



## Medley Police Department

7777 NW 72 Avenue

Medley, FL 33166

305-883-2047 or (fax) 305-805-3720

police@medleypd.com

### Citizen Complaint Procedures

The Medley Police Department's Citizen Complaint Procedure helps you, the community, and the police as well. It is the policy of the Medley Police Department to investigate all allegations and complaints of misconduct against any member of the police department. Proper adherence to the provisions of this policy will resolve disputes and facilitate prompt and equitable corrective action (where applicable). If you have a concern about the practices or personnel of the Medley Police Department, you may utilize any of the options outlined below, to file a complaint. Florida Statutes require that all police agencies in the state have a complaint procedure:

Florida Statute 112.533 - Receipt and processing of complaints.

(1) 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.

While the Medley Police Department is committed to processing valid citizen complaints against department members, we are also cognizant that there are some individuals who may make a false complaint against a police department member. We caution any citizen that might make such a false allegation. You may find yourself criminally charged under any of the following Florida Statutes:

Florida Statute 837.06 False Official Statements.

Florida Statute 837.012 Perjury When Not in an Official Proceeding.

Florida Statute 837.02 Perjury in Official Proceedings.

Florida Statute 837.021 Perjury by Contradictory Statements.

**How to file a complaint:** All complaints must be in writing utilizing any of the following options:

1. You may respond to the Medley Police Department at 7777 NW 72 Avenue, Medley, Florida 33166, in person. You may ask to speak with a supervisor and be given a Citizens Complaint Form or you may ask for the form at the Communications Window without speaking to a supervisor.
2. You may speak with either the Patrol Lieutenant or Support Services Lieutenant by telephone at (305) 883-2047 to request a complaint form. If neither one is available, you may leave a message in their voice mail and they will return the call as soon as practicable.
3. You may request a Citizen Complaint Form by writing, via U.S. mail, to Medley Police Department 7777 NW 72 Avenue, Medley, FL 33166-2409 or via e-mail at police@medleypd.com

4. You always have the option of filing an anonymous complaint. However, where there are no investigative leads (i.e., witnesses, names, contact information, dates, or times) it will be very difficult for us to conduct a thorough investigation into the allegations.

**Investigation Procedure:** 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 is extremely important to the investigation that a statement is obtained from you. From your statement, an investigator will complete the Department's Preliminary Complaint Report Form. If your concern 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. Depending on the seriousness of your complaint, it may be investigated in one of two ways. It will either be forwarded to the employee's supervisor for inquiry or to the Internal Affairs Section (more serious allegations) for investigation. Each complaint is examined on its own merits. Formal investigations 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 a complaint. The Chief of Police will render a finding in each case. The four possible findings are:

1. Sustained – the allegation has been investigated and the facts show that the allegation is true and the action taken was not consistent with Medley Police Department rules, policy, standard operating procedures or common police practice.
2. Inconclusive/Not Sustained – the allegation has been investigated and there is insufficient proof to confirm or refute the allegation.
3. Exonerated – the allegation has been investigated and the facts indicate that the action was consistent with agency policy.
4. Unfounded – the allegation has been investigated and either the allegation is demonstrably false or there is no credible evidence to support it. This finding shall also apply when individual personnel named in the complaint were not involved in an act that did occur.

You will be notified of the finding in writing at the conclusion of the investigation. 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 Town of Medley Charter, the Medley Police Department Manual, and where applicable a collective bargaining agreement. Discipline may include training, counseling, and action up to and including termination. If your complaint is sustained and punitive discipline is imposed, the employee has appeal rights. Therefore, you may be required to testify at one or more administrative proceedings.

**Summary:** Your valid concerns and criticisms help us protect the community from possible misconduct by employees. At the same time, a thorough and impartial investigation procedure helps protect employees from unwarranted charges when they perform their duties properly.