

***PROFESSIONAL STANDARDS DIVISION***  
***Professional Conduct Review Section***



***Annual Report***  
***2016***



# PROFESSIONAL STANDARDS DIVISION

## *Professional Conduct Review Section*

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The mission of the Professional Conduct Review Section is to determine employee compliance with Sheriff's Office written directives in a fair and impartial manner while maintaining the trust and confidence of Sheriff's Office personnel and the citizens and visitors of Seminole County.



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# PROFESSIONAL STANDARDS DIVISION

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### SECTION I

#### ***Introduction***

The **Professional Conduct Review Section** has as its major function the receiving, processing and investigating of administrative complaints made against Sheriff's Office employees. All Administrative Investigations are conducted by the Section. This report outlines the investigative process and includes an analysis of the personnel complaints investigated during the 2016 calendar year.

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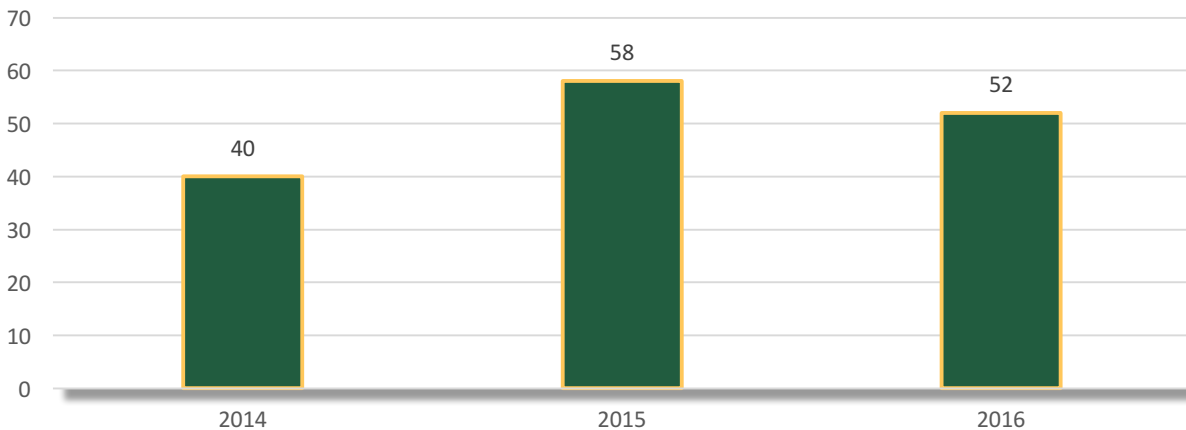
## Professional Conduct Review Section

### SECTION II

#### Personnel Complaints

The Professional Conduct Review Section received 52 formal complaints from the public in 2016. During the same period in 2015, the section received 58 formal complaints. This represents a 10% decrease in formal complaints received by the section. Investigators and supervisors conducted 33 formal investigations in 2016, compared to 28 formal investigations in 2015. This represents a 18% increase in the number of formal investigations.

Formal Complaints  
2014-2016



Complaints against employees of the Sheriff's Office are classified according to the nature of the complaint. If not resolved informally, they may be categorized as Supervisory Inquiries or Administrative Investigations. There are specific procedures for investigating complaints, which are determined by the seriousness of the allegation(s).

The following information provides the reader with a summary of the complaint process as it applies to Supervisory Inquiries and Administrative Investigations. Also, an analysis of each category is provided to show comparisons based upon the cases investigated and the resulting disposition of those cases.



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### **SUPERVISORY INQUIRIES**

Supervisory Inquiries are investigations of allegations of discourtesy or other less serious violations of Sheriff's Office policy. They are generally conducted by a supervisor who has received specialized training and has been approved to conduct supervisory inquiries. These cases require limited investigation by the supervisor, who determines whether or not a violation of policy occurred.

If the supervisor determines through investigation that a violation of policy occurred and the allegation(s) are sustained, the Sheriff may elect to convene a Disciplinary Review Board. The Board considers the incident and recommends disciplinary action.

If the inquiry establishes the policy violation is more substantial than originally believed, or that it would become too time consuming for the supervisor to conduct, the Sheriff may order an Administrative Investigation be conducted by the Professional Conduct Review Section.

### **ADMINISTRATIVE INVESTIGATIONS**

Administrative Investigations are investigations of major violations of Sheriff's Office policies, rules, procedures, or law. They are investigated by the Professional Conduct Review Section, only at the direction of the Sheriff or, in his absence, a Chief. When the investigation is completed, each allegation is assigned one of the following conclusions: Sustained; Not Sustained; Unfounded; Exonerated; or Policy Failure. The completed investigation is forwarded to the Sheriff for his review and approval. Upon the Sheriff's approval, the investigation becomes public record. Disciplinary action is at the sole discretion of the Sheriff. **NOTE: The Professional Conduct Review Section is a fact-finding body only and makes no recommendations concerning discipline.**

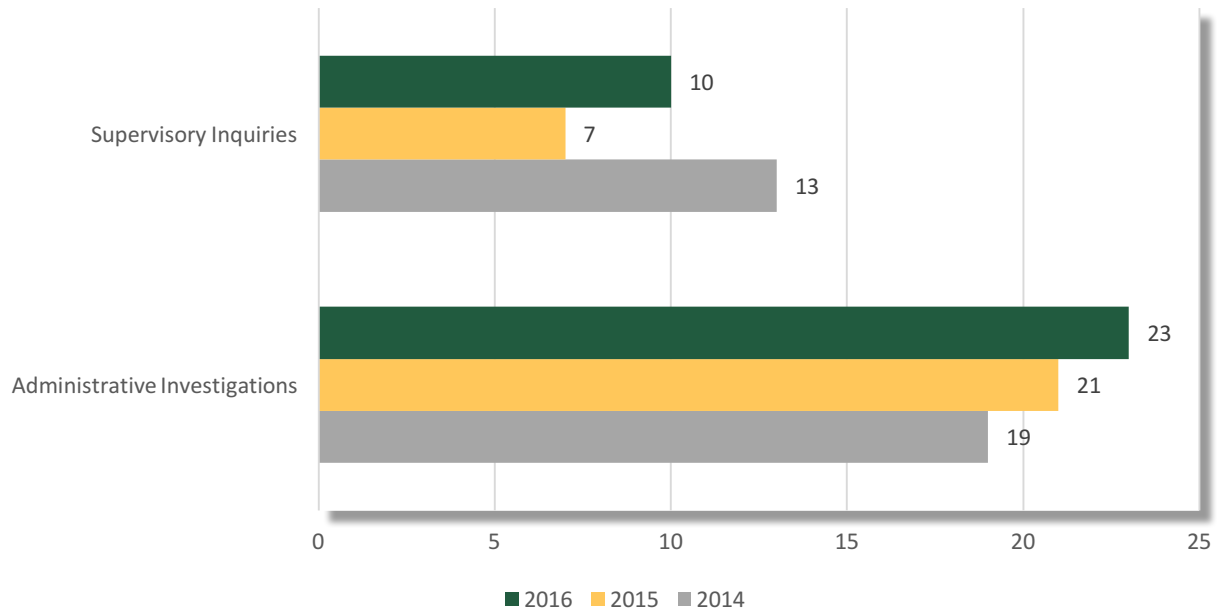


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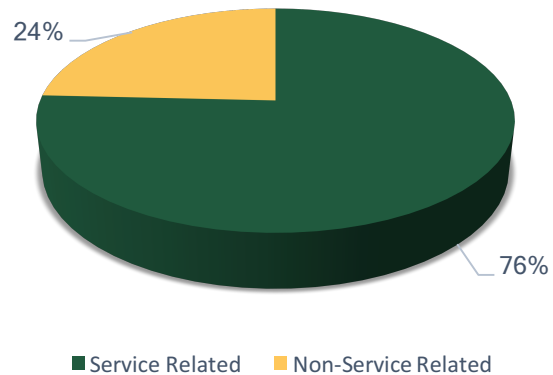
## Professional Conduct Review Section

### Analysis of Complaints

	2015	2016	Change
Administrative Investigations	21	23	9.5%
Supervisory Inquiries	7	10	42.9%
<b>Total Number of Investigations</b>	<b>28</b>	<b>33</b>	<b>17.9%</b>



Service Related Investigations	25
Non-Service Related Investigations	8
<b>Total Investigations</b>	<b>33</b>





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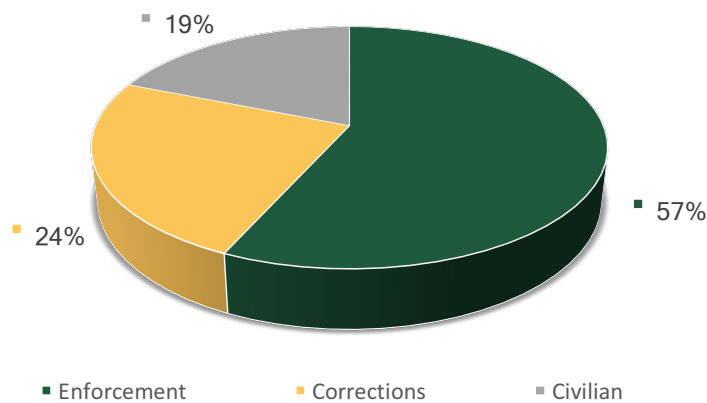
## Professional Conduct Review Section

### EMPLOYEE CLASSIFICATION

Enforcement	21	57%
Corrections	9	24%
Civilian	7	19%

**Total Number of Employees Investigated \*37**

*\* Some investigations involved multiple employees, and some employees were the subjects of multiple investigations.*



### DIGITAL VIDEO EVIDENCE

In 2016, there were fifteen formal investigations that involved the use of digital video evidence. In six cases Sheriff’s Office in-car video [ICC] was used, in four cases body-worn camera [BWC] footage from an outside agency was used, in one case Sheriff’s Office BWC was used, and in four cases security video from a private entity was used. In ten cases video evidence was used to sustain violations, in three cases video evidence did not influence the findings, and in two cases video evidence was used to disprove violations.

In 2016, there were three formal citizen complaints that were able to be informally resolved as a direct result of available digital video evidence. This represents a 77% decrease over 2015 when 13 complaints were able to be resolved as a result of video evidence.





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### **AGENCY PRACTICES**

Recommendations for changes to agency practices were made in five formal investigations.

#### **PC-16-0009:**

It was recommended that the following changes be made with respect to inmate property at the John E. Polk Correctional Facility:

- During the initial booking process, the Intake/Release property clerk should complete the initial property inventory in front of the inmate so the inmates can verify all of their property is accounted for.
- If the inmate has credit cards, each credit card should be inventoried individually to include the company, and last four digits associated with each credit card.
- If the automated currency machine is inoperable, the inmate's currency should be counted in front of the inmate for verification purposes.

#### **PC-16-0010:**

It was recommended that procedures at the correctional facility require all information/allegations of suspected inappropriate relationships between inmates and staff be reported to the Correctional Facility Director immediately.

It was further recommended that the administration of the John E. Polk Correctional Facility conduct a review of policies and procedures concerning the movement of inside trustees to prevent an inmate worker from having the ability to be absent without leave from their assigned post in the future.

#### **PC-16-0012:**

It was recommended that personnel assigned to the correctional facility be required to get the approval of the Chief of Corrections to write a letter on behalf of any current or previous inmate.

#### **PC-16-0023:**

It was recommended that City County Investigative Bureau [CCIB] Standard Operating Procedure [SOP] #310 IV.B, be modified to no longer allow CCIB to maintain an inventory of controlled substances for use in stings. It was further recommended that in the future, controlled substances used for stings should be stored in the Evidence Section at the Sheriff's Administration Building where they will be maintained in accordance with established international accreditation standards.



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PC-16-0025:

It was recommended that a program revision be initiated in ELIS that would allow an audit history to reveal the Internet Protocol [IP] address each specific entry originated from.

It was further recommended that the practice of leaving the desktop computer in the officer's station open and running, so that multiple users can make entries throughout the shift without the need to log on and off, be stopped.

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### SECTION III

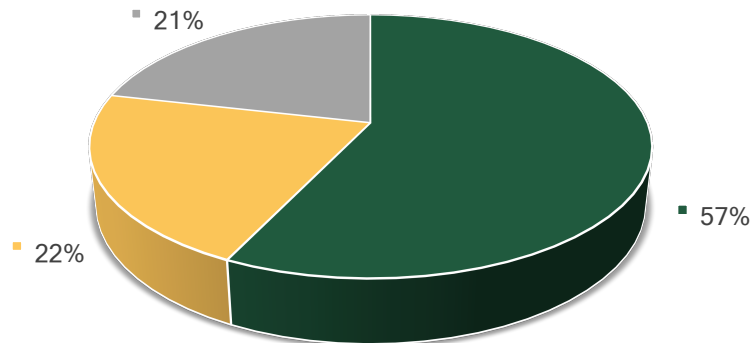
#### Supervisory Inquiries

The following is an analysis of the 10 Supervisory Inquiries that were conducted during the 2016 calendar year. These inquiries resulted in 14 specific allegations of misconduct. The figures below represent the investigative findings and any resulting disciplinary action.

#### FINDINGS

The table below provides a comparison, by category, of the findings assigned to each of the specific allegations.

Sustained	8
Not Sustained	3
Unfounded	3



#### DISCIPLINARY ACTION

As a result of the 8 sustained violations of policy, 4 employees received some form of disciplinary action. The table below provides a comparison, by category, of the disciplinary actions administered.

Discipline	Total	Percent
Warning	1	25%
Reprimand	2	50%
Suspension	1	25%



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### SECTION IV

#### Administrative Investigations

The following is an analysis of Administrative Investigations conducted during the 2016 calendar year. This information is based upon **23** investigations which are analyzed for Violations Charged, Findings, and Disciplinary Actions.

Sheriff's Office Administrative Investigations:	<b>23</b>
Total Number of Alleged Violations/Charges Investigated:	<b>54</b>
Total Number of Employees Investigated:	<b>*28</b>
Deputy Sheriff Involved Shootings:	<b>3</b>
Dangerous Animal Shootings:	<b>3</b>

*\* Some investigations involved multiple employees.*

#### VIOLATIONS CHARGED

Of the **54** alleged violations of Sheriff's Office written directives investigated by the Professional Conduct Review Section, the following table shows the types and percentages of alleged misconduct.

Violation	Number	Percentage
Conduct Unbecoming	7	13%
Knowledge/Obedience to Laws	7	13%
Carelessness	7	13%
False Statements and Reports	4	7%
Fraternization with Criminals	4	7%
Obedience to Lawful Orders	3	6%
Standards of Conduct	3	6%
Vehicle Operations	2	4%
Conflicts of Interest	2	4%
Misuse of Computer Systems	2	4%
Conduct Toward the Public	1	2%
Response to Resistance	1	2%

Violation	Number	Percentage
Post Action Procedures (RTR)	1	2%
In-Car Camera Video/Audio Recordings	1	2%
Domestic Violence Documentation	1	2%
Conduct Toward Co-workers	1	2%
Absenteeism	1	2%
Outside Employment	1	2%
Types of Employment Not Permitted	1	2%
Off Duty Employment (Time Restrictions)	1	2%
Pod Officer Duties	1	2%
Youthful Offender Supervision Duties	1	2%
Drug Possession	1	2%



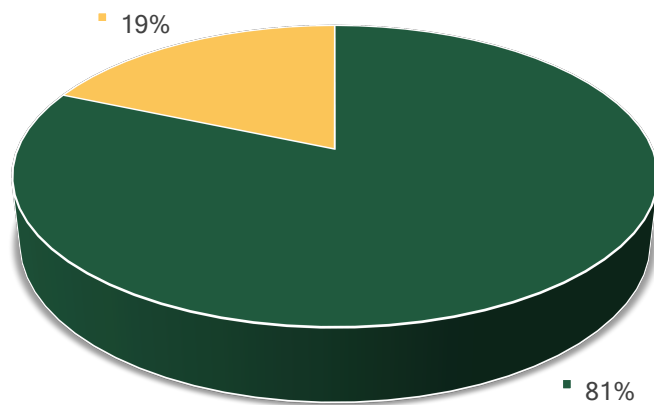
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### FINDINGS

Of the **54** alleged violations of Sheriff's Office policies and procedures investigated by Professional Standards, the table below provides a comparison, by category, of the findings assigned to each of the alleged violations investigated.

Sustained	44
Not Sustained	10



### DISCIPLINARY ACTION

As a result of the **44** sustained violations of policy, involving **17** employees, the following disciplinary actions were taken. The table below provides a comparison, by category, of the numbers and percentages of the resulting disciplinary actions.

Discipline	Total	Percent
Suspension	3	18%
Demotion	1	6%
Resignation	10	59%
Termination	3	18%



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### ***SECTION V***

#### ***\*Telecommunications***

During the 2016 calendar year, there were no Administrative Investigations or Supervisory Inquiries involving personnel assigned to the Telecommunications Division.

\*Required by the Association of Public-Safety Communications Officials, the organization that oversees accreditation of the Telecommunication Section.