

Sean T. Brandenburg

Chief of Police



Key West

POLICE DEPARTMENT

EXPLANATION OF THE COMPLAINT AND COMMENDATION PROCESS

The Key West Police Department is committed to public confidence. To that end, the Department establishes high standards of performance and conduct expected of its personnel. To ensure the public trust and maintain the Department's integrity, it is the policy of the Key West Police Department to willingly receive, review and attempt to resolve all complaints regarding the conduct of its personnel, department procedures and services. It is equally important that members be recognized for their dedicated service to the public. It is essential that all allegations of police misconduct are promptly, thoroughly and objectively investigated to assure the public that misconduct by police officers will not be tolerated and, at the same time, provide a process whereby officers unjustly accused can be vindicated. The responsibility and authority for oversight of this process within the Key West Police Department is vested within the Professional Standards Division.

Q. Who can file a complaint against a member of the Key West Police Department?

A. Any person who has direct standing in the matter, or who has either witnessed or who has direct knowledge of an incident in question.

Q. How do I file a complaint?

A. Complaints will be accepted by the Key West Police Department in person, by telephone, letter or e-mail. Although the Department encourages the complainant to provide his/her name and contact information in the event the Department needs to re-establish contact, anonymous complaints will also be received and processed to the extent possible with the information given. To expedite the handling of your complaint and to provide for more personal attention to the matter, it is preferred that you speak directly to the subject member's immediate supervisor. If that supervisor is unavailable, you should speak directly with the on-duty Watch Supervisor. If your complaint is about the supervisor, you should speak to the next higher level supervisor in his/her chain of command or directly to the Internal Affairs Inspector. Complaints are often made as a result of a misunderstanding of the law or department procedures. You will be provided a copy of this document, which explains the Department's complaint procedure. If after discussing the matter with the supervisor you wish to continue with the process, your complaint will be documented on a Personnel Complaint Form.

If you have not already provided one, you will also be asked to provide a sworn statement either verbally or in writing.



RESPECT - INTEGRITY - FAIRNESS - SERVICE

Key West Police Department 1604 N. Roosevelt Blvd. Key West, FL 33040 (305) 809-1111
cityofkeywest-fl.gov



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Explanation of the Key West Police Department Complaint and Commendation Process continued...

Q. What happens to my complaint?

A. After the necessary paperwork is received, your complaint will be reviewed, and if necessary, assigned to an investigator. It may be necessary for the investigator to speak with you. The investigator's completed report will be reviewed and a conclusion of fact will be made based on preponderance of the evidence.

Q. Will I be notified of the results?

A. Yes. You will receive a letter confirming receipt of your complaint. You will likewise be informed of its disposition.

Q. Will I be allowed to see the completed case?

A. Yes. Under the Florida's Public Records Law, all completed cases become public record and are available for inspection at a time that is mutually convenient to you and the Department. To view any completed case, please make contact with the Internal Affairs Inspector during normal business hours.

Q. What are my responsibilities?

A. The greater responsibility falls upon the Department. You basically have only one responsibility: To **provide only factual and truthful information**; willfully providing information that you know or believe to be false is a crime punishable under law.

Q. How can I compliment a member of your Department for a job well done?

A. Police personnel often times are required to make immediate decisions in the face of very difficult circumstances. The Department welcomes your comments and appreciates knowing that you recognize the service our dedicated men and women provide to their community. You may send your comments to the Office of the Chief of Police or the Commander of the Professional Standards Division.

Key West Police Department

Professional Standards
Division
1604 N. Roosevelt Blvd.
Key West, FL
33040-1409



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Citizen Complaint Sworn Affidavit

Complainant Name _____ Date of Birth _____ Race _____ Sex _____

Address _____ Phone _____ Email _____

Person Affected by Incident (if different from complainant) _____

Address _____ Phone _____ Email _____

Witness Name _____ Date of Birth _____ Race _____ Sex _____

Address _____ Phone _____ Email _____

Incident Date _____ Time _____ Location _____ Case Number _____

Employee Name(s) or Description(s) _____

Describe the Incident, Specific Complaint and Desired Remedy



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PLEASE READ CAREFULLY BEFORE SIGNING. You must complete the remainder of this affidavit in the presence of a notary public. Upon witnessing your signing of this affidavit, a notary public shall complete the notary block by entering the same date the affidavit is signed.

ANY FALSE STATEMENTS MADE MAY BE SUBJECT TO CRIMINAL PROSECUTION UNDER PERJURY, FALSE REPORT OR CIVIL STAUTES. UNDER PENALTY OF PERJURY THE UNDERSIGNED SWEARS THAT THE FACTS CONTAINED ON EVERY PAGE IN THIS DOCUMENT ARE WITHIN THEIR PERSONAL KNOWLEDGE AND ARE TRUE AND CORRECT.

Print Name _____ Signature _____ Date _____

STATE OF FLORIDA, COUNTY OF _____, the forgoing instrument was acknowledged before me this _____ day of _____ (month) _____ (year) by _____ who is personally known to me or who has produced _____ (type of identification) as identification and who DID take the oath listed above.

Notary's Name _____ Notary's Signature _____

Notary's Title or Rank _____ Notary's Identification Number _____

Notary's Stamp:

Employee Receiving Complaint _____ ID Number _____

Date _____ Time _____

F.S. 837.012- Perjury when not in an official proceeding provides that:

- 1. Whoever makes a false statement which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter shall be guilty of a misdemeanor of the first degree, punishable as provided in F.S. 775.083 or F.S. 775.085.
 - 2. Knowledge of the materiality of the statement is not an element of this crime, and the defendant's mistaken belief that this statement was not material is not a defense.
- F.S. 112.533(4) Any person who is a participant in an internal investigation, INCLUDING THE COMPLAINANT, the subject of the investigation, the investigator conducting the investigation, and ANY WITNESS to the investigation, WHO WILLFULLY DISCLOSES ANY INFORMATION obtained pursuant to the agency's investigation, including, but not limited to, the identity of the officer under investigation, the nature of the questions asked, information revealed, or documents furnished in connection with a confidential internal investigation of an agency, before such complaint, document action or proceeding becomes a public record as provided in this section commits a misdemeanor of the first degree, punishable as provided in F.S. 775.082 or F.S.775.083.

F.S. 122.432(3) - Officers have the right to bring a civil suit against any individual who files a false or malicious complaint.



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