

**Q. What is the function of Internal Affairs and Professional Compliance?**

**A.** The Office of Professional Compliance receives, processes, supervises and controls investigations regarding Sunny Isles Beach Police employees. The office is also tasked with ensuring that misconduct allegations made against employees are thoroughly investigated while maintaining objectivity by gathering all pertinent information in a professional manner and not making recommendations regarding dispositions of investigations conducted.

**Q. How will the complaint be investigated?**

**A.** When a complaint is received, it is classified and assigned either to the affected employee's supervisor or to the Office of Professional Compliance. Statements are taken from the complainant, witnesses and the subject employee(s). All complaints are investigated.

**Q. How are the investigations resolved?**

**A.** Serious infractions are normally referred to Sunny Isles Beach's Police Command Staff Committee for recommendations. All other investigations are heard and settled at the supervisory level. The State Attorney's Office reviews any complaint where an employee may be involved in violation of state law(s). Violations of federal law(s) are referred to the appropriate federal agency.

**Q. Are all complaints investigated?**

**A.** Yes all complaints against employees are investigated provided the complaint contains sufficient factual data to warrant an investigation.

**Q. How long will it take to resolve my complaint?**

**A.** Typically, a complaint is resolved within 60 days, although some investigations are more complex and may take longer. Complaints may be sustained, not sustained, unfounded or exonerated as defined below.

**SUSTAINED** – The investigation disclosed sufficient evidence to clearly prove the allegation made in the complaint.

**NOT SUSTAINED** – The investigation failed to disclose sufficient evidence to clearly prove the allegation made in the complaint.

**UNFOUNDED:**

**Not Involved** – The investigation disclosed that the named employee was not involved in the alleged incident.

**False** – The allegation is false. The alleged incident never took place.

**EXONERATED** – The acts that provided the basis for the complaint or allegations did occur. However, the investigation revealed that they were justified, lawful and proper.

When a complaint against an employee is sustained, the Chief of Police recommends corrective action which can range from remedial training to termination.

There are five types of personnel action which can be recommended for a sustained complaint:

**Verbal Counseling** - Administered by any supervisor in the chain-of-command of the employee, and supported by subsequent documentation on the counseling form.

**Written Warning** - Documentation of an employee's violation of a rule or policy and discussed with the employee in order to improve performance.

**Letter of Reprimand** – Formal disciplinary action by the Chief of Police which becomes a permanent part of the employee's personnel file.

The fourth and fifth types of discipline are more severe, those being: **Suspension and/or Dismissal.**

**Q. Does the Sunny Isles Beach Police Department attempt to identify employees who may be prone to committing an act of misconduct before it occurs?**

**A.** Yes. The Sunny Isles Beach Police Department has developed an early warning system designed to identify employees who may be on the verge of committing an act of misconduct. The computerized system outputs names of employees who display a pattern of pre-determined behavioral indicators. These employees may be referred to an Employee Assistance Program.

**Filing a Complaint**

**Q. How do I file a complaint against an employee of the Sunny Isles Beach Police Department?**

**A.** Complaints may be filed in a number of ways. Usually, an on duty supervisor is requested to the station and immediately determines the severity and the time sensitivity of the complaint. Based upon his/her assessment, the complaint can be directed to the appropriate entity or person for investigation.

Complainants who wish to speak directly to the Professional Compliance Unit or who wish to simply complete the attached complaint form and submit it to any police supervisor may do so. Complaint forms are also available through the Police Department Communications Center.

Complaints may be filed in person at the Sunny Isles Beach Government Center / Office of Professional Compliance, 18070 Collins Avenue, Sunny Isles Beach, Florida 33160 or by telephone (305) 792-1864. Office hours are Monday - Friday, 9:00 a.m. to 5:00 p.m. During non-business hours, complaints may be directed to the Communications Center for any on-duty Sunny Isles Beach Police Department supervisor. Persons who knowingly make a false complaint may be subject to criminal prosecution and/or civil action.

**Q. What rights do employees have if a complaint is made against them?**

**A.** Employees have the right to review all complaints and witness statements prior to final resolution. Employee investigations remain confidential until finalized. No participant including complainants, investigated employees, investigators or witnesses will disclose any information regarding the investigation until the investigation's conclusion. Employees have the right to representation while giving a formal statement. Employees will not be discharged, disciplined, demoted, denied promotion, transferred, re-assigned or otherwise discriminated against concerning their employment or threatened with any such treatment by reason of their exercise of rights.

Employees must be protected against false allegations of misconduct by consistently conducting thorough, fair and objective investigations.

Use the Complaint Form on the back to complete a brief description of the incident.

