of an investigation.

The spirit of the “Law Enforcement Officers Bill of Rights” will also be used as a guide during internal investigations of any Member of the Department, sworn or non-sworn.

II. AUTHORITY

A. Purpose of an Internal Affairs Unit:

Internal Affairs has been established to:

1. Act on behalf of the Chief of Police as the primary investigative component of all inquiries brought against Department Members.
2. Ensure the policy statements of this SOP will guide all investigations involving Department Members.

B. Police Chief’s Authority:

The Internal Affairs Unit acts on the direct authority of the Chief over all matters that are specified herein or assigned to the Unit for investigation by the Chief of Police.

Therefore, the Internal Affairs Unit is authorized to:

1. Conduct investigations concerning allegations of misconduct and/or unsatisfactory job performance by Department Members as directed by the Chief of Police.
2. Refer complaints of an appropriate nature to:
 - a. A Division Major.
 - b. Other Agencies, when authorized by the Chief.
3. Have access to and examine all Department facilities, equipment, records and communications, as required to conduct investigations.
4. Conduct any investigation or activity authorized by the Chief.
5. Provide investigative assistance to other Agencies.

III. RESPONSIBILITIES OF THE INTERNAL AFFAIRS UNIT

A. Oversee all Member Complaints:

Receive, record, register, manage and control the investigation of all complaints of alleged or suspected misconduct and/or unsatisfactory job performance against Department Members in accordance with Florida Statute.

Upon receipt of all Complaints, the Internal Affairs Unit will assign the complaint to the appropriate Division Major for an Administrative Review Investigation, or a Fact Finding Inquiry, or to an Internal Affairs Investigator as directed by the Chief of Police or his designee. All complaints will be reviewed by the Internal Affairs unit for accuracy and thoroughness via Blue Team.

B. Directly Investigate the Following:

Receive and directly investigate the following types of allegations of misconduct, this may include, but is not limited to:

1. Acts that could be considered “Good Moral Character” violations as defined by the Criminal Justice Standards and Training Commission.
2. Excessive use of force, under color of authority.

3. Criminal and official misconduct.
4. Violations of civil rights.
5. Allegations of corruption.
6. Committing or condoning racial, religious, national origin, ethnic harassment, or hostile work environment activity.
7. Conduct unbecoming a Member or conduct that:
 - a. Brings the Department into such disrepute, that it loses the respect and confidence of the public.
 - b. Reflects discredit upon the Member's status within the Department.
8. Lying, except as authorized in the performance of duties, or committing perjury.
9. Unauthorized release of confidential information.
10. Violations of the City of Hollywood's Rules and Regulations and/or the Department's Operations Manual that may result in formal disciplinary action.
11. Substance abuse by Members to include DUI.

C. Investigations Requiring Internal Affairs Review:

To ensure the highest level of investigative integrity, the Internal Affairs Unit will respond to the scene and monitor the investigative process of the following incidents which include, but are not limited to:

1. Any discharge of a City owned firearm by any party, except during firearms training and practice; or any discharge of a Non-City owned firearm by a Department Member, except during training, practice or legally sanctioned hunting.
2. Any incident involving a Departmental Member, an individual in Departmental custody, or any citizen that results in death or serious life threatening injury as a result of direct or indirect Police action, i.e., shootings, auto and boat accidents, use of force incidents, etc.

D. Provide Assistance to Other Department Units:

Provide investigative assistance, guidance and cooperation to all elements of the Department.

E. Document Routing for Discipline Recommendations:

Upon the completion of a sustained investigation, Internal Affairs will forward a copy of the investigation through the appropriate Chain of Command for recommendation of disciplinary action.

F. Case Preparation for Discipline Hearings:

Prepare, on behalf of the Department, all cases for Civil Service or Arbitration Hearings involving disciplinary matters.

G. Monitor Discipline Process:

Supervise and monitor the disciplinary procedure on behalf of the Chief of Police.

H. Background Checks on Members:

Monthly, Internal Affairs will query NCIC/FCIC and DHSMV databases after the member's birth month to determine if Department Members continue to possess a valid Florida Driver's License or have acquired an arrest record without knowledge of the Department.

I. Maintenance and Secure Storage of Records:

Maintain complete and secured records of all Internal Affairs investigations, Internal or External Complaints, At-Fault Accidents, Vehicle Pursuits, Unsatisfactory Observed Behavior Reports, Response to Resistance Reports, Administrative Reviews, and Firearm Discharges in a secured area. These reports will be incorporated into the Member Incident Tracking System (IA-PRO) which will be published:

1. Quarterly, to the Chief of Police.
2. To the public upon official request.

J. Confidentiality of Investigations:

Ensure Administrative Reviews and Internal Investigations remain confidential until the investigation has been concluded and information can be properly released according to the Public Records Law (see Section XI Chapter 119, Public Records Law of this SOP).

K. Reporting to the Criminal Justice Standards and Training Commission:

Internal Affairs will forward to the Commission:

1. All sustained misconduct investigations, which violate the “good moral character” standards as defined by CJSTC.
2. Incidents where sworn Members fail to maintain minimum standards as required by the Commission.

IV. INVESTIGATIVE PROCESS FOR ADMINISTRATIVE REVIEWS AND INTERNAL AFFAIRS INVESTIGATIONS

Administrative Reviews or Internal Investigations will not be initiated until the Complaint is reviewed by the Internal Affairs Unit and the complaint has been assigned to a Division Major for an Administrative Review or to an Internal Affairs Investigator by the Chief of Police or his designee.

A. Notifications:

The following notifications will be completed, documented and maintained in the case file of all Administrative Reviews and Internal Affairs Investigations.

1. **Citizen Notifications:** Citizens will be provided the following written notification (see **Appendix A**) by Internal Affairs:
 - a. Their complaint has been received and will be investigated appropriately.
 - b. The rank and name of the assigned Supervisor who will be investigating the complaint.
 - c. The phone number of the Investigator.
 - d. Targeted completion date:
 - (1). **Administrative Inquiries should be completed within 21 days.**
 - (2). **Internal Investigations should be completed within 180 days.**
 - e. The conclusion of fact and disposition concerning the allegation of misconduct.
2. **Member Notification:** Accused Members will be provided the following notification by Internal Affairs:
 - a. Written notification they are the subject of an Administrative Review or Internal Investigation, and sufficient information to apprise them of the allegation, including the Member's rights and responsibilities relative to the investigation (see **Appendix B**).
 - b. When confidentiality is necessary because of the sensitivity of the investigation, the Member will be notified of the above information at the time of the initial interview.

- c. Upon conclusion of the Administrative Review, the Member will receive the conclusion of fact and disposition concerning the allegation of misconduct, in writing, within **10 calendar days** of IA receiving it from a Major or Chief of Police.
- d. Upon conclusion of the Internal Affairs investigations, all Member Notifications will coincide with the “**Law Enforcement Officers’ Bill of Rights**” outlined in **FSS 112.532**.

B. Relief from Duty:

In those instances where it is alleged a Member violated the Rules of Professional Conduct or it is deemed necessary for the good of the Department, a Supervisor may recommend to their Lieutenant, or if not available to a Shift Lieutenant that the Member be temporarily relieved from duty. The involved Lieutenant will immediately notify the affected Division Major and/or Staff Duty Officer, and then relieve the Member if appropriate.

“Immediate relief of the Member by the affected Lieutenant should be subsequent to Staff Duty notification.”

Should it be alleged that a Lieutenant violated the Rules of Professional Conduct, or it is also deemed necessary for the good of the Department, a Supervisor will immediately notify the Lieutenant’s Division Major and/or Staff Duty Officer. The Division Major and/or Staff Duty Officer will then relieve the Lieutenant if appropriate.

1. When a Member is relieved from duty; they must surrender the below listed items, which will be documented on the “Receipt for City Issued Property” form. (see **Appendix F**)
 - a. Police Badge
 - b. Police Identification Card
 - c. Pass Key Card
 - d. Police Radio
 - e. Department vehicle and keys, if applicable.
 - f. Police Issued Firearm
 - g. City Issued Notebook Computer
 - h. All other items (list): shotgun, rifle, Taser etc.
2. Each item turned in will be initialed by the receiving Supervisor.
3. The form will serve as a receipt for all the **City of Hollywood Property** received and will be retained by the receiving Supervisor pending further investigation.
4. All surrendered items shall be secured in a designated locker next to the elevator, and all long-guns will remain secured in the Member’s vehicle (trunk). The vehicle will be parked in the west lot.
5. The Chief of Police or his designee will review all actions taken on the next business day.
6. The Member will receive full pay while being relieved from duty unless otherwise specified by the Chief of Police.
7. The Member relieved from duty and all Supervisors involved will be required to report to the Chief of Police on the next business day at 0900 hours, unless otherwise directed by a Member of the Command Staff.

C. Status of a Complaint:

Accused Members may contact the Internal Affairs Unit or the Supervisor conducting the Administrative Review to ascertain the status of a complaint against them.

D. Limited Expectation of Privacy; Warrantless Entry into Department Issued or Assigned Property:

Members should understand that a limited expectation of privacy shall exist for Department issued equipment or systems used for communication. Therefore,

1. Department issued and assigned property may be inspected.
2. Department communications equipment i.e. telephones, radio channels, e-mail and terminal messages are recorded and may be monitored.

E. Member Restrictions During Complaint Investigations:

Any Member having knowledge of or involved as a subject or witness in a complaint will not:

1. Independently participate in the investigation.
2. Be present during any investigative contact with the complainant or complainant's witness(s).
3. Contact the complainant or complainant's witnesses concerning the allegations.
4. Disclose or discuss the existence of the facts of a complaint with anyone except the designated Departmental authorities conducting the investigation, the Member's attorney or Bargaining Unit representatives.
5. Obstruct or interfere with the investigation.
6. Audiotape any interview.

F. Cooperation of Members:

A Member's cooperation during investigations is essential.

1. Members will cooperate to their fullest with any inquiry made by a Supervisor, Internal Affairs or Investigators representing outside Agencies during a Complaint Investigation, Fact Finding Inquiry, Administrative Review or Formal Internal Investigation.
2. Members will not knowingly make any statements that are untruthful, misleading, or in effect conceals information.

G. Standard of Proof:

The Standard of Proof for determination of any Administrative Review or Internal Affairs Investigation will be a preponderance of evidence.

H. Case Disposition:

There are seven categories which define the conclusion of an incident:

1. **Not Sustained:** There is insufficient evidence to either prove or disprove the complaint.
2. **Exonerated:** The incident occurred, however, the Member's actions were justified, Lawful, or in accordance with Standard Operating Procedure.
3. **Unfounded:** Proof exists that the accused Member was not involved in the incident or the incident did not actually occur.
4. **Exonerated due to Policy Failure:** The allegation is true but the Member was acting in a manner consistent with Department policy or no policy exists covering the Member's action.

In all cases involving a finding of "Exonerated Due to Policy Failure", the Supervisor making the finding will facilitate a draft to resolve the failure.

5. **Sustained:** The allegation is supported by sufficient evidence to conclude that the Member committed one or more of the alleged violation(s).

6. Sustained Violation not Reported: During the course of the Administrative Review or Internal Affairs Investigation, information was discovered the Member violated a written directive of the Department, City Policy, or violation of Law, which was not originally reported.

7. Withdrawn: The complainant retracted the allegation(s) through either a verbal or written statement.

I. Requirements for Dispositions of Sustained:

For dispositions of “Sustained” or “Sustained Violations not Reported:

1. The Investigating Supervisor will articulate in the investigative conclusion of the report, the written directive of the Department, City policy, or Law which was violated.
2. The Division Major will coordinate a recommendation for corrective action or discipline from all Supervisors within the accused Member’s Chain of Command and forward the recommendation to the Chief of Police via Memorandum.
3. The Memorandum will be attached to the investigative file and forwarded to Internal Affairs.
4. The Chief of Police will be the final authority for discipline.

J. Final Disposition Review:

The final authority for all reviews is as follows:

1. **Administrative Reviews:** The assigned Division Major is the final authority for disposition on an Administrative Review as indicated by his affixed signature.
2. **Internal Affairs Investigation:** The Chief of Police is the final authority for disposition on all Internal Affairs Investigations as indicated by his affixed signature.

V. ADMINISTRATIVE REVIEWS

Administrative Reviews will be initiated by the Internal Affairs Unit under the direction of the Chief of Police and forwarded to the Division Major for assignment and completion.

A. Discovery of Serious Violation(s):

During the course of an Administrative Review, if evidence is found the Member has committed any of the following, the investigator will refer the investigation and its current findings to Internal Affairs via Chain of Command for appropriate follow up and completion:

1. A violation of Law.
2. Acts that could be considered “Good Moral Character” violations as defined by the Criminal Justice Standards and Training Commission.
3. Excessive use of force, under color of authority.
4. Criminal and official misconduct.
5. Violations of civil rights.
6. Allegations of corruption.
7. Committing or condoning racial, religious, national origin, ethnic harassment, or hostile work environment activity.
8. Conduct unbecoming a Member or conduct that:
 - a. Causes the Department to fall into such disrepute, that it loses the respect and confidence of the public.
 - b. Reflects discredit upon the Member’s status within the Department.
9. Lying, except as authorized in the performance of duties, or committing perjury.
10. Unauthorized release of confidential information.

11. Violations of the City of Hollywood's Rules and Regulations and/or the Department's Operations Manual that may result in formal disciplinary action.
12. Substance abuse by Members to include DUI.

B. 21 Day Completion Time:

Division Majors will have 21 calendar days from date of receipt of the complaint to complete an Administrative Review.

Extensions may be granted. A Memorandum from the Supervisor conducting the inquiry must be approved by the Division Major and forwarded to Internal Affairs.

C. Report Format for all Administrative Reviews:

All completed Administrative Review investigations will be documented on the Administrative Review Report (see **Appendix C**) and in Blue Team. Reporting Supervisors will complete each section of the Report.

1. **The Report Narrative:** The narrative portion of the Report will contain a minimum of the following information:
 - a. Restatement of the Complaint.
 - b. Date, time and synopsis of the following interviews:
 - (1). **Complainant.**
 - (2). **Witness(s).**
 - (3). **Witness Officer(s)**
 - (4). **Subject Member(s).**
 - c. Witnesses not interviewed and why.
 - d. Evidence:
 - (1). **Description.**
 - (2). **Review of Evidence.**
 - (3). **Diagram(s) if needed.**
 - (4). **Records used.**
2. **Supervisor's Summation:** The facts which have been revealed and deductive reasoning used to make an investigative conclusion.
3. **Report Disposition:** Upon completion of the Administrative Review, the investigating Supervisor will articulate their disposition and the Department or City written directive violation, if appropriate, on an Administrative Review Report.
 - a. The disposition must be concurred with up the Chain of Command to the Division Major who has final review and authority.
 - b. All relevant information must be entered into the Blue Team program and a brief summary of the incident must be included in the narrative section. All relevant documents must be attached to the Blue Team entry.

D. Routing of Completed Administrative Reviews:

The completed and signed hardcopy of the Administrative Review Report will be attached to the Blue Team entry and forwarded to IA. The completed and signed Administrative Review Report will be forwarded to IA for filing.

E. Recording of Administrative Reviews:

Formal discipline is usually not the focus of an Administrative Review. However, Members who are the subject of an Administrative Review may request a recording of the Supervisor's inquiry. Recordings will only be conducted by the reviewing Supervisor. If a recording is made, the Member may request a copy and the original Recording will become an official part of the Administrative Review file.

VI. INTERNAL AFFAIRS INVESTIGATIONS

A. All Complaints will be Received and Recorded by Internal Affairs:

Upon review of any Complaint, the Chief of Police or his designee may assign the complaint to an IA Investigator for an Internal Affairs Investigation.

B. Reassignment within the City and placement on Administrative Leave

The Chief of Police will make the determination on the status of the accused Member ranging from reassignment to another position within the City of Hollywood up to Administrative Leave from the Department.

1. Reassignment to another position within the City of Hollywood.

- a.** A Member re-assigned may be required to return any and all issued equipment as indicated on the Internal Affairs Receipt for City Issued Property form (see **Appendix G**) based upon the request of the Chief of Police.

2. Administrative Leave

- a.** Any Member placed on Administrative Leave as a result of an Internal Affairs investigation will return all issued equipment as indicated on the Internal Affairs Receipt for City Issued Equipment form.
- b.** Access to the City of Hollywood Microsoft Outlook e-mail system will be suspended. This will be handled by the Internal Affairs Unit via the City of Hollywood Information Technology Division. An email will be sent to the HELPDESK.
- c.** The Member will be required to remain at their residence and assume new shift hours of 0900 to 1700 hours – Monday through Friday.
- d.** The Member must call the Internal Affairs office twice per day at 1000 and 1400 hours to check in.
- e.** The Member may only leave their residence for the purpose of attending to any subpoena or scheduled meetings with the Internal Affairs Unit. All other absences from the Members home must be approved by a Lieutenant or Sergeant of the Internal Affairs Unit.

C. Investigative Assistance to Internal Affairs:

The Internal Affairs Investigator may enlist the skills of an Investigator from any Division to assist in an investigation.

If an Internal Affairs Investigator requires the assistance of an Investigator from another Division, the request must be made by the Internal Affairs Investigator to the affected Division Major.

D. The Use of Member Photographs, Medical Laboratory Examinations, Line-Ups, Financial Disclosure Statements, and Instruments for the Detection of Deception:

Members may be required to submit to the above procedures as follows:

- 1.** Internal Affairs Investigators can require Members to submit to the following when there is reasonable suspicion to believe the results will disclose an administrative violation:

a. Medical Laboratory Examinations:

Substance analysis may be ordered by the Chief of Police or his designee, when there is reasonable suspicion to believe the Member is, or has been impaired by, or is under the influence of a substance. The Internal Affairs Unit will oversee the process for substance abuse testing and analysis. The analysis will be conducted using recognized technologies. The types of screening include, but are not limited to:

(1). Blood tests.

(2). Urine tests.

(3). Breath tests.

b. Member photographs.

c. Live line-ups.

d. Financial disclosure statements.

e. Instruments for the detection of deception.

f. Voice prints (other than deception tests).

g. Handwriting samples.

2. If the Department has not requested a Member submit to any of the above tests or procedures, a Member under investigation may request any of the above procedures be performed. The cost of such request will be borne by the Member and the procedure should be recognized and controlled by the Department.

3. Financial disclosures, and other tests or examinations, including instruments for the detection of deception, will only be used to support criminal charges when probable cause can be articulated and proper criminal procedures are initiated to obtain them.

E. 180 Day Completion Time:

Investigations by the Internal Affairs Unit for disciplinary actions will be completed within 180 days following the date the agency receives notice of the allegation by a person authorized by the agency to initiate an investigation of misconduct. Statutory exceptions to extend the 180 day limitation period have been established and are set forth in section 112.532(6)(a), Florida Statutes which are:

1. The running of the limitations period may be tolled for a period specified in a written waiver of the limitation by the Law Enforcement Officer.

2. The running of the limitations period will be tolled during the time any criminal investigation or prosecution is pending in connection with the act, omission, or other allegation of misconduct.

3. If the investigation involves an Officer who is incapacitated or otherwise unavailable, the running of the limitations period will be tolled during the period of incapacitation or unavailability.

4. In a multijurisdictional investigation, the limitation period may be extended for a period of time reasonably necessary to facilitate the coordination of the agencies involved.

5. The running of the limitations period may be tolled for emergencies or natural disasters during the time period wherein the Governor has declared a state of emergency within the jurisdictional boundaries of the concerned agency.

F. Time Off Request Procedures:

While under an Internal Affairs Investigation, members requesting to take accrued time off must follow the procedures set forth in (**SOP #166 Personal Leave & Compensation, Section VI. B. 2**).

VII. INTERVIEW PROCEDURE FOR INTERNAL AFFAIRS INVESTIGATIONS

A. Officer Notification for Appearing at an Internal Affairs Investigation Interview:

Once an Internal Affairs Investigation has reached a point that an interview with a Member is necessary, the Member will be notified of a date and time for the interview via memorandum/email.

1. The Member will be notified whether he is required to appear as a subject or as a witness to an alleged incident.
2. If the Member is the subject of a criminal or internal affairs investigation he will not possess any weapons when entering the Internal Affairs Unit. The Member will properly secure any and all weapons they carry, prior to entering the Internal Affairs Unit office. On duty Members can secure them in the trunk or lockbox of their police vehicle. Lockers are also available, for secure weapon storage, at the entrance to the Internal Affairs Unit office.
3. The Division Major will be copied and will ensure the Member's response to Internal Affairs.
4. All interviews will occur at the Internal Affairs office during duty hours, when possible, unless the seriousness of the investigation is of such a degree that immediate action is required.
5. If any Member requests and receives a date and time that is off duty, the Member will not be compensated for their appearance.

B. Counsel or Representation at Administrative and Criminal Investigative Interviews:

If a Member is ordered to appear as:

1. A **witness**; a Representative or Counsel is not permitted to accompany.
2. The **subject**; has the right to be accompanied by Counsel or any other Representative of their choice. The Representative cannot be someone who is involved in the investigation.
 - a. The Counsel or the Representative is there to observe that the interview is conducted in a fair and objective manner and in accordance with the "Law Enforcement Officers' and Correctional Officer' Bill of Rights" FS 112.532.
 - b. The Counsel or the Representative will identify himself on the Record and state who he is representing.
 - c. Members have the right, during the interview, to briefly confer with Counsel or Representative regarding questions presented to them.
 - d. Counsel or Representatives will not interrupt the interview by raising objections to questions or by making statements for the record unless the objection is based upon a procedure that violates the rights of the Officer being interviewed.
 - e. Any Counsel or Representative of a Member at the interview who interferes with or impedes the progress of the statement or investigation will be asked to leave.
 - f. In the event a Representative is asked to leave, the subject Member will be required to proceed with the interview.
 - g. If, at the end of the interview, the subject Member wishes to make a brief statement on the record regarding the complaint or the manner in which the interview was conducted, they will be permitted to do so.

C. Administrative Interviews (Garrity Warning):

Garrity Warnings will only be administered by Members of the Internal Affairs Unit.

Only in unique circumstances and with the approval of the Chief of Police or his designee, will a Supervisor be permitted to administer Garrity Warnings.

Prior to being compelled to answer questions, the Member will:

1. Read and sign the Internal Affairs Garrity Warning Form (see **Appendix D**)

2. The subject Member will be permitted to review the complaint and all statements, regardless of form, made by the complainant and witnesses immediately prior to the start of the investigative interview.
3. The subject Member or his Counsel/Representative may not cancel the interview after reviewing the complaint. If necessary, the subject Member will be ordered to proceed with the interview.
4. The subject Member will be informed of the rank, name, and Command of the Officer in Charge of the investigation, the investigating Officer, and all persons present during the interview.
5. All questions directed to the subject Member will be asked by and through one interviewer, unless waived by the subject officer.
6. All Members are required to answer fully, completely, and accurately all questions related to the performance of their duties.
 - a. Statements and/or answers by a Member may not be used in any criminal prosecution as evidence with the exception of perjury and obstruction of justice. However, they may be used for administrative purposes to impose disciplinary action.
 - b. Members who refuse to give a statement will be given a Direct Order by the Investigator to do so. Refusing to answer questions may result in disciplinary action, up to and **including dismissal**.
 - c. The Member will not be subjected to offensive language or threatened.
 - d. No promise or reward will be made as an inducement to answer any questions.

D. Criminal Interviews:

Members who are the subject of a criminal Investigation will be read Miranda Rights and the provisions of Miranda will be adhered to throughout the interview.

Members who are the subject of a criminal interview cannot be forced to give a statement or incriminate themselves.

E. Recording of Internal Affairs Interviews:

All Member interviews for Internal Affairs Investigations will be recorded. Internal Affairs Investigators will be the only recording agents.

1. A Member interviewed as the subject of an Internal Affairs Investigation may request and obtain a copy of any recordings made during their interview.
2. All recess periods will be verbally noted on the recording.
3. There will be no unrecorded questions or statements.
4. Interview sessions will be for reasonable periods and will allow for personal necessities and rest periods as are reasonably necessary.

VIII. THE PUBLIC RECORDS LAW

A. When Complaints are no Longer Confidential and Included as Public Records:

All complaints filed will remain confidential and exempt from the provisions of FSS 119.07(1) until the Department has:

1. Concluded the investigation with a finding.
2. The Chief of Police has approved the finding.
3. Written notice to the Member who was the subject of the investigation has been delivered.

B. Exemptions to Public Records:

The following are exemptions to Public Record releases in accordance with Chapter 119 of the Florida State Statutes:

1. Any information relating to active criminal intelligence or investigative information, FSS 119.07 (3)(b).
2. Any information revealing the identity of Confidential Informants or Sources, FSS 119.07 (3)(c).
3. Any information revealing surveillance techniques, procedures, or personnel, FSS 119.07(3)(d).
4. Any criminal intelligence information or criminal investigative information, including the photograph, name, address, or other facts of information, which reveals the identity of the victim of any sexual battery, lewd and lascivious assault, or child abuse, FSS 119.07(3)(f).
5. Any criminal intelligence information or criminal investigative information which reveals the personal assets of the victim of the crime, other than property stolen or destroyed during the commission of a crime, FSS 119.07(3)(g).
6. The social security numbers, home addresses, telephone numbers and photographs of active or former Law Enforcement Personnel or their immediate family, FSS 119.07(3)(i).
7. The names and locations of schools attended by children of Law Enforcement Personnel, FSS 119.07(3)(i).
8. All Juvenile Records, Medical Records, Bank Records, FBI Records and any exemptions provided by general or specific Law.

IX. INTERNAL AFFAIR'S RECORDS

A. Maintenance and Security:

Internal Affairs records will be maintained in a secure area, under the control of the Internal Affairs Unit.

B. Retention Schedule:

All Internal Affairs records and Personnel Files will be maintained by the Department in accordance with the State of Florida's General Records Schedule for Law Enforcement Agencies (Schedule GS2, GS1).

<http://dos.myflorida.com/library-archives/records-management/general-records-schedules/>

Such records will include but are not limited to:

1. Supervisor's Response to Resistance Reports
2. Annual Review of Response to Resistance and Firearms Discharge Reports
 - a. Completed by April 15th of each year an annual administrative review and analysis of all Response to Resistance and Firearms Discharge reports will be conducted. This report will be in the form of a memo submitted to Chief of Police for review.
3. All Not Sustained, Unfounded, Withdrawn or Exonerated Records of Complaints
4. All Sustained Records
5. Personnel Files
6. Disciplinary Action Reports:

Disciplinary Action Reports are stored and maintained per Collective Bargaining Agreements and as follows:

 - a. Disciplinary Action Reports resulting from informal discipline will be sent directly to the Personnel Unit by the issuing Major and stored in the affected Members Personnel file.

- b. Disciplinary Action Reports resulting from an Administrative Review or Internal Affairs investigation will be stored and maintained as follows:
 - (1) The Internal Affairs Unit will place a copy into the affected Members Personnel file for storage.
 - (2) The Internal Affairs Unit will maintain the original copy in the affected Members Internal Affairs case file.

X. REQUESTS FOR INTERNAL AFFAIR'S INVESTIGATIVE RECORDS

A. Requirement for Release:

No one will release, copy, reproduce, or access Internal Affairs Unit files without permission from the Chief or his designee. Members will not refer any Public Record Requests to Internal Affairs Investigators.

B. Removal of Information:

The Internal Affairs Unit will ensure any information exempted from FSS Chapter 119, the Public Records Law, is properly redacted from the file, before access, reproduction or release.

C. Persons who can Review Completed Internal Affairs Files:

Access to Internal Affairs files is restricted and any review must be requested and coordinated through the Internal Affairs Unit.

D. Location Where Reviews are Conducted:

All reviews of the Internal Affairs Unit files will be conducted in the Internal Affairs Office. All reviews will be noted on an "Internal Affairs Unit Records Request Form" (see **Appendix E**). This form will become part of the case file.

E. Release of Originals and Copies:

No original of any Internal Affairs File will be released to any entity outside the Internal Affairs Unit Office unless authorized by the Chief of Police.

Copies will be released as follows:

1. Inter-Departmental entities and other Law Enforcement Agencies will receive one copy, free of charge.
2. Members will receive one copy, free of charge, for each incident that they are a subject of, upon request.
3. Any complainant may receive one copy of the Internal Affairs Unit file, free of charge, upon request.
4. Payment for any additional copies will be facilitated through the Records Department
 - a. The Internal Affairs Member who makes the duplication will:
 - (1). Confer with a Member of the Records Section to determine the proper fee.
 - (2). Deliver the duplicated item to the Records Section for retention until the proper fee is collected.

XI. MEMBER "INCIDENT TRACKING" SYSTEM

A. INCIDENT TRACKING SYSTEM (IA-PRO):

1. It is the responsibility of all Supervisors to monitor the performance and behavior of Members on a daily basis.
2. The Incident Tracking System is a tool designed to assist Supervisory personnel in monitoring employee performance.
3. The Internal Affairs Unit will be responsible for the review and evaluation of the Incident Tracking System.

4. The Internal Affairs Unit will immediately identify any behavior requiring an Incident Tracking System review or intervention based upon the following data:
 - a. Internal Affairs Investigations
 - b. Citizen Complaints
 - c. Traffic Accidents
 - d. Officer's Response to Resistance Reports
 - e. Supervisor's Response to Resistance Reports
 - f. Vehicle Pursuits
 - g. Administrative Reviews
 - h. Unsatisfactory Observed Behavior Reports
 - i. Firearm Discharge Reports

B. INCIDENT TRACKING ALERTS:

1. Member Reviews:

The Internal Affairs Unit will initiate a review of a Member whenever an "alert" has occurred based upon the thresholds set forth in the IA-PRO system. The thresholds are the following:

- a. A total of 2 or more IA Investigations during a 12 month period will be identified in the Incident Tracking System.
- b. A total of 3 or more citizen complaints during a 6 month period will be identified in the Incident Tracking System.
- b. A total of 2 or more preventable traffic crashes during a 6 month period will be identified in the Incident Tracking System.
- c. A total of 3 or more Officer's Response to Resistance Reports during a 6 month period will be identified in the Incident Tracking System.
- d. A total of 2 or more vehicle pursuits during a 6 month period will be identified in the Incident Tracking System. A total of 4 or more vehicle pursuits during a 6 month period will be identified in the Incident Tracking System for K-9 Officers.
- e. A total of 2 or more unsatisfactory Observed Behavior Reports, not to include those issued as a result of an at fault crash, Internal Affairs Investigation or Administrative Review, during a 6 month period will be identified in the Incident Tracking System.
- f. A total of 2 or more Administrative Reviews during a 6 month period will be identified in the Incident Tracking System.
- g. A total of 2 or more Firearm Discharge Reports during a 12 month period will be identified in the Incident Tracking System.
- h. A total of 6 or more Fact Finding Inquiries which were Administratively Closed by the Internal Affairs Unit during a 6 month period will be identified in the Incident Tracking System.
- i. Combination of 5 cumulative aforementioned incidents during a 6 month period will be identified in the Incident Tracking System.
- j. A total of 4 K-9 bite incidents during a 6 month period will be identified in the Incident Tracking System for K-9 Officers.

2. Incident Tracking Report

- a. Internal Affairs will generate an Incident Tracking Report with supporting documentation and send via Blue Team to the Member's Division Major when an alert has occurred.
- b. Division Majors will review and forward to the Member's direct Supervisor.

The Member's Supervisor will complete the alert within Blue Team within 14 calendar days, and forward to the Division Major or Chief, The alert will include the following:

- (1) A written review of each incident which caused the alert, taking into consideration the following:
 - (a) Behavioral, circumstantial and/or procedural indicators which may have indirectly or directly affected the increase of incidences activating the Incident Tracking System.
 - (b) Special emphasis will be placed on preventive action in an effort to maximize operational efficiency and employee proficiency;
 - (c) Corrective recommendation, if applicable.
- d. The Division Major will analyze the information looking for individual/Departmental patterns or trends that indicate training needs and/or policy modifications.
- e. The information provided is to be used as a resource in helping determine if job stress or a performance problem exists.

The information must be reviewed in conjunction with, but not limited to, Personal Leave, commendations, in-service injuries, traffic accidents, and Observed Behavior Reports in order for a fair and meaningful assessment to be made.
- f. The Division Major and the Member's direct supervisor shall conduct a conference with the involved Member.
- g. The Division Major will forward the completed alert along with any recommendations via Blue Team to the Internal Affairs Unit within 14 calendar days.
- h. The recommendation shall be directed toward correcting the behavior of the listed Member becoming involved in incidents documented in the Incident Tracking System report. It should also be noted in the recommendation if no corrections are necessary.

C. Publication Schedule:

An annual evaluation of the Member Incident Tracking System (IA-PRO) will be completed by **April 15th** for the previous year and submitted to the Chief of Police. It shall include but not be limited to Internal or External Complaints, At-Fault Accidents, Vehicle Pursuits, Unsatisfactory Observed Behavior Reports, Response to Resistance Reports, Administrative Reviews, and Firearm Discharge Reports.

XII. DIVISION OF CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION (CJSTC)

A. CJSTC Authority to Discipline:

The Criminal Justice Standards and Training Commission certify all Criminal Justice Officers in Florida. Therefore, the Commission's decision to discipline may be separate and distinct from the disciplinary action taken by an Officer's employing Agency.

B. Sources of Commission Cases:

The Commission will open a disciplinary case against an Officer from the following sources:

- 1. Information received from the employing Agency in the form of a sustained violation of the "Good Moral Character" standard.
- 2. Verifiable complaints received from citizens.
- 3. Notification of an Officer's arrest.
- 4. Officer termination under undesirable circumstances or misconduct involving a violation of the "Good Moral Character" standard.

Therefore, an Officer's resignation in lieu of Agency discipline does not preclude the Commission from reviewing the facts of the Officer's misconduct and taking its own disciplinary action.

- 5. FDLE Staff documentation.

6. By order of the Governor.

C. Definitions of the “Good Moral Character” Standard of the Commission:

The following criteria are used by the Commission to determine if the misconduct is a “Good Moral Character” violation:

1. Any act or acts which would constitute a felony offense, whether criminally prosecuted or not, regardless of,
 - a. A plea of nolo contendere, guilty plea or conviction.
 - b. A conviction with a withholding of adjudication or suspension of sentence.
2. Any act or acts which would constitute a serious misdemeanor offense, whether criminally prosecuted or not, regardless of,
 - a. A plea of nolo contendere, guilty plea or conviction.
 - b. A conviction with a withholding of adjudication or suspension of sentence.
3. The following non-criminal acts of misconduct:
 - a. Excessive use of force, under color of authority.
 - b. Sexual harassment involving physical contact or misuse of official position.
 - c. Engaging in sex while on duty.
4. Conduct which subverts or attempts to subvert the Commission, Criminal Justice Training School or employing Agency’s examination process.
5. The unlawful use of controlled substances.
6. Unprofessional relationship with an inmate, probationer or parolee.

D. Types of Discipline Imposed by the Commission:

Types and examples of discipline are as follows:

1. **Types:**
 - a. Written reprimand.
 - b. Probation up to two years (with mandatory re-training or counseling, if applicable).
 - c. Suspension up to two years.
 - d. Revocation.
2. The following example violations, absent mitigating circumstances, usually conclude with the revocation of a Criminal Justice Officer’s Certification:
 - a. Convictions or pleas of nolo contendere or guilty to a felony offense, regardless of withholding of adjudication or suspension of sentence.
 - b. Convictions or pleas of nolo contendere or guilty to a misdemeanor involving perjury or false statement, regardless of withholding of adjudication.
 - c. Possession, sale or positive tests for a controlled substance.
 - d. Tampering with Evidence.
 - e. Use of Force/Battery.
 - f. Prostitution or Lewdness
 - g. False reports or false official statements.

E. Impact of Department Discipline on Commission’s Decision to Defer Discipline:

If an Officer is not terminated by the employing Agency after committing a “Good Moral Character” violation and the Officer has been disciplined by the Agency in accordance with the Commission’s penalty guidelines, the Commission will defer to the Agency’s disciplinary action.

1. The following requirements must be met prior to the Commission deferring to an Agency’s discipline:
 - a. The Officer’s act is not a felony.
 - b. The Officer has not tested positive for a controlled substance.
 - c. There is not a “pattern of misconduct.”
 - d. The misconduct does not present a high risk of harm to the Officer, other Officers, or the public at large.
 - e. The Officer is not a repeat offender (third act of misconduct being brought to the Commission).
 - f. The Officer was disciplined in accordance with the Commission’s penalty guidelines for the violation charged.
2. If the Commission is satisfied with the Agency’s discipline of the Officer, the Officer will be issued a “Letter of Acknowledgement” and the Commission will take no further action.

F. The Department’s Responsibility to CJSTC:

The Department is required to send a complete investigative package to the Commission, which includes but is not limited to:

1. The allegations, summary of the facts, names of witnesses, witness statements and depositions, and any other supportive documentation or information of a sustained allegation of “Good Moral Character.”
2. The Department must also conduct an internal investigation and submit findings to the Commission if the Department has cause to believe that an Officer has not maintained the minimum standards to be certified.
3. Therefore, the following Units are responsible for conducting an Administrative Review and submitting their findings to the Internal Affairs Unit for any sworn Member who fails to maintain minimum standards as required by the Commission:
 - a. Training Unit.
 - b. Personnel Unit.
4. The Internal Affairs Unit will be responsible for submitting such reports to the Commission.

XIII. DEFINITIONS:

A. ADMINISTRATIVE REVIEW:

An investigation of a less serious nature reviewed at a Division level and issued a Review Number (R-number) from Internal Affairs.

B. BLUE TEAM:

Web based program designed to allow supervisors to enter and manage incidents from “the field”. Incidents include Response to Resistance Reports, informal discipline, complaints, vehicle accidents, and vehicle pursuits. All which are then routed through the chain-of-command with review and approval at each step.

C. COMMISSION:

The Criminal Justice Standards and Training Commission of the Florida Department of Law Enforcement (FDLE).

D. CORRECTIVE ACTION:

Verbal Counseling, Observed Behavior Reports (Sworn), and Written Reprimands (Non-Sworn).

E. DISCIPLINARY ACTION REPORTS:

Any documentation of discipline, whether formal or informal, which includes, but not limited to, Internal Affairs Investigations and Administrative Reviews.

F. GARRITY WARNING:

An advisement of rights usually administered by state or local investigators to their employees who may be the subject of an internal investigation. It was promulgated by the Supreme Court of the United States in *Garrity v. New Jersey* (1967).

G. MEMBER INCIDENT TRACKING SYSTEM (IA-PRO):

Incident tracking software designed to provide early identification and intervention based on configurable thresholds in such areas as; citizen complaints, administrative reviews, IA investigations, preventable traffic crashes, Response to Resistance Reports, vehicle pursuits, observed behavior reports, and K-9 bite incidents.

H. "GOOD MORAL CHARACTER" STANDARD:

Acts of conduct that meets criteria developed by the Criminal Justice Standards and Training Commission (CJSTC), of the Florida Department of Law Enforcement (FDLE).

I. FACT FINDING INVESTIGATION:

An initial investigation conducted by the Internal Affairs Unit to determine if the complaint is an allegation of misconduct or a misunderstanding of law, departmental written directive and/or procedure.

J. FORMAL DISCIPLINE:

Formal Discipline includes suspension, demotion, or termination.

K. INFORMAL DISCIPLINE:

Informal Discipline consists of counseling and the issuance of Observed Behavior Reports (Sworn Members) and Written Reprimand (Non-sworn Members). Such actions are not subject to the grievance process.

L. INTERNAL AFFAIRS INVESTIGATIONS:

Allegations of a serious nature or event that have a potential of liability for the Department that is specified under "**Section III, Responsibilities of the Internal Affairs Unit,**" paragraph "**B**" or "**C**" or any incident which has been adopted by Internal Affairs as an investigation and issued an Internal Affairs Case number (IA-number).

M. INITIATING SUPERVISOR:

The Supervisor who initially identifies or receives a complaint or allegation of misconduct and completes the Complaint Intake Report.

N. LETTER OF ACKNOWLEDGEMENT:

Letter issued by CJSTC agreeing with an Agency's discipline for a sustained violation.

O. INVESTIGATING SUPERVISOR:

The Supervisor responsible for conducting an Administrative Review.

P. OFFENSE OF A LESS SERIOUS NATURE:

A complaint about rudeness, discourtesy, or other minor violation, if sustained, could result in informal discipline.

Q. OFFENSE OR INCIDENT OF A SERIOUS NATURE:

A complaint or allegation about conduct or performance, if sustained, would constitute a violation of department policy or federal, state, or local law which could result in formal discipline.

This may include, but is not limited to:

1. Acts that could be considered "Good Moral Character" violations as defined by the Criminal Justice Standards and Training Commission.
2. Excessive use of force,
3. Criminal and official misconduct.
4. Violations of civil rights.
5. Allegations of corruption.
6. Committing or condoning racial, religious, national origin, ethnic harassment, or hostile work environment activity.
7. Conduct unbecoming a Member or conduct that:
 - a. Causes the Department to fall into such disrepute, that it loses the respect and confidence of the public.
 - b. Reflects discredit upon the Member's status within of the Department.
8. Lying, except as authorized in the performance of duties, or committing perjury, including omission.
9. Unauthorized release of confidential information.
10. A violation of the City of Hollywood's Rules and Regulations and/or the Department's Standard Operating Procedures Manual that may result in formal disciplinary action.
11. Substance abuse by Members to include DUI;
12. Sexual misconduct; and
13. Cases referred directly by the Chief.

ATTACHMENTS:

- **Appendix A:** Citizen Notification Letter.
- **Appendix B:** Member Notification Letter.
- **Appendix C:** Administrative Review Report.
- **Appendix D:** Garrity Warning.
- **Appendix E:** Citizen Request to Review Internal Affairs Files.
- **Appendix F:** Receipt for City Issued Property



CITY OF HOLLYWOOD, FLORIDA

POLICE DEPARTMENT ♦ INTERNAL AFFAIRS UNIT
3250 HOLLYWOOD BOULEVARD ♦ 33021-6967
Telephone: (954) 967-4398 ♦ (954) 967-4399

“To Enhance the Quality of Life for Every Individual in the City of Hollywood”

Office of the
Chief of Police

Date:

Name:

Address:

Internal Affairs Case Number:

Dear _____,

The Hollywood Police Department is presently investigating allegations made by you against a member of this Department. The investigation will be conducted under the above listed Internal Affairs Case Number.

We anticipate that the Internal Affairs portion of the investigation will be completed within 30 to 45 days from the date of receipt; however the entire administrative process, from date of receipt of complaint to final disposition, takes approximately 90 days.

In accordance with Florida State Statute 112.533 (2)(a), any and all information obtained pursuant to this investigation, including the complaint itself, is CONFIDENTIAL until this investigation ceases to be active or until the officer(s) who is (are) the subject of this investigation is (are) provided with written notice of the conclusion and finding of the investigation.

The assigned Supervisor, _____ with the telephone number of _____ will be contacting you in the near future.

Thank you for bringing this matter to our attention. You will be notified when the investigation is completed.

[Type Written Name and Title] _____
Internal Affairs Unit
Hollywood Police Department



CITY OF HOLLYWOOD, FLORIDA

POLICE DEPARTMENT • INTERNAL AFFAIRS UNIT
3250 HOLLYWOOD BOULEVARD • 33021-6967
Telephone: (954) 967-4398 • (954) 967-4399

“To Enhance the Quality of Life for Every Individual in the City of Hollywood”

Office of the
Chief of Police

Date:

Name:

Address:

Internal Affairs Case Number:

Insert Member's Rank and Name here

The Hollywood Police Department, Internal Affairs Unit is presently investigating an allegation made against you. The investigation will be conducted under the above listed Internal Affairs Case Number ().

THE COMPLAINANT HAS ALLEGED THE FOLLOWING:

Date: Time:
Type of Contact:
Location of Contact:
Type of Complaint or Action:
Explanation of Complaint:

Members Rights and Responsibilities:

State Statutes:

- FSS 112.533 mandates that Internal Affairs complaints are confidential until the complaint has been completed and officially closed by the Chief of Police. Therefore, you are prohibited from discussing this case with anyone.
- FSS 112.532, the “Officer’s Bill of Rights”, requires the Department to follow certain procedures during all Internal Investigations and interview of sworn Members. It is the policy of this Department to adhere to these requirements for all Members, sworn and non-sworn, who are the subject of an Internal Investigation.
- FSS 837.02, “Perjury When in an Official Proceeding” Statute will apply to all Members, complainants and witnesses to ensure that the “Discovery of Truth” is the basis of this procedure.

Written Notification to Accused Members:

- Members will receive written notification if they are the subject of an Administrative Review or Internal Affairs Investigation. If confidentiality of the complaint is not an investigative necessity, the member will also receive sufficient information to apprise them of the allegation.
- Members will also receive written notification of the findings and classification of an Administrative Review or Internal Affairs Investigation within 10 days of conclusion.

Member Rights During Criminal and Administrative Internal Affairs Investigations.

- Accused Members, who are the subject of an investigation, have the right to be accompanied by a Representative or Counsel when summoned to give an interview to Internal Affairs.
- Each Member will have the opportunity to read and review the complaint along with all written statements prior to an interview.
- All interviews to Internal Affairs will be audio taped by Internal Affairs, only.
- Only one Investigator at a time will interview a Member.
- Members will not receive any promises, inducement or reward for giving a statement nor be subjected to offensive language, threatened with job transfer, dismissal or disciplinary action.
- Members are not allowed to independently investigate or participate in the investigation. Therefore, Members will not:
 - Have contact with the complainant or witnesses.
 - Disclose or discuss the existence of facts of a complaint with anyone except the designated Departmental Authorities conducting the investigation, Bargaining Unit Representative, or Attorney.
 - Obstruct or interfere with the investigation.

Criminal Investigations:

- Members who are the subject of a Criminal Investigation will be read Miranda Rights prior to the interview being conducted. The provisions of Miranda will be adhered to throughout the interview.
- Members will also be required to adhere to the orders of a subpoena if certain personal documents i.e.; financial records, medical records or other necessary documents are required during a Criminal Investigation.

Administrative Internal Affairs Investigations:

- Member's, who are the subject of an Administrative Internal Affairs Investigation, will receive "Garrity Warnings" prior to an interview. Members who refuse to answer any question, after receiving a direct order from the Investigator, may be subject to disciplinary action up to and including dismissal. Administrative statements can not be used against the Member in any criminal proceeding except for Perjury and Obstruction of Justice violations.
- All Department equipment, issued property or personal property within the Department may be subject to a warrantless search.
- Members may be required to submit to Photographs, Medical Laboratory Exams, and Financial Disclosure statements without a required subpoena.

For further information concerning these issues, see the Professional Compliance SOP # 104.

You may be contacted to provide additional information about this incident. If you have any witnesses or additional information regarding this investigation, please forward the information to the Internal Affairs Unit.

Investigator's Signature _____ Title _____
Hollywood Police Department
Internal Affairs Unit



HOLLYWOOD POLICE DEPARTMENT
INTERNAL AFFAIRS UNIT

ADMINISTRATIVE REVIEW REPORT

DATE: INTERNAL CASE #:
TO: Internal Affairs Unit POLICE CASE #:
FROM: INCIDENT DATE:
TIME:
COMPLAINANT'S NAME:
COMPLAINT MADE AGAINST: Badge:
Additional Member's Name: Badge:
Additional Member's Name: Badge:
Additional Member's Name: Badge:
Additional Member's Name: Badge:

Report Narrative

Restatement of the Complaint:
Date, Time and Synopsis of Interviews:
Complainant:
Witness(s)
Witness Officer(s):
Subject Member(s):
Witnesses not interviewed and Why:
Evidence:
Description:
Review of Evidence:
Diagram(s) if needed:
Records used:
Supervisor's Summation:
Report Disposition:

- Not Sustained, Exonerated, Unfounded, Exonerated due to Policy Failure, Sustained, Sustained Not Reported

Date Investigation Completed:
Investigating Supervisor Name: Badge #:

Reviewed by: 1. Signature Date:
2. Signature Date:
3. Signature Date:

Complainant Notified of Outcome: Date: Time:
Addendum:

Internal Affairs Case #:
Hollywood Police Department
INTERNAL AFFAIRS UNIT

GARRITY WARNING

I am Investigator's Name of the Internal Affairs Unit of the Hollywood Police Department. Also present is/are Names of other Interviewing Investigators.

You are being questioned as part of an official investigation being conducted at the specific direction of the Police Chief and under the authority invested in this Unit by the Operations Manual of the Hollywood Police Department with respect to allegations made against you by: Complainant's name, to the effect that you Statement of Accusation.

You will be asked questions specifically directed and narrowly related to the performance of your Official Duties and Fitness for Office. You are entitled to all the rights and privileges guaranteed by the Florida Statutes and the Constitution of the United States, including the right not to be compelled to incriminate yourself and further have an attorney or any other representative of your choice present during questioning. Furthermore, this conversation is being recorded.

Since your testimony is being offered under oath, any lack of truthfulness during questioning may be subject to a perjury violation. With the exception of the offense of perjury, any disclosure or truthful information which might indicate that you may be guilty of criminal conduct will not be used against you in a criminal prosecution. This is an administrative investigation and these statements may be used against you in relation to Department charges. You are required to answer questions truthfully.

1. Do you understand what has just been explained to you? Initial Yes Initial No
2. Do you have any questions concerning what has just been explained to you?
 Initial Yes Initial No
3. You are now ordered to answer questions that shall be asked. Failure to provide answers after receiving a direct order from the Investigator may subject you to disciplinary action up to and including dismissal. Initial

Signature (Interviewed Member) Date Time

Signature of Interviewing Investigator

Witness: _____ Witness: _____



**HOLLYWOOD POLICE DEPARTMENT
INTERNAL AFFAIRS UNIT**

CITIZENS REQUEST TO REVIEW INTERNAL AFFAIRS FILE

Date of Review:

Requesting Parties Information

Name:

Address:

Telephone #:

File(s) Requested

Officer:

Officer:

Officer:

Officer:

Officer:

Copies Requested: Yes No

Number or Pages Copied:

Cost Charged for Copies: \$

**HOLLYWOOD POLICE DEPARTMENT
INTERNAL AFFAIRS UNIT**

RECEIPT FOR CITY ISSUED PROPERTY

I.A. NUMBER:

CASE NUMBER:

DATE:

INVOLVED MEMBER:

INTERNAL AFFAIRS MEMBER:

Having been relieved from duty, the above listed officer must surrender the items listed below to the Hollywood Police Department. The receiving officer will initial after each item turned in and sign this form. This form will serve as a receipt for all the **City of Hollywood Property** received on this date.

Police Badge:

Police Identification Card:

Pass Key Card:

Police Radio: Serial Number:

Keys for City Vehicle: Vehicle Number:

Police Issued Firearm: Serial Number:

City Issued Notebook Computer: Asset Number:

Other Items (List): Shotgun, Rifle, Taser Etc.

EMPLOYEE'S SIGNATURE: _____ DATE: _____

I.A. MEMBER SIGNATURE: _____ DATE: _____

ALL ITEMS RETURNED TO MEMBER ON: DATE: _____ BY: _____