

Tarpon Springs Police Department

Internal Investigation Confidentially Law

The Florida Legislature amended the law regarding citizen’s complaints against law enforcement and correctional officers.

The law requires that any complaint made and filed with the law enforcement/corrections agency shall remain confidential until the investigation ceases to be active without a finding relating to probable cause. The law also establishes a presumption that the complaint investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. An investigation shall be presumed to be inactive if no finding is made within 45 days after the complaint is filed.
(FL ST. 112.533Sec. 2b)

The law also contains a criminal violation provision for the willful disclosure of a complaint before it has been investigated and becomes a public record, to wit:

FLORIDA STATUTES SECTION 112.533 (4),

Any person who is a participant in an internal investigation, including the complainant, the subject of the investigation, the investigator conducting the investigation, and any witnesses in the investigation, who willfully discloses any information obtained pursuant to the agency's investigation, including, but not limited to, the identity of the officer under investigation, the nature of the questions asked, information revealed, or documents furnished in connection with a confidential internal investigation of an agency, before such complaint, document, action, or proceeding becomes a public record as provided in this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. However, this subsection does not limit a law enforcement or correctional officer's ability to gain access to information under paragraph (2)(a). Additionally, a sheriff, police chief, or other head of a law enforcement agency, or his or her designee, is not precluded by this section from acknowledging the existence of a complaint and the fact that an investigation is underway.

PLEASE BE GUIDED ACCORDINGLY.

I hereby acknowledge that I have read this Notice and understand its provisions.

Name of person receiving

Date and time

Signature of person receiving

Signature of witness



TARPON SPRINGS POLICE DEPARTMENT

"Building a Better Future Through Excellence in Policing"

Robert P. Kochen
CHIEF OF POLICE

Tarpon Springs Police Department

Citizen Complaint Report Form

Nature of Complaint: _____

Complainant: _____
Name Address Phone #

Incident: _____
Location Date/Time Report #

Complaint Received: _____
By Name Date/Time

Personnel Involved;

Name Rank Payroll Number

Summary of Complaint; _____

Signature of Complainant

