



Lawtey Police Department

P.O. Drawer G
Lawtey, FL 32058

Citizen Complaint Procedure Overview

Lawtey Police Department's Complaints Against Police Department Personnel procedure helps you, the community, and our department as well. It is the policy of the Lawtey 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 Lawtey 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 Statutes 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, investigations, and determination of complaints received by such agency from any person.

While the Lawtey 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 employee. We caution any citizen that might make such a false allegation that 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 a Official Proceeding.
- Florida Statute 837.02 – Perjury in Official Proceedings
- Florida Statute 837.021 – Perjury by Contradictory Statements.

How To File a Complaint

You may file a complaint utilizing any of the following options:

1. You may visit the Lawtey Police Department at 2793 Lake Street, Lawtey, Florida 32058, in person. When you arrive a member of the agency will be more than glad to provide you with a Citizens Complaint Procedures form.
2. You may file a complaint by telephone at (904) 782-3751. You should ask to speak with the Chief of Police. If he or she is unavailable, you may leave a message and he or she will return your call as soon as practical.
3. You may request a copy by mail and fax it to the police department. Faxed complaints should be sent to (904) 782-1379. Once you have completed and faxed the form, you may also telephone (904) 782-3751 and set an appointment with Chief of Police to confirm delivery of the complaint.
4. You may visit the Lawtey Police Department website at www.lawteypolice.org and download a copy of the Complaint Form. The form may then be completed and mailed or faxed back to the Lawtey Police Department using the address and fax number specified above.
5. Finally, 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 difficult for us to conduct a thorough investigation into the allegations.

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 Against Police Personnel. 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.

The Chief of Police will assign a supervisor as the investigating authority. The Chief of Police may request outside assistance from another agency if needed.

Each complaint will be 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 investigating authority will render a finding in each case. The four possible findings are:

Sustained – the allegation has been investigated and the facts show that the allegation is true and the action taken was not consistent with the Lawtey Police Department’s rules, policy, standard operating procedures or common practice.

Inconclusive/Not sustained – the allegation has been investigated and there is insufficient proof to confirm or refute the allegation.

Exonerated – the allegation has been investigated and the facts indicate that the action was consistent with agency policy.

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.

The Chief of Police will review all findings and if he or she concurs will approve the investigation and the findings and will move to take the appropriate corrective measures if necessary. If the Chief of Police does not concur with the findings, he or she will either return the findings to the investigator for additional investigation, request outside agency assistance if the Chief of Police determines that is appropriate, or modify the findings to the proper designation. The Chief of Police will explain in writing his or her reasons for either requesting an outside agency or modifying the findings. The investigation will not be deemed complete until the Chief of Police signs off on the findings.

You will be notified of the findings 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 City of Lawtey’s Charter, the Lawtey Police Department’s Policy and Procedure 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.

Your valid concerns and criticisms help us to 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.

Respectfully,

Shane Bennett
Chief of Police



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Citizen Complaint Form

Please Type or Print

Date and Time of Complaint: _____

Date of Event: _____ Time of Event: _____

Location of Event: _____

Complainant Information

Name: _____ Date of Birth: _____ Sex: _____ Race: _____

Address: _____
Street Apt City, State Zip Code

Home Phone: _____ Cell Phone: _____ Work Phone: _____

Employee Involved

Employee Name: _____ ID: _____ Vehicle ID or Tag: _____

Witness Information

Name Address City / State / Zip Phone

Name Address City / State / Zip Phone

Description of the Incident/Event *(Please use and attach the supplement form if more space is needed)*

I do hereby affirm that the information provided by me is true and complete to the best of my knowledge and belief. I understand that any false, misleading or untrue statements, accusations or allegations, herein made by me, orally or in writing, to any person(s) investigating this complaint, may subject me to civil and or criminal liability under Florida Statute 837.06. "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree punishable as provided in S 775.082 or S. 775.083"

I hereby acknowledge that I have read the preceding and understand its provision.

Complainant Signature: _____ Date and Time: _____

Administrative Use Only

Officer Receiving Complaint: _____ ID: _____ Ref #: _____

