



CITIZEN'S COMPLAINT PROCEDURES



HOW DO I FILE A COMPLAINT?

We would prefer to talk with you about your complaint in person; however, complaints will be accepted by mail, telephone, or via the Department's internet web page, <http://www.cityofindianharbourbeach.org>. Concerns can often be addressed to the complaining party's satisfaction without requiring a formal complaint. You can contact the on-duty Supervisor at 321-773-3030 to initiate or inquire about filing a complaint.

WHO CAN MAKE A COMPLAINT?

Anyone can file a complaint, if they truly and honestly believe a police employee has acted improperly.

WHO INVESTIGATES A CITIZEN'S COMPLAINT?

Complaints of alleged misconduct are typically investigated by a Police Officer who holds the rank of Sergeant or higher. Their investigation is reviewed by the supervisor of the involved employee and the Chief of Police.

WHAT WILL HAPPEN TO THE EMPLOYEE?

That will depend on the results of the investigation. If the employee is found to be at fault, the complaint will be SUSTAINED and the appropriate corrective and/or disciplinary action will be taken. If they acted properly, they will be EXONERATED. If the facts show that the complaint is false, the complaint will be UNFOUNDED. In those cases where the department is unable to determine the validity of the complaint and cannot arrive at any other conclusions, the complaint will be NOT SUSTAINED. If the investigation concludes that the involved employee's conduct was not misconduct but rather an issue of department service procedure, the department may revise the applicable policy or procedure.

WHAT IF MY COMPLAINT INVOLVES CRIMINAL BEHAVIOR?

The criminal investigation may be investigated by an outside side agency, depending on the location of the criminal conduct. If the criminal conduct occurred in the City of Indian Harbour, the Brevard County Sheriff's Office or the Florida Department of Law Enforcement may be requested to complete an independent criminal investigation. The State Attorney's Office may be consulted on any complaint that alleges criminal conduct on the part of any employee. The Indian Harbour Beach Police Department would still conduct the Administrative Investigation.

WILL I BE TOLD OF THE RESULTS OF THE INVESTIGATION?

YES – At the conclusion of the investigation and review by the Chief of Police, you will be notified of the results by mail. You will be advised of the findings of the investigation on whether your complaint was SUSTAINED, UNFOUNDED, EXONERATED, NOT SUSTAINED, or is a Training or Policy deficiency. Once the investigation is completely closed, you may obtain a complete copy of the investigation in accordance with the State of Florida Public Records Law.



CITIZEN COMPLAINT FORM

NAME _____

HOME ADDRESS _____

WORK ADDRESS _____ HOME PHONE WORK PHONE _____

CELL PHONE EMAIL _____ Email _____

DATE OF BIRTH _____

WITNESS(ES): NAME _____ PHONE _____

ADDRESS _____

NAME _____ PHONE _____

ADDRESS _____

INVOLVED EMPLOYEE(S) NAME _____ ID# _____

NAME _____ ID# _____

DESCRIPTION IF NAME IS UNKNOWN _____

LOCATION OF OCCURRENCE _____

DATE OF OCCURRENCE _____ TIME _____

DESCRIPTION OF EVENT (USE ADDITIONAL PAGES AS NECESSARY)

Note: Whoever knowingly makes a false statement in writing, with the intent to mislead a public servant in the performance of his/her duty is in violation of Florida Statute 837.06.

Complainant Signature _____ Date _____ Employee Receiving Complaint _____

Sworn and subscribed before me this _____ day of _____ 2019
Law Enforcement Office/Notary _____

