

Personnel Complaints and Administrative Investigations

1010.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for receiving, investigating, and processing personnel complaints. It provides for an effective evaluation of alleged misconduct so that legitimate grievances and complaints may be assessed and judged fairly and impartially. The established process for review and investigation of all complaints against the Department, its officers, and other members ensures the process is consistent and equitably applied, and all complaints and allegations are resolved. It also protects members from unfounded charges of misconduct or wrongdoing and provides accused members with due process.

The Department is always evaluated and judged by the conduct of individual members. It is imperative the entire organization not be subject to public censure because of the misconduct of one or more of its personnel. When an informed public knows its police department honestly and objectively investigates and adjudicates allegations of misconduct, the public is less likely to become indignant over incidents of misconduct.

The Green Cove Springs Police Department seeks to maintain its integrity and that of its members. In so doing, the Department will not hesitate to impose disciplinary actions on members who violate the law or standards of professional law enforcement conduct, to remove from employment or affiliation those members who prove to be unfit for the profession of law enforcement, or to dismiss unjustified allegations against innocent members. ([FSS 112.533](#)).

1010.1.1 DEFINITIONS

Definitions related to this policy include:

Administrative investigation – A formal investigation of serious alleged misconduct or violation(s) of rules and regulations, department policy, city policy, moral character violations as defined by Criminal Justice Standards and Training Commission (CJSTC), or criminal violation(s) by any member of this agency, which may result in disciplinary action. Administrative investigations can be an Internal Affairs Investigation (IA) or a Supervisor Review (SR).

Complaint - Any alleged or suspected act of misconduct by a member which is contrary to written rules, regulations, policies, procedures, directives, orders of the Department or moral character violation as defined by CJSTC or criminal violation(s).

Formal complaint - A complaint received and documented by the Department in which the complainant intends for formal discipline to be taken against the member.

Law enforcement officer - Any person, other than a Chief of Police, who is employed full time or part-time by any municipality or the state or any political subdivision thereof and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, traffic, or highway laws of this state ([FSS 112.531](#)).

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

Non-punitive - An informal disciplinary action that is intended to correct or improve performance. This action is used to educate a member and includes verbal/oral counseling, training and a Memorandum of Counseling.

Punitive - A formal disciplinary action imposed after a sustained violation of department policy, procedure, rule, or regulation. Forms of punitive discipline include a Written Reprimand/Notice, suspension from duty without pay, disciplinary probation, and separation of employment or affiliation.

Verbal complaint - A complaint received verbally from a citizen or member, usually of a minor nature, and can be resolved informally by the responsible supervisor.

1010.2 POLICY

The Green Cove Springs Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members. When complaints are received by any member regarding any misconduct or violation of law, it shall be his/her responsibility to document and report the allegation or complaint to the next level of supervision that is not a subject of or involved in the complaint.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law and municipal and county rules.

It is the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

It is also the policy of this agency that all administrative investigations against sworn members be conducted in accordance with those rights and privileges enumerated in Florida Statutes, including [FSS 112.532](#) (Law Enforcement Officer's Bill of Rights), and any other applicable rules, regulations, and/or laws.

1010.3 PERSONNEL COMPLAINTS

To ensure the integrity of the Department's operations and personnel, the Green Cove Springs Police Department will investigate all allegations of misconduct by the Department and its members, regardless of the source or member, to the extent required by the nature and type of complaint. **(CAL. 26.2.1)**

Complaints shall include alleged inadequate or inappropriate service. Persons who file complaints of a serious nature (i.e., excessive use of force, criminal activity) may be asked to sign a form authorizing the release of their relevant medical records to the Department and/or city legal staff.

Complaints about conduct or performance that, if true, would not violate department policy/procedure or federal, state or local law, policy, or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures, or the response to specific incidents by the Department.

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

Complaints against any Command Staff member will be recorded and conducted with the same integrity and transparency as with any other member. Complaints against the Chief of Police shall be brought to the attention of the Director of the City's Human Resource Department via the Administrative Division Commander or designee.

Procedures to register a complaint against the Department or its members will be made available to the public via the Department's website and/or other public platforms.

1010.3.1 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, in email, in person, by telephone, or via social media platforms.
 - 1. Complaints received electronically will be investigated to the extent possible. Additional contact with the complainant will be attempted to verify the allegations.
- (b) Supervisors shall initiate a complaint based upon receipt from any source alleging member misconduct that, if true, could result in some form of disciplinary action.
- (c) Tort claims and lawsuits may generate a personnel complaint.

1010.3.2 MEMBERS OF OTHER AGENCIES

If a member of the Green Cove Springs Police Department receives a citizen complaint against a member of another law enforcement agency, they shall direct the citizen to the proper agency and provide any assistance necessary. If the complaint is serious in nature, the member should contact an on-duty supervisor or Internal Affairs member of that agency, as soon as possible but no longer than five (5) days, and inform them of the allegations.

Members wishing to file a complaint against law enforcement officers from another agency stemming from the member's official duties shall first inform the Chief of Police via their chain of command. The Chief of Police shall provide guidance and direction in the matter.

Members wishing to file a complaint against a member from another law enforcement agency stemming from an incident that did not occur during the member's official duties (i.e., off-duty contact), should keep the Chief of Police abreast of the situation via their normal chain of command.

When a Green Cove Springs Police Department administrative investigation involves a member from an outside law enforcement agency, the Department investigators should work in conjunction with that subject's employing agency to ensure their rights are not being violated. Those agencies should be kept informed as much as possible, without jeopardizing the investigation.

1010.3.3 INTERNAL COMPLAINTS

Supervisors and other members who wish to report/document a member's violation of department or city directives shall do so via the Department's electronic SHIELD EMCOT complaint form.

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

Members may file complaints directly with the City's Human Resources Department if all members in their chain of command are involved in the issue they wish to report.

1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1010.4.1 CITIZEN COMPLAINTS (CAL. 26.2.4)

A department Citizen Complaint Form ([See attachment: AI-2 Citizen Complaint Form.pdf](#)) will be developed and maintained by the Commander of the Administrative Division. Copies of Citizen Complaint Forms will be maintained in easily accessible locations (i.e., the Communications Center, patrol vehicles). Department complaint forms will be issued to any person requesting one, by any member who receives the request. This should be done regardless of what information the requesting party wishes to provide or withhold to the member receiving the request.

Although physical complaint forms will be issued to anyone who requests one, citizens should be encouraged to submit complaints via the Department's electronic complaint form (SHIELD Employee Conduct (EMCOT) software). The electronic complaint form will be accessible to the public through the department website.

Citizens shall be provided with a copy of their completed forms (electronic or paper), including the contact information for the Administrative Commander, when practical.

Completed complaint forms (in all formats) shall be forwarded to the Administrative Division Commander within twenty-four (24) hours.

No member shall withhold a complaint form from being properly documented and reviewed by the Department. **(CFA 20.01M b)**

Complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1010.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly forwarded to the appropriate on-duty supervisor. The supervisor, upon contact with the complainant, shall complete an electronic complaint form (SHIELD EMCOT) as appropriate. If a supervisor is not immediately available to take a complaint, the receiving member shall forward the complainant to the Administrative Commander.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs, or physical evidence may be obtained as necessary.

All formal complaints will be reviewed, categorized, and managed by the Administrative Division Commander.

Personnel Complaints and Administrative Investigations

1010.5 LEVELS OF COMPLAINTS

The City of Green Cove Springs and the Green Cove Springs Police Department has separated offenses and complaints into three groups. Group 1 and 2 offenses are generally minor allegations concerning a member's attitude, poor work performance, poor handling of calls, or a situation where the complainant was not satisfied with the member's actions or lack of actions. Group 3 offenses are generally any major wrongdoing or criminal activity on the part of a department member.

Members can review more comprehensive grouping lists in the City's Personnel Policies and Procedures Manual.

1010.5.1 GROUP 1 OFFENSES

Group 1 offenses/investigations include, but are not limited to, the following:

- Failure to work overtime or off-duty details after being scheduled
- Traffic ticket or traffic warning complaints
- Rudeness, profanity or courtesy
- Failure to report an absence or in the required time frame
- Productivity not up to standards
- Excessive tardiness
- Violating general safety rules, practices or procedures
- Reporting to work while unfit for duty
- Failure to keep the Department notified of proper contact information
- Failure to use safety belt in a department vehicle
- Minor conduct or operational policy errors
- Minor unprofessional or improper conduct
- Making or publishing false, vicious, or malicious statements concerning another member
- Speeding or other minor traffic infractions
- Failing to meet a set deadline or goal
- Personal appearance
- Any other minor infractions as determined by the Chief of Police

1010.5.2 GROUP 2 OFFENSES

Group 2 offenses/investigations include, but are not limited to, the following:

- Failure to properly document reported crimes
- Unauthorized sleeping on duty

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

- Chronic absenteeism and/or abuse of sick leave
- Leaving work without permission
- Leaving an assigned post without permission
- Carelessness which results in injury to another member or damage to department property
- Failure to report an on-duty accident
- Unauthorized use of department vehicle
- Chronic violations of Group 1 offenses
- Traffic crashes
- Any other infractions as determined by the Chief of Police

1010.5.3 GROUP 3 OFFENSES

Group 3 offenses/investigations include, but are not limited to, the following:

- Criminal misconduct
- Gross misconduct
- Use of excessive force
- Falsifying official records
- Insubordination
- Use of alcohol or illegal drugs while on-duty
- Unlawful arrests
- Being absent for a period of 2 consecutive days without proper authorization
- Incompetence in the performance of assigned duties
- Failure to report loss and/or certification required as part of the member's job description
- All police involved deaths or shootings
- Missing money or property
- Possible vehicle pursuit policy violations
- Sustained Supervisor Reviews (SRs) that may lead to formal discipline
- Untruthfulness in official capacity
- Moral character violations (per CJSTC)
- Incidents of domestic violence involving members
- Any action by the Department or a member that has (or possibly will) triggered civil litigation against the agency

Personnel Complaints and Administrative Investigations

- Chronic violations of City and/or department policies and/or procedures
- Compromise or misuse of sensitive/privileged information
- Any other serious misconduct as determined by the Chief of Police

1010.6 ADMINISTRATIVE INVESTIGATIONS

An administrative investigation may be initiated against a member when the member is suspected of violating a city or department policy or directive, or when a member is suspected of violating a state or local law or ordinance.

The Department shall not initiate any formal investigation against a member without the knowledge and consent of the Chief of Police.

The Administrative Commander shall have the authority to report directly to the Chief of Police in reference to all formal administrative investigations. (**CAL. 26.2.3**)

The Chief of Police or designee has the right to assign any complaint, regardless of offense grouping level, to any ranking officer, investigator, or another member of his/her choosing.

Department members, whether a subject of an administrative investigation or as a witness, will answer all questions honestly, completely, and to the best of their ability. No member will interfere with any administrative investigation.

A complaint may consist of one or more allegations. Each allegation must be addressed by the investigating member. If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the assigned member shall take appropriate action with regard to any additional allegations. The Chief of Police will have the responsibility to approve the final disposition for each charge against a member in an administrative investigation unless the Chief is a principal in the complaint.

Except as authorized or required by the Chief of Police or designee, members will not contact persons involved in an administrative investigation or disclose any information regarding the investigation until the investigation has been concluded.

The Chief of Police retains the authority to order an administrative investigation be re-opened, notwithstanding the limitations period for commencing disciplinary action, demotion, or dismissal, if: ([FSS 112.532\(6\)\(b\)](#)):

- Significant new evidence has been discovered that is likely to affect the outcome of the investigation, and
- The evidence could not have reasonably been discovered in the normal course of the investigation or the evidence resulted from the pre-disciplinary response to the member.

Any disciplinary action against a sworn member resulting from an investigation that is reopened pursuant to this paragraph must be completed within 90 days after the date the investigation is re-opened.

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

No complaint shall be investigated by a person, witnesses, or potential witnesses, named in the same complaint.

All department administrative investigations and interviews should be conducted by members of the Green Cove Springs Police Department.

The Chief of Police or designee should request a sworn or certified investigator from a separate law enforcement agency to conduct an administrative Investigation when: ([FSS 112.533](#)).

- (a) A conflict is identified with having an investigator conduct the investigation of an officer/ member of the Department;
 - 1. Internal Affairs Investigations (IAs) in which the subject member is the Chief of Police shall be conducted by a law enforcement agency chosen by the City Manager or his/her designee.
 - 2. IAs involving members of the Command Staff may be conducted by another law enforcement agency, as designated by the Chief of Police.
- (b) The Department does not have an investigator trained to conduct such investigations; or
- (c) The Department's investigators are the subject of, or a witness in, the investigation, and the Department is composed of any combination of 35 or fewer law enforcement officers.

In the event that the Department exercises the above-mentioned option, the Department must document the identified conflict. The outside agency's investigator shall present the findings without any disciplinary recommendation to the Chief of Police.

1010.6.1 INFORMAL COMPLAINTS

Many times a citizen will complain of misconduct on the part of a member but will have no desire to pursue the allegation beyond a verbal complaint. These complaints are generally of a minor nature involving a member's attitude, failure to take action, rude conduct, etc. If the complainant requests the incident be handled informally, this may be done, in the absence of any indication of a serious infraction of established rules or laws, or of a pattern of similar complaints against the same member.

In the instance of an informal complaint, the member receiving the complaint will refer the person to the supervisor of the member. After obtaining the complainant's version of the incident, the supervisor will speak with the member and obtain his/her explanation of the situation. If the member admits to handling the incident improperly, the supervisor will either counsel the member or request that a formal investigation be conducted, stating the reasons for the necessity of such formal investigation. If no formal investigation appears warranted, no further action will be taken by the supervisor (other than to document the complaint in the SHIELD EMCOT system). The Administrative Commander will notify the complainant as to the results of the informal complaint if the complainant wishes to be re-contacted.

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

If the member denies any wrongdoing and provides a reasonable explanation for his/her actions, the supervisor will document that fact in the EMCOT program and so advise the complainant, if re-contact was requested.

If the complainant is not satisfied with the outcome of the informal complaint, the complaint may be handled as a formal investigation at the discretion of the Chief of Police, based on the nature of the allegation and the circumstances of the complaint.

1010.6.2 INQUIRIES

An inquiry assigned by the Administrative Commander is conducted by the investigating member to determine if a reasonable belief exists that a policy and/or criminal violation has occurred, and to establish whether a particular member was involved in the incident, either as a witness, or participant.

Whenever possible, the investigating member will inform the member of the inquiry and conduct fact-finding questioning. If the inquiry determines that there is no potential policy violation, the investigating member may ask for a written document confirming the information provided by the member. A sworn member may have up to twenty-four (24) hours or the next business day to review the document with a representative before turning it in. If the inquiry leads to an investigation or based on the initial facts presented there appears a reasonable belief of a policy violation, a sworn member who is being investigated shall not be required to provide a written report or response to questions posed during the investigation if it is the investigating authority's intent to interview the sworn member consistent with the Law Enforcement Officers' Bill of Rights. This shall not prevent the sworn member from providing reports or other written findings required in the normal course of the performance of their duties.

It is important for the investigating member to keep documentation while conducting an inquiry. An inquiry does not fall under the requirements of the Law Enforcement Officers' Bill of Rights, however; the questioning should be recorded.

Once the investigating member has established a reasonable belief that a violation has occurred which may result in discipline, the inquiry shall immediately cease, be turned over to the Administrative Commander, and the member shall be granted all rights consistent with this policy. If while conducting an inquiry, the investigating member cannot establish a reasonable belief that a policy violation or offense has occurred, the complaint may be concluded at the inquiry level.

1010.6.3 SUPERVISOR REVIEWS **(CAL. 26.1.5)**

A Supervisor Review (SR) shall be considered a formal administrative investigation. Supervisor Reviews will consist of a member's supervisor, or other assigned member, conducting an investigation into whether or not the member has committed a lower-level policy infraction (generally Group 2 offense or below). On occasion, a member of the Command Staff may also conduct a SR. **(CAL. 26.3.1 a) (CFA 20.01M a)**

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

Supervisor Reviews will not begin until after the complaint has been reviewed by the Chief of Police and assigned to a supervisor by the Administrative Commander. Supervisor Reviews (SRs) should only be conducted if a "Sustained" finding of the allegations would not normally consist of punitive discipline greater than a Written Reprimand.

If information received by the investigating supervisor during a SR indicates the complaint may be of a more serious nature, and if a disposition of "Sustained" could lead to more serious formal punitive discipline, the supervisor shall stop the investigation. The supervisor shall make a written request in memorandum format to the Chief of Police, via the Administrative Commander, requesting the investigation be upgraded to an Internal Affairs Investigation (IA).

At the conclusion of a SR, the reviewing member will recommend a disposition for each charge and complete an Administrative Investigation Report detailing the allegations and findings. The documentation shall be forwarded to the Administrative Commander for review and documentation and then to the Chief of Police for review/approval.

With the knowledge of the Director of the City's Human Resources Department, Supervisor Reviews (SRs) on the Chief of Police may be conducted by the Administrative Commander and reviewed by the Commander of the Operations Division. Supervisor Reviews of all other Command Staff members will be investigated by the Chief of Police or designee.

A SHIELD EMCOT complaint form will be completed for all Supervisor Reviews.

1010.6.4 INTERNAL AFFAIRS INVESTIGATIONS

An Internal Affairs Investigation (IA) shall be considered a formal administrative investigation. The internal affairs function of the Department will serve to investigate any allegations that contain a possible Group 3 offense (e.g., offenses generally requiring more than a Written Reprimand) against the Department and its members, and to administer and monitor the overall administrative inquiry/Internal Affairs Investigation (IA) process. **(CAL. 26.3.1 b) (CFA 20.01M b, c)**

Internal Affairs Investigations will not begin until after the complaint has been reviewed by the Chief of Police and assigned to a qualified investigator by the Administrative Commander. If the subject member is of the rank of Sergeant or above, the Administrative Commander shall take the role of the lead investigator in the matter.

Assigned IA personnel will have the complete authority to interview complainants, witnesses, and department personnel regarding the issue of the complaint and shall expect the cooperation of all members of the Green Cove Springs Police Department.

At the conclusion of an IA, the assigned investigator will complete an Administrative Investigation Report, recommending a disposition for each charge. The report and file will be forwarded to the Administrative Division Commander. The commander will review the case, provide remarks regarding possible policy or law violations and suggest disciplinary action. The file will then be forwarded to the Chief of Police for final review and approval.

A SHIELD EMCOT complaint form will be completed for all Internal Affairs Investigations.

Personnel Complaints and Administrative Investigations

1010.6.5 MEMBER INTERVIEWS

Prior to being interviewed for any administrative investigation, all members will be informed as to whether they are a subject/principal or just a witness. All interviews will be taken while under oath.

All members will be asked to answer questions voluntarily. If a member refuses to answer questions in an official administrative investigation, they may be compelled to do so. Members compelled to answer questions in an administrative investigation will be protected from certain criminal charges.

Members questioned in any department administrative investigation in which criminal activity may be involved must be provided with the Garrity Warning before questioning. The member should not be administratively ordered to provide any information in a criminal investigation against them.

The State of Florida has established the Florida Law Enforcement Officers' Bill of Rights in order to provide law enforcement officers with certain rights while being interviewed when punitive actions may result for them. These rights are not extended to non-sworn members.

Sworn principal/subject members being interviewed in reference to a formal administrative investigation shall be provided with their rights, interviewed after all witnesses, and only after they have had an opportunity to review all evidence and witness statements.

The interview of all subject members in an administrative investigation shall be recorded. The recordings may be video/audio or just audio. Recordings of subject member interviews should be transcribed before they are presented to the Chief of Police. Interviews of witnesses may be transcribed as needed. All members shall be given an opportunity to review their transcribed interviews for accuracy.

If a member is under arrest or is likely to be (e.g., is a suspect or target of a criminal investigation), the member will be informed of his/her rights in accordance with prevailing legal requirements prior to being interviewed. If a member chooses to invoke any or all of his/her legally protected rights, that member will not be subject to charges of insubordination or failure to cooperate for that reason alone.

1010.7 SUPERVISORS

(CAL. 26.1.5)

1010.7.1 AUTHORITY

Supervisors who view policy or procedural violations, or have more than a mere suspicion they have occurred, have the authority to charge members accordingly.

Supervisors shall have the authority to issue:

- (a) Informal verbal counseling
- (b) Informal Memorandum of Counseling
- (c) A formal Written Reprimand

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

Supervisors shall document their actions on the proper forms and a SHIELD EMCOT complaint report.

Supervisors shall have the authority to speak with a person wishing to make a complaint, in an effort to answer their questions or dispel any of their concerns.

Any supervisor may relieve from duty any subordinate personnel when such action is considered to be in the best interest of the member, the Department, or the public for such a period as is necessary to receive direction from a higher level of authority.

(See the Department's Disciplinary Process Policy)

1010.7.2 RESPONSIBILITIES

In regards to an administrative investigation or complaint, the responsibilities of supervisors include, but are not limited to:

- (a) Ensure that upon receiving or initiating any formal complaint, the proper forms are completed and forwarded to the Administrative Commander within 24 hours.
- (b) Responding to all complaints in a courteous and professional manner.
- (c) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Chief of Police is notified via the chain of command as soon as practicable.
(CAL. 11.3.3)

When a supervisor becomes aware of or is assigned to investigate a member's misconduct/actions, he or she will thoroughly investigate the incident and ascertain if disciplinary action is necessary. A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation. Supervisors shall have the authority to speak with a person wishing to make a complaint, in an effort to answer their questions or dispel any of their concerns.

Supervisors shall have the authority to counsel members under their command. Counseling may be used by the supervisor as follows:

- i. To determine the extent of any personal or job-related problems that may be affecting performance and to offer assistance and guidance.
- ii. To discuss minor and infrequent rule violations and to discuss the substance and importance of the rules with the member.
- iii. Corrective action.

Supervisors shall document all instances of counseling or additional training used to modify a member's behavior.

A supervisor may investigate his/her own complaint against a member unless the member can show a clear and convincing conflict of interest as determined by the Administrative Commander, or the Chief of Police, or where the alleged violation could result in discipline greater than a Written Reprimand.

The mere fact that a supervisor has issued a member verbal counseling, Memorandum of Counseling, or Written Reprimand does not constitute an administrative investigation.

Personnel Complaints and Administrative Investigations

EMCOT reports should be completed to document most actions taken by supervisors.

1010.8 DISPOSITIONS

In an administrative investigation, each complaint charge shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Not-Sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful, and/or proper. Common reasons a member is exonerated are due to policy or training failures.

1010.9 CRIMINAL INVESTIGATIONS

Members of the Green Cove Springs Police Department shall not be afforded any preferential treatment in cases involving violations of the law. A member accused of criminal conduct shall be provided with all rights afforded to a civilian.

When any department member is advised that they or another member is the subject of a criminal investigation, he/she shall immediately notify the Chief via the proper chain of command. (**CAL. 11.3.3**)

When a member is accused of potential criminal conduct within the city limits of Green Cove Springs, the Chief of Police may assign the Administrative Commander or other qualified members to conduct a criminal investigation. This should be done with the knowledge and assistance of the State Attorney's Office (SAO). Alternatively, the Chief of Police may request a criminal investigation against a member be completely conducted by another agency with jurisdiction in the City (e.g., the State Attorney's Office, the Florida Department of Law Enforcement (FDLE), the Clay County Sheriff's Office (CCSO), etc.). The fact that an outside agency was contacted or a criminal investigation was initiated will be noted in the case summary.

When a member is suspected or accused of committing a crime outside of the City of Green Cove Springs, the Department will fully cooperate with the proper law enforcement agencies.

Department investigators involved in a criminal investigation of a member shall not participate in related administrative investigations against that member.

Department administrative investigations shall be subsequent to any related criminal investigation, but the related internal investigation may parallel the criminal investigation.

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

The Green Cove Springs Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1010.10 INVESTIGATIVE RESOURCES

1010.10.1 FINANCIAL DISCLOSURES

With the approval of the Chief of Police, a member may be required to submit a financial disclosure statement when the actions are essential to a particular Internal Affairs Investigation. If the member refuses to disclose financial records, he or she may be compelled to supply the records. Refusal to comply could result in the Department obtaining a subpoena to acquire the records and disciplinary action up to and including termination. **(CAL. 26.3.6 e) (CFA 20.03 d)**

1010.10.2 TELEPHONE RECORDS

With the approval of the Chief of Police, a member may be required to submit telephone records or other related documents when the actions are essential to a particular Internal Affairs Investigation. If the member refuses to disclose records or documents, he or she may be compelled to supply the records. Refusal to comply could result in the Department obtaining a subpoena to acquire the records and disciplinary action up to and including termination.

1010.10.3 PHOTOGRAPHS/LINEUP/TESTS

Upon the order of the Chief of Police, members shall submit to any ballistics, chemical or other tests, photographs, or lineups. All procedures carried out under this subsection shall be specifically directed and narrowly related to a particular IA being conducted by the Department. Refusal to comply could result in disciplinary action up to and including termination. **(CAL. 26.3.6 b, d) (CFA 20.03 b, c)**

With the approval of the Chief of Police, a member may be required to stand in a lineup for viewing by citizens for the purpose of identifying a member accused of misconduct. Department member photographs may be maintained for the purpose of identification by citizens of a member accused of misconduct. Photographs of members for identification will be required by the Department and will be used as it narrowly relates to the member's job. Photographs or video recordings of members may be taken, whether knowingly or unknowingly by the member, for the purpose of IAs when it relates to the member's job and the member is suspected of misconduct. **(CAL. 26.3.6 b, c)**

With the approval of the Chief of Police, members may be required to cooperate with the creation of an audio/video recording exemplar, when the actions are material to a particular IA being conducted by the agency. **(CAL. 26.3.6 c)**

1010.10.4 TRUTH VERIFICATION EXAMS

(CAL. 26.3.6 f) (CFA 20.03 e)

With the approval of the Chief of Police, a member who is the subject of, or witness in, an Internal Affairs Investigation may be requested to submit to a Polygraph or Computer Voice Stress Analyzer (CVSA) exam. The member may choose not to submit to the exam. Truth verification

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

examinations should be limited to those cases in which the allegations are relatively serious and all other investigative leads have failed to produce a preponderance of evidence that will either prove or disprove the allegation.

No investigator shall personally administer a truth verification examination to any member involved in a case in which he is the assigned investigator. Truth verification examination results will be included as additional evidence to be considered by the case reviewers. Case findings shall not be made solely on the outcome of a truth verification examination. If criminal charges are expected to be pursued against a member, all rights and privileges afforded other suspects regarding truth verification exams shall be allowed.

1010.10.5 SUBSTANCE ABUSE TESTING (CAL. 26.3.6 a) (CFA 20.03 a)

Blood, urine, or other specimen tests may be required of any department member accused or suspected of using any drug or controlled substance whose possession is considered illegal whether the use is on or off duty. Members may be requested to submit to any other type of medical or laboratory exam, in relation to an IA, at the Department's expense.

When a supervisor believes that a member is under the influence of alcohol or drugs while on duty, or is using illegal drugs off duty, the Administrative Commander shall be contacted immediately. An officer assigned by the Administrative Commander shall escort the member to the proper facility for testing.

Refusal by a member to submit to such testing may form the basis for disciplinary action up to and including termination.

1010.10.6 ADMINISTRATIVE SEARCHES

Offices, lockers, desks, file cabinets, planners, computers, vehicles, cell phones and all other facilities and equipment issued or assigned by the Department may be searched, with approval from the Chief of Police, consistent with applicable law to collect and preserve evidence related to an investigation or for supervisory oversight. Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

Department members are hereby specifically informed that they have no expectation of privacy in regard to offices, lockers, desks, file cabinets, planners, computers, vehicles, cell phones and all other facilities and equipment issued or assigned by the Department.

Members shall not be subject to having his/her home, place of personal business, or private vehicle searched unless a valid search warrant has been obtained or he/she voluntarily agrees to such a search and signs a written permission to search form.

1010.11 ADMINISTRATIVE EVIDENCE

All members shall comply with all lawful evidentiary requests made by investigators during an administrative investigation.

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

Sworn subject members shall be provided with all existing evidence related to an administrative investigation against them prior to being interviewed. Sworn subject members shall review and sign the Department's Administrative Investigation Evidence Review Form ([See attachment: AI-13 Evidence Review Form.pdf](#)), before their interview. The signed and witnessed form will be placed in the case file.

1010.12 NOTIFICATIONS

Upon receipt of all complaints, the Administrative Division Commander shall forward notice of the complaint to the Chief of Police no later than the next business day, for review and direction. **(CAL. 26.3.2)**

The Administrative Commander shall route all SHIELD IA and EMCOT summary sheets to the Chief of Police and all other non-involved supervisors of the subject member, unless it is deemed necessary to keep confidentiality because of the sensitivity of the complaint or investigation. **(CAL. 26.3.2)**

The Chief of Police shall be notified immediately when the following complaints are received against the Department or its members: **(CAL. 11.3.3)**

- (a) Civil liability suits against members of the Department.
- (b) Allegations of corruption.
- (c) Allegations of excessive force or brutality where there is evidence to support the allegation.
- (d) Violations of civil rights where there is evidence to support the allegation.
- (e) Allegations of criminal misconduct where there is evidence to support the allegation.
- (f) Any other incident which may lead to erosion of public trust/confidence.

In the event criminal charges may arise from a complaint, the City Manager and the State Attorney's Office shall be notified by the Chief of Police or designee.

For all administrative investigations, the lead investigator shall notify the accused member, in writing ([See attachment: AI-5 Notification of A.I..pdf](#)), of the allegations and their rights and responsibilities relative to the investigation. The notification shall be served as soon as practical, but at least twenty-four (24) hours before the member is questioned or a conclusion is reached in the investigation. The notification may be suspended if it is deemed necessary by the Chief of Police or designee to keep confidentiality because of the sensitivity of the investigation. **(CFA 20.02M) (CAL. 26.3.5)**

The subject member shall also be notified, in writing, of any extensions in an investigation.

All notifications related to formal administrative investigations shall be properly documented ([See attachment: AI-17 Notification Service Log.pdf](#)).

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

1010.12.1 NOTICE OF INVESTIGATION STATUS

The Administrative Commander shall ensure that every complainant receives official notice that their complaint has been received by the Department. The acknowledgment shall inform the citizen if the complaint is being investigated. **(CAL. 26.3.4 a)**

The Administrative Commander shall maintain a thirty (30) day schedule for status notification to the complainant and notify the complainant, in writing, of the status of any administrative investigation until its conclusion. **(CAL. 26.3.4 b)**

The Administrative Commander shall keep the Chief of Police informed of the status of investigations, on a weekly basis, either orally or via email.

The subject member of an administrative investigation shall be notified by the Administrative Commander, in writing, when the case file has been presented to the Chief of Police.

At the conclusion of all formal administrative investigations, the Commander of the Administrative Division shall ensure the complainant and the involved member(s) are notified of the conclusion of fact. The conclusion of fact shall include the findings of any policy violations and any discipline issued. The Department's Notice of Administrative Investigation Results Form ([See attachment: AI-15 Notice of A.I. Results.pdf](#)) and case summary page, from the SHIELD system, shall serve as notification. Subject members of formal investigations should be provided with a copy of the completed Administrative Investigation Report. **(CAL. 26.3.4 c) (CFA 20.04M) (CAL. 26.3.8)**

1010.12.2 CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION **(CFA 20.01M h)**

If a member who is covered by the Law Enforcement Officers' Rights Act receives a sustained violation of [FSS 943.13\(4\)](#), or disciplinary action related to a criminal conviction of perjury or conduct involving the member's moral character, notice shall be made to the Criminal Justice Standards and Training Commission (CJSTC) within forty-five (45) days of the date that the allegation is sustained, for a determination of whether the disciplinary penalty conforms to the commission rules ([FSS 943.1395; Rule 11B-27.003, F.A.C.](#)). The Administrative Division Commander will ensure the form is completed and forwarded to the Administrative Assistant of the Chief of Police for submission to FDLE, along with any other required documents.

The CJSTC defines failure to maintain good moral character as:

- Any act constituting a felony offense *regardless of criminal prosecution*;
- A plea of guilty, an adjudication of guilt, or a verdict of guilty after a criminal trial, or any act constituting one of the following enumerated misdemeanor offenses *regardless of criminal prosecution*.

[\(See complete list of CJSTC Moral Character Violations\)](#)

1010.12.3 FRINGE BENEFITS **(CAL. 26.1.7)**

Personnel Complaints and Administrative Investigations

If the discipline issued is dismissal, the employee shall be provided written notice, by the City Human Resource Department, as to the status of his/her fringe and retirement benefits after dismissal.

1010.12.4 CRITICAL INCIDENT STRESS MANAGEMENT

Members of the Department's Critical Incident Stress Management (CISM) team shall be notified of formal administrative investigations, if appropriate, when the investigation could be expected to negatively effect the member's mental and/or emotional stability. CISM team members will not be entitled to any information that may compromise an investigation.

1010.13 POST INVESTIGATION

Upon completion of an administrative investigation, the assigned investigator shall submit all related materials and reports to the Administrative Commander. The Administrative Commander will review the files and add any recommendations for the Chief of Police to consider in the Administrative Investigative Report. The Administrative Commander shall forward the complete file, including the report, to the Chief of Police.

The Chief of Police shall review the related files and Administrative Investigative Report. The Chief of Police may modify any recommendation, disposition, and/or may return the file to the Administrative Commander for further investigation or action.

If the investigator concludes that no violation has occurred, and the Chief of Police concurs with that opinion, the Chief of Police will complete an Administrative Investigation Finding of Facts Report, noting the disposition of the allegation. The member will be notified of the disposition and given a copy of the report.

If the investigator concludes that some violation has occurred, and the Chief of Police concurs with that opinion, the Chief of Police will schedule a Complaint Evaluation Hearing with the member. (See the Department's Disciplinary Process Policy)

1010.14 IDENTIFICATION OF DISCIPLINARY MEASURES

The Chief of Police, in coordination with the Human Resources Department, should develop a system for disciplining members, including:

- (a) Types of measures that may be used as discipline (e.g., suspension, demotion, termination).
- (b) Use of counseling and/or remedial training, if appropriate.
- (c) The authority of each level of supervision to impose discipline.

Corrective action should be determined by the seriousness of the violation. It shall be commensurate with the circumstances surrounding the incident, while considering the member's service record and any prior complaints.

(See the Department's Disciplinary Process Policy)

Personnel Complaints and Administrative Investigations

**1010.15 ADMINISTRATIVE LEAVE
(CAL. 26.3.7)**

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused member to administrative leave. The member will be served with a Relieved of Duty Form ([See attachment: AI-14 Relieved of Duty.pdf](#)). Any member placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The member may be required to remain available for contact at all times during such shift and will report as ordered.

(See the Department's Disciplinary Process Policy)

1010.16 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline. Moral character violations shall still be reported to the Florida Department of Law Enforcement, despite employment status of the subject member.

1010.17 PROBATIONARY MEMBERS

Newly employed probationary personnel are afforded all rights enumerated under this policy and related procedures. However, this policy does not affect their "at-will" status. Similarly, a member on probation due to a promotion is also covered, but his or her probationary status is not affected.

- For example, a probationary sergeant may be at fault for an on-duty traffic accident. He/she may be investigated, cited and disciplined for a policy violation. The sergeant will receive the rights enumerated in this policy and the appeal procedures. However, the Chief of Police is free to summarily revoke a promotion with or without cause during the probationary period. In that case, the provisions of this policy do not apply.

**1010.18 TIME LIMITS AND EXTENSIONS
(CAL. 26.3.3)**

Except as provided in state statute ([FSS 112.532](#)), disciplinary action, suspension, demotion, or dismissal may not be undertaken by the Department against a law enforcement officer for any act, omission, or other allegation of misconduct if the investigation of the allegation is not completed within one hundred and eighty (180) days after the date the agency receives notice of the allegation by a person authorized by the agency to initiate an investigation of the misconduct.

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

The 180 day period applies to any allegation or complaint of misconduct regardless of the origin of the complaint.

Supervisor Reviews on sworn members shall be completed within 45 days of initiation. Internal Affairs Investigations on sworn members shall be completed within 90 days. Any administrative investigation against a non-sworn member should be completed within 180 days. Extensions shall be granted by the Chief of Police upon written request which contains an explanation of any extenuating circumstances which give rise to the extension request.

Notice to the sworn subject member shall be provided within 180 days after the date the Department received notice of the alleged misconduct, except as follows:

- (a) The running of the limitations period may be tolled for a period specified in a written waiver of the limitation by the member.
- (b) The running of the limitations period is tolled during the time that any criminal investigation or prosecution is pending in connection with the act, omission, or other allegation of misconduct.
- (c) If the investigation involves a member who is incapacitated or otherwise unavailable, the running of the limitations period is tolled during the period of incapacitation or unavailability.
- (d) In a multi-jurisdictional investigation, the limitations period may be extended for a period of time reasonably necessary to facilitate the coordination of the agencies involved.
- (e) 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) The running of the limitations period is tolled during the time that the member's compliance hearing proceeding is continuing beginning with the filing of the notice of violation and a request for a hearing and ending with the written determination of the compliance review panel or upon the violation being remedied by the agency.

1010.19 CONFIDENTIAL MANDATE

(CFA 20.01M e, g)

In part, [FSS 122.533](#) provides that a complaint filed against a law enforcement officer with a law enforcement agency, and all information pursuant to an administrative investigation by the agency of the complaint, shall be confidential until the conclusion of the administrative investigation. Thereafter, the complaint and all such information shall be open to inspection pursuant to Chapter 119 of the Public Records Law.

All persons involved in an administrative investigation against a law enforcement officer shall acknowledge this confidentiality mandate ([See attachment: AI-10 AI File Confidentiality.pdf](#)).

1010.20 DOCUMENTATION

(CAL. 26.2.2) (CFA 20.01M d)

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

Supervisors or other receiving members shall ensure that complaints are properly documented as follows:

- **Citizen Complaint Form (paper)** - A member of the public may complete a Citizen Complaint Form If he/she does not have easy access to the SHIELD EMCOT link or does not want to file the complaint online.
- **SHIELD EMCOT (electronic form)** - Every paper Citizen Complaint Form will be transferred onto a SHIELD EMCOT Report, by the Administrative Commander or designee. All internal complaints must be completed on a SHIELD EMCOT Report by the reporting supervisor or member.

All received complaints shall be entered into the Department's official complaint logging system by the Administrative Commander, as soon as practical after being received.

Upon completion of a Supervisor Review or Internal Affairs Investigation, the assigned supervisor or investigator shall complete the Department's Administrative Investigative Report. The report shall contain the investigator's opinion as to whether or not one or more of the allegations, or any additional allegations, appear to violate any laws, departmental rules, or policies. If the investigator believes a violation of any kind has occurred, he/she will quote the specific rule, policy, or law within the report. Assigned administrative investigators shall include a verification with the report that complies with the requirements of [FSS 92.525](#). All related documents and applicable policies and procedures related to the investigation shall be saved with the related investigative file.

1010.20.1 ANNUAL ADMINISTRATIVE REPORT (CAL. 26.2.5)

On an annual basis, no later than January 30th of each year, the Commander of the Administrative Division shall audit the Department's official complaint log and compile a report containing statistical summaries of all complaints received and investigated by the Department for the previous year. The Annual Administrative Complaint Report shall be reviewed by the Chief of Police. The report should be made available to members of the Department and the public via records requests, publications or the Department's website.

1010.21 RECORDS (CAL. 26.2.2) (20.01M f)

The Administrative Commander will maintain logs of all complaints made against department members and administrative investigations.

All Supervisor Reviews and Internal Affairs investigations shall be fully documented in the SHIELD IA program. All complaints shall be documented in the SHIELD EMCOT program.

All physical SR and IA files shall be maintained in secured confidential storage, located in the Administrative Commander's office. Physical SR and IA files will be retained in conformity with the Florida Law Enforcement Records Retention Schedule. All digital SHIELD records related to IAs and SRs shall be maintained indefinitely. SHIELD EMOCT records will be retained as outlined in the Department's Disciplinary Process Policy.

Green Cove Springs Police Department

Policy Manual

Personnel Complaints and Administrative Investigations

During an administrative investigation and processing of complaints, the confidentiality of these records will be strictly maintained. When a final disposition of any administrative investigation has been rendered, the investigation becomes a public record. The investigation will be released in accordance with public records laws and will be made available to any requesting party.

Administrative investigation records are open to public inspection. and copying in accordance with the Florida Public Records Law. If records are reviewed by the public, the Administrative Commander or designee shall remove the files and be present during the review to ensure that the integrity of the files is maintained and any questions about the investigation are answered.

Review of administrative investigative files will be coordinated through the Administrative Commander unless otherwise directed by the Chief of Police or a court of competent jurisdiction. A record will be made of each review ([See attachment: AI-16 File Review Log.pdf](#)). Copies of administrative investigative files will be issued only with the approval of the Chief of Police or a designee. A record will be made showing who received the copies ([See attachment: AI-18 Distribution of Copies.pdf](#)) if that information is available.

Upon request, the accused member and the victim/complainant may obtain one (1) complete copy of the investigative file at no cost. Upon request, a witness may obtain a copy of his/her statements at no cost. However, if the member requests copies of audio or videotapes, other than email, the member must furnish blank cassettes or disks. Requests from other agency members and citizens are subject to established department fees.

1010.22 FALSE ALLEGATIONS

While encouraging the filing of legitimate complaints against Green Cove Springs Police Department members as a means by which they can be held accountable to the public, the Department simultaneously seeks to hold members of the public responsible for filing false and malicious allegations against police personnel. In cases of this nature, the complainants will be informed that appropriate legal proceedings will be instituted ([FSS 837.06](#); [FSS 837.012](#); [FSS 837.02](#); [FSS 837.021](#)).

Should it arise that malicious and false accusations are made, the allegations may be investigated in order to protect the integrity of the Department or its members. The investigation will be completed to the extent necessary to determine an accusation is false.

1010.23 PERSONNEL EARLY INTERVENTION SYSTEM (CAL. 35.1.9 a, b)

The Personnel Early Intervention System (PEIS) will be activated when a member is involved in three (3) or more formal administrative investigations or complaints within six months.

(See the Department's Personnel Early Intervention System Policy)

Attachments

AI-2 Citizen Complaint Form.pdf



GREEN COVE SPRINGS POLICE DEPARTMENT

Chief Derek S. Asdot
1001 Idlewild Avenue
Green Cove Springs, FL 32043 (904) 297-7300



Citizen's Complaint Form / Notice

It is the policy of the Green Cove Springs Police Department (GCSPD) to investigate any, and all, allegations and complaints of misconduct against a member of the police department.

If you have a concern about the actions taken by a member of the Green Cove Springs Police Department you may utilize any of the options, outlined below, to make us aware:

1. You may complete this form and submit it to the police department (in person, by mail or via email).
2. You may contact us directly at the Green Cove Springs Police Department, located at 1001 Idlewild Avenue in Green Cove Springs, Florida 32043 and file your complaint in person.
3. You may use a letter sent via official mail service.
4. You may contact us by telephone at 904- 297-7300 (You should ask to speak with a supervisor. If a first-line supervisor is unavailable, you may ask to speak with a Division Commander).
5. You may contact the Department via fax at 904-284-1436.
6. You may inform us via the various GCSPD social media platforms.
7. You may contact us via email at info@gcspd.com.

Citizen complaints may be filed anonymously; however, if there are no investigative leads (i.e., witnesses, names, contact information, dates, or times) it may be difficult to conduct a thorough investigation into the allegations.

Upon receipt of a citizen complaint, a member of the Department will contact you to acknowledge receipt. The person receiving your complaint may ask you to provide as much information as possible, or for additional information regarding the incident. If you were involved in or witnessed the incident, it may be important that a written statement be obtained from you. If you have a concern that stems from an arrest or citation issued to a family member or yourself, it may not be investigated until the legal matter has been settled through court proceedings.

A citizen complaint may be investigated in one of two ways, depending on the seriousness of the allegations. It will either be forwarded to the member's supervisor for inquiry or to Internal Affairs (more serious allegations) for investigation. Formal investigations pertaining to misconduct require investigators to contact all available witnesses, including police officers, examine any relevant physical evidence and gather all information pertinent to each allegation made in the complaint. Upon completion of the investigation, the Chief of Police will review the finding in each case. The five possible findings in misconduct investigations are:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not Sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

Policy Failure - When the member's misconduct was in-line with existing policy or there was no policy which addressed the incident. The investigation reveals policy changes are recommended.

At the completion of a member misconduct investigation, you will be notified in writing of the findings. When a finding of "Sustained" is determined, corrective action will be taken. The type of corrective action imposed is subject to the provisions of the City of Green Cove Springs Charter and the Green Cove Springs Police Department's Policy and Procedure Manual. Discipline may include training, counseling, and action up to and including termination. If your complaint is sustained and punitive discipline is imposed, the member has appeal rights. Therefore, you may be required to testify at one or more administrative proceedings.

While the Green Cove Springs Police Department is committed to processing valid citizen complaints against any department member, we are also cognizant that some individuals may make a false complaint against a police department employee. We want to caution any citizen making a false allegation that you may find yourself criminally charged under any of the following Florida State Statutes:

Florida Statute 837.06 False Official Statements.

Florida Statute 837.012 Perjury When Not in a Official Proceeding.

Florida Statute 837.02 Perjury in Official Proceedings.

Florida Statute 837.021 Perjury by Contradictory Statements.

Your valid concerns and criticisms help us become a more trusted and professional law enforcement agency. At the same time, a thorough and impartial investigation procedure helps protect employees from unwarranted charges when they perform their duties properly.

The Administrative Division Commander is charged with forwarding all formal complaints to the Chief of Police, after review and proper documentation. The contact information for the Administrative Commander is below.

Commander E.J. Guzman # 673
jguzman@gcspd.com
904-297-7301

GREEN COVE SPRINGS POLICE DEPARTMENT

Citizen's Complaint Form / Incident Information

Method of Complaint: **In Person** **Telephone** **Email** **Other** _____

Issued Complaint #: _____

Complainant's Name: _____ D.O.B. _____ / _____ / _____

Home Address: _____ City/State: _____

Telephone #: _____ Email Address: _____

INCIDENT INFORMATION

Location of Incident: _____ Date. _____ / _____ / _____

Approximate Time of Incident: _____ Name of Incident Witness: _____

Nature of Incident:

(IF MORE SPACE IS NEEDED, USE STATEMENT FORM)

By my signature, I hereby swear or affirm that to the best of my knowledge, the above statement(s) made by me are true and correct:

Signature of Complainant: _____ Date: ____/____/____

Receiving Member/I.D. #: _____ Date/Time Received: _____ / _____ / _____ (_____ : _____)

Admin. Cmndr's Signature/I.D. #: _____ Date: ____ / ____ / ____

Chief's Signature/I.D. #: _____ Date: _____ / _____ / _____

AI-13 Evidence Review Form.pdf

GREEN COVE SPRINGS POLICE DEPARTMENT

ADMINISTRATIVE INVESTIGATION EVIDENCE REVIEW FORM

Listed below are items considered as evidence in Administrative Investigation case # _____ . After reviewing each item, place your initials in the space provided then sign and date the acknowledgement at the bottom of the form.

Item #	Description	Initials
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		

I _____ by my signature below, acknowledge that I have reviewed the above listed items which have been identified to me as evidence associated with this administrative investigation and that my opportunity to review these items of evidence took place prior to my interview with the investigator assigned to this case.

Member's Signature/I.D. #

Date/Time

Investigator's Signature/I.D. #

AI-15 Notice of A.I. Results.pdf



CITY OF GREEN COVE SPRINGS POLICE DEPARTMENT



Derek S. Asdot Chief of Police 1001 Idlewild Avenue · Green Cove Springs, FL 32043 · Main (904) 297-7300 · Fax (904) 284-1436

RESULTS OF ADMINISTRATIVE INVESTIGATION

To:

From: Commander Guzman

Investigation Case Number:

Allegation(s):

Summary of Incident:

Findings:

Conclusion:

AI-5 Notification of A.I..pdf

GREEN COVE SPRINGS POLICE DEPARTMENT
MEMBER'S NOTIFICATION OF ADMINISTRATIVE INVESTIGATION

SUBJECT MEMBER'S NAME/I.D.#: _____

INVESTIGATOR'S NAME/I.D.#: _____

DATE: _____

ADMINISTRATIVE INVESTIGATION #: _____

This letter serves as written notice that an inquiry has been filed against you concerning:

A copy of the original complaint and a Notice to the Chief of Police is attached.

It is my intention to interview you at a date/time to be set about this incident. Once the interview has been set, you may request a postponement of up to twenty-four (24) hours.

During the interview, you will be asked questions specifically directed and narrowly related to the incident in question.

You are entitled to the protection provided by the City of Green Cove Springs Personnel Policies, the Rules & Regulations, and General Orders of the Green Cove Springs Police Department, the Police Officers Bill of Rights as defined in F.S.S 112.532 – 534, and the Constitution of the United States.

Feel free to contact me should you have any questions.

Member's Signature/I.D.# of Acknowledgement

Date

Attachments:

AI-17 Notification Service Log.pdf

GREEN COVE SPRINGS POLICE DEPARTMENT

NOTIFICATION SERVICE LOG

A.I. #: _____

Date: _____

Member/Subject: _____ Served By: _____

Documents/Notifications: _____

Distributed Via: Fax: _____ Mail: _____ In Person: _____ Email: _____ Other: _____

Date: _____

Member/Subject: _____ Served By: _____

Documents/Notifications: _____

Distributed Via: Fax: _____ Mail: _____ In Person: _____ Email: _____ Other: _____

Date: _____

Member/Subject: _____ Served By: _____

Documents/Notifications: _____

Distributed Via: Fax: _____ Mail: _____ In Person: _____ Email: _____ Other: _____

Date: _____

Member/Subject: _____ Served By: _____

Documents/Notifications: _____

Distributed Via: Fax: _____ Mail: _____ In Person: _____ Email: _____ Other: _____

Date: _____

Member/Subject: _____ Served By: _____

Documents/Notifications: _____

Distributed Via: Fax: _____ Mail: _____ In Person: _____ Email: _____ Other: _____

Date: _____

Member/Subject: _____ Served By: _____

Documents/Notifications: _____

Distributed Via: Fax: _____ Mail: _____ In Person: _____ Email: _____ Other: _____

Date: _____

Member/Subject: _____ Served By: _____

Documents/Notifications: _____

Distributed Via: Fax: _____ Mail: _____ In Person: _____ Email: _____ Other: _____

AI-14 Relieved of Duty.pdf

GREEN COVE SPRINGS POLICE DEPARTMENT

RELIEVED OF DUTY DOCUMENTATION

SUBJECT MEMBER'S NAME/I.D.#: _____

INVESTIGATOR'S NAME/I.D.#: _____

DATE: _____ TIME: _____ A.I. #: _____

CC: _____

=====

You are hereby relieved of your duties. Effective immediately, you have been transferred to the Office of the Chief of Police, where you shall remain until advised otherwise by the Chief of Police or his designee. While in this status, your hours of accountability to the Office of the Chief of Police are as follows:

0900 to 1700; Monday through Friday with weekends and City approved holidays off.

You will receive full pay as long as you comply with the provisions outlined below.

1. You must remain at home (between the hours of 0900 to 1700, Monday through Friday) unless you are attending court or ordered to report to another place by the Operations Commander or his designee.
2. Each Monday through Friday, you must report by telephone to Chief's Administrative Assistant at 1000 and 1400 hours.
3. If it becomes necessary to leave your residence for personal reasons, you must first call the Commander of the Administrative Division or his designee for approval of use of your accumulated time to obtain permission. You must also notify the Administrative Division Commander upon your return home. If it becomes necessary to leave your residence on Department business, you must notify Administrative Division Commander prior to departure and then again upon your return to your residence. If it becomes necessary during duty hours to attend court in defense of your police duty related actions, you are expected to do so.
4. Utilization of any police facilities within the compound is strictly prohibited.
5. You must honor all subpoenas and other court related requests (i.e., pre-trial, depositions, etc.). Subpoenas will be picked up immediately upon notification.
6. You will attend all other required Department business assigned or received from the The Office of the Chief of Police or a member of the Command Staff.

7. All authorized off-duty police jobs are hereby suspended.
8. You will not take any police action, wear the uniform, carry a weapon or display a badge at any time while relieved of law enforcement duty.
9. Your participation in any event sponsored, sanctioned, endorsed or in any way identified with or representative of the City of Green Cove Springs Police Department is prohibited unless prior written authorization is obtained from the Chief of Police.
10. While on this status, you will conform to Departmental Policies and Procedures addressing plainclothes dress requirements when visitation to the Department, or while attending any other job related function. Strict compliance with this order is required.

You will be disciplined for violating any of the aforementioned provisions. Furthermore, if such violation occurs between the hours of 0900 and 1700, Monday through Friday, you will be carried without pay for the period of non-compliance.

The foregoing notice was served personally on _____

This _____ day of _____ 2011, at _____ hours.

WARNING: *Per FS.S 112.533 and General Order 02.01, this investigation is considered confidential.*

RELIEVED OF DUTY EQUIPMENT INVENTORY

SUBJECT MEMBER'S NAME/I.D.#: _____

A.I. #: _____

When an officer has been relieved of duty by an appropriate superior officer, the member is required to turn in the following departmental equipment, which will be stored with the Green Cove Springs Police Department's Property and Evidence Section, until the member's disciplinary action has been resolved.

____ - Chest Badge(s)

1- Wallet Badge

1 – Department Computer; Serial #: _____

1 – Department Computer Air Card

1 - Employee Identification Cards (wallet/clip-on)

1 - Service Pistol; Serial #: _____
____ Rounds of Ammunition

1- Service Rifle; Serial #: _____

1 – TASER; Serial #: _____

1 - Portable Radio; Serial # _____

Department Vehicle and Keys to Unit #: _____

Other Department Property: _____

Retrieving Member's Name

Retrieving Member's Signature/I.D.#

Date/Time

Subject Member's Name/I.D.#

AI-10 AI File Confidentiality.pdf

GREEN COVE SPRINGS POLICE DEPARTMENT

ADMINISTRATIVE INVESTIGATION FILE CONFIDENTIALITY

A.I. # _____

The contents of an administrative investigation file are exempt from the public records law until the investigation is concluded or becomes inactive. There is a statutory presumption that an investigation is inactive if it has not been concluded within 180 days of the complaint being filed.

The contents of an administrative investigation file continue to be exempt from public records law even after the investigation is completed if a criminal investigation of the incident is pending or the State Attorney's Office is considering filing criminal charges.

FLORIDA STATUTE 112.533(4) PROVIDES THAT:

Any person who is a participant in an internal investigation, including the complainant, the subject of the investigation and the subject's legal counsel or a representative of his or her choice, the investigator conducting the investigation, and any witnesses in 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 s. [775.082](#) or s. [775.083](#).

However, this subsection does not limit a law enforcement or correctional officer's ability to gain access to information under paragraph (2)(a). Additionally, a sheriff, police chief, or other head of a law enforcement agency, or his or her designee, is not precluded by this section from acknowledging the existence of a complaint and the fact that an investigation is underway.

I have read and understand the above and furthermore, I am aware that a first degree misdemeanor carries a penalty of one (1) year in jail or a \$1,000 fine or both.

Printed Name

Case Involvement/Role

Signature

Date

Witness Signature

AI-16 File Review Log.pdf

GREEN COVE SPRINGS POLICE DEPARTMENT
ADMINISTRATIVE INVESTIGATIVE FILE REVIEW

A.I.#: _____

Date: _____ Time: _____

Reviewed By: _____

Contact Number: _____

Contact Email Address: _____

Address / Agency: _____

Provided by: _____ ID: _____

Notes: _____

AI-18 Distribution of Copies.pdf

GREEN COVE SPRINGS POLICE DEPARTMENT

DISTRIBUTION OF FILE COPIES

A.I.#: _____

Date: _____

To: _____ Signature (In Person): _____

Address / Agency: _____

Distributed Via: Fax: _____ Mail: _____ In Person: _____ Email: _____

By: _____ ID: _____

Date: _____

To: _____ Signature (In Person): _____

Address / Agency: _____

Distributed Via: Fax: _____ Mail: _____ In Person: _____ Email: _____

By: _____ ID: _____

Date: _____

To: _____ Signature (In Person): _____

Address / Agency: _____

Distributed Via: Fax: _____ Mail: _____ In Person: _____ Email: _____

By: _____ ID: _____

Date: _____

To: _____ Signature (In Person): _____

Address / Agency: _____

Distributed Via: Fax: _____ Mail: _____ In Person: _____ Email: _____

By: _____ ID: _____

Date: _____

To: _____ Signature (In Person): _____

Address / Agency: _____

Distributed Via: Fax: _____ Mail: _____ In Person: _____ Email: _____

By: _____ ID: _____