

Polk County Sheriff's Office
OFFICE OF CHIEF OF STAFF
ADMINISTRATIVE INVESTIGATIONS SECTION



2008 Administrative Complaint Annual Report

April 1, 2009

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INTRODUCTION

A system to investigate and review all complaints made against Polk County Sheriff's Office (PCSO) members is essential to establish and maintain the confidence of the citizens of Polk County, to protect the integrity/rights of the agency members, and to protect the public from inappropriate behavior by Sheriff's Office members.

It is the policy of the Sheriff's Office to investigate all administrative complaints against the agency and its members and to maintain an Administrative Investigations Section (AIS) which shall thoroughly, expeditiously, and impartially investigate all assigned complaints or cases involving the agency's integrity. The AIS is an organizational component reporting directly to the Sheriff/Chief of Staff. [CALEA 52.1.3] [PSCA 1.4.2]

The AIS shall be responsible for recording and registering all administrative complaints against the agency and its members. The AIS shall maintain the integrity and confidentiality of all administrative investigation files and records, in accordance with Section 112.533, F.S. The AIS shall maintain a computerized Administrative Investigations Management (AIM) System, accordingly. [CALEA 52.1.2] [FCAC 4.15 A, B]

In accordance with PCSO G.O. 52.1 – Administrative Inquiries and Investigations, all administrative complaints are initially documented on an Administrative Complaint Form (PCSO Form 183). The AIS assigns a sequential master complaint referral (CR) number to each complaint (e.g.: CR08-001, CR8-002, etc.) received during each calendar year (January 1 – December 31).

Each CR is subsequently assigned a corresponding administrative investigation (AI) or administrative inquiry (AQ) number, accordingly (e.g.: AI08-001, AI08-002, or AQ08-001, AQ08-002, etc.). This numbering system facilitates the tracking and accountability of each complaint assigned to a particular department/office for AQ or to the AIS for AI.

All administrative complaint information is entered in the AIS AIM System for case management and reporting.

Pursuant to PCSO G.O. 52.1.E.12 – Annual Report, and CALEA Accreditation Standard 1.2.9d, an annual review and analysis regarding all reported administrative complaints initiated by the citizens of Polk County, PCSO agency members and outside/contract agencies has been completed.

Accordingly, the 2008 Administrative Complaint Annual Report provides a comprehensive review and detailed summary of these reported administrative complaints.

2008 ADMINISTRATIVE COMPLAINTS

A total of **213 administrative complaints** were reported and documented by the Polk County Sheriff's Office between January 1, 2008 and December 31, 2008. The 2008 total of 213 administrative complaints represents a **decrease of 48 (-18.4%)** from 261 administrative complaints in 2007.

Table 1 and Chart 1 summarize the total number of 2008 administrative complaints reported and documented by the Polk County Sheriff's Office.

2008 ADMINISTRATIVE COMPLAINTS

ORIGIN	YEAR 2006	YEAR 2007	YEAR 2008	<i>NUMERICAL / PERCENT INCREASE OR DECREASE 2006 / 2007</i>	<i>NUMERICAL / PERCENT INCREASE OR DECREASE 2007 / 2008</i>
Office of the Sheriff	2	0	1	<i>-2/-100.0%</i>	<i>+1/+100.0%</i>
Department of Law Enforcement	229	205	172	<i>-22/-9.7%</i>	<i>-32/-15.7%</i>
Department of Detention	77	41	35	<i>-35/-45.5%</i>	<i>-7/-16.7%</i>
Office of Business Affairs	4	8	3	<i>+4/+100.0%</i>	<i>-5/-62.5%</i>
Outside / Contracted Agencies	1	7	2	<i>+6/+600.0%</i>	<i>-5/-71.4%</i>
TOTALS	313	261	213	<i>-52/-16.6%</i>	<i>-48/-18.4%</i>

TABLE 1

SOURCE: PCSO AIM SYSTEM, 2009

NOTE: ROUNDED TO NEAREST TENTH PERCENT

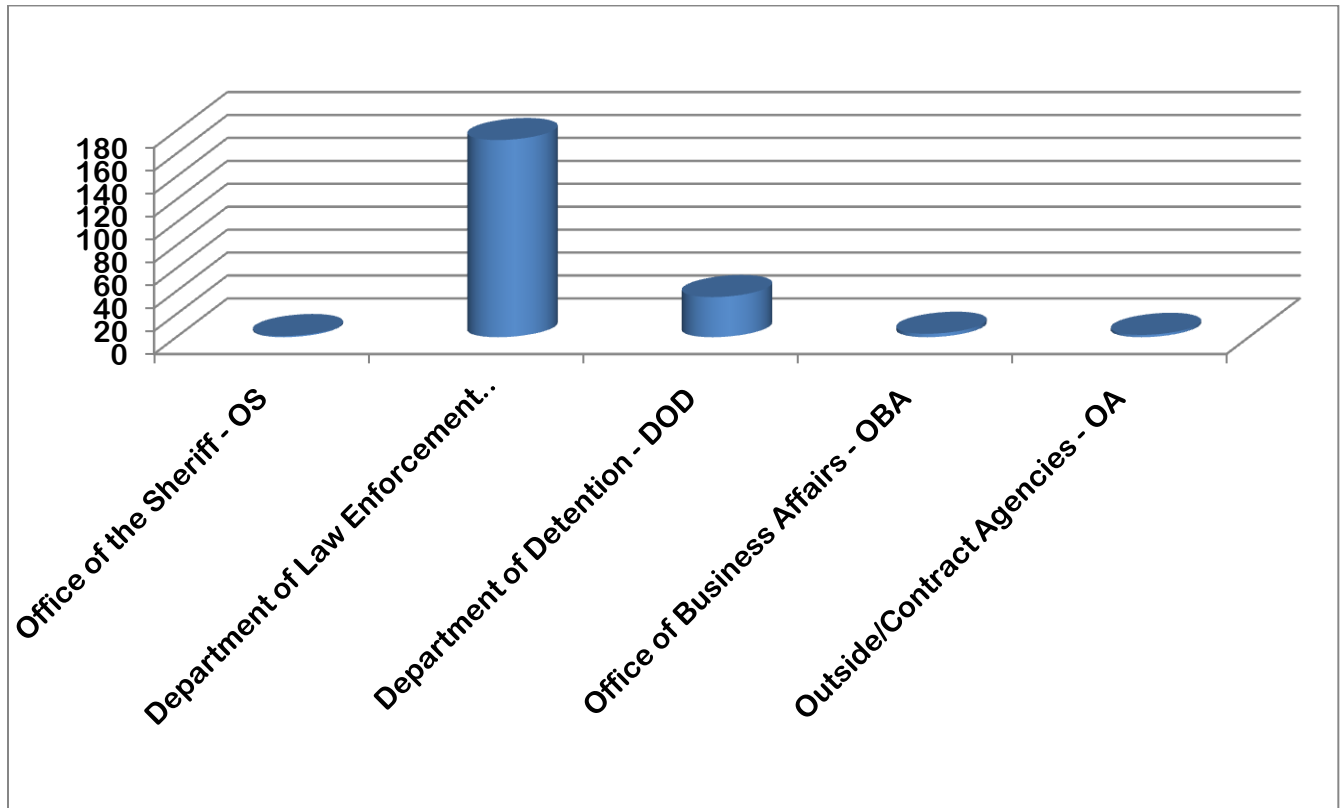


CHART 1

SOURCE: PCSO AIM SYSTEM, 2009

NOTE: ROUNDED TO NEAREST TENTH PERCENT

Table 2 and Chart 2 summarize the total number of 2008 Office of the Sheriff administrative complaint distribution.

2008 ADMINISTRATIVE COMPLAINT DISTRIBUTION
OFFICE OF THE SHERIFF

OFFICE OF THE SHERIFF	YEAR 2006	YEAR 2007	YEAR 2008	NUMERICAL / PERCENT INCREASE OR DECREASE 2006 / 2007	NUMERICAL / PERCENT INCREASE OR DECREASE 2007 / 2008
Office of Professional Compliance	1	0	1	<i>-1/-100.0%</i>	<i>+1/+100.0%</i>
Office of Communications	1	0	0	<i>-1/-100.0%</i>	<i>0/0.0%</i>
Office of Legal Affairs	0	0	0	<i>0/0.0%</i>	<i>0/0.0%</i>
TOTAL – OFFICE OF THE SHERIFF	2	0	1	<i>-2/-100.0%</i>	<i>+1/+100.0%</i>

TABLE 2
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

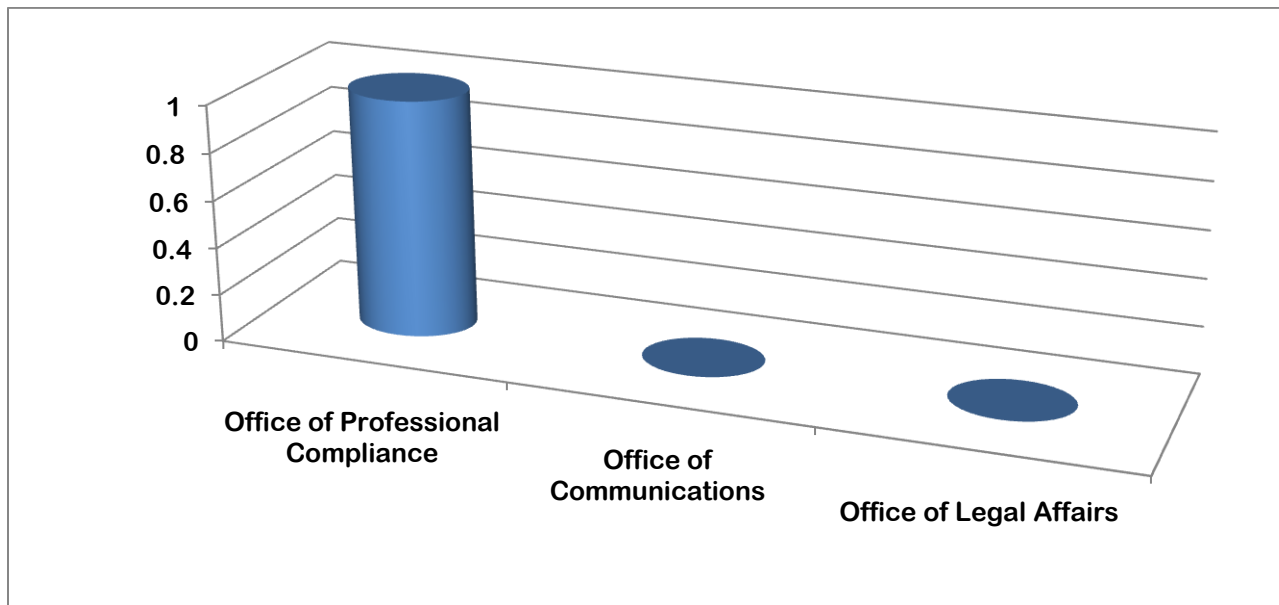


CHART 2
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

Table 3 and Chart 3 summarize the total number of 2008 Department of Law Enforcement administrative complaint distribution occurring within specific divisions and bureaus/districts.

**2008 ADMINISTRATIVE COMPLAINT DISTRIBUTION BY
DIVISION/ DISTRICT/BUREAU - DEPARTMENT OF LAW ENFORCEMENT**

DEPARTMENT OF LAW ENFORCEMENT	YEAR 2006	YEAR 2007	YEAR 2008	NUMERICAL / PERCENT INCREASE OR DECREASE 2006 / 2007	NUMERICAL / PERCENT INCREASE OR DECREASE 2007 / 2008
Central District - CEN	-	-	1	N/A	+1/N/A
Northeast District - NE	34	33	23	-1/-2.9%	-10/-30.3%
Southeast District - SE	53	48	30	-5/-9.4%	-18/-37.5%
Northwest District - NW	46	38	25	-8/-17.4%	-13/-34.2%
Southwest District - SW	42	49	30	+7/+16.7%	-19/-38.8%
Bureau of Criminal Investigations - BCI	19	10	8	-9/-47.4%	-2/-20.0%
Bureau of Special Investigations - BSI	7	3	7	-4/-57.1%	+4/+133.3%
Bureau of Support Operations - BSO	10	11	20	+1/+10.0%	+9/+81.8%
Bureau of Support Services - BSS	18	13	28	-5/-27.8%	+15/+115.4%
TOTAL - D.L.E.	229	205	172	-24/-10.5%	-33/-16.1%

TABLE 3
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

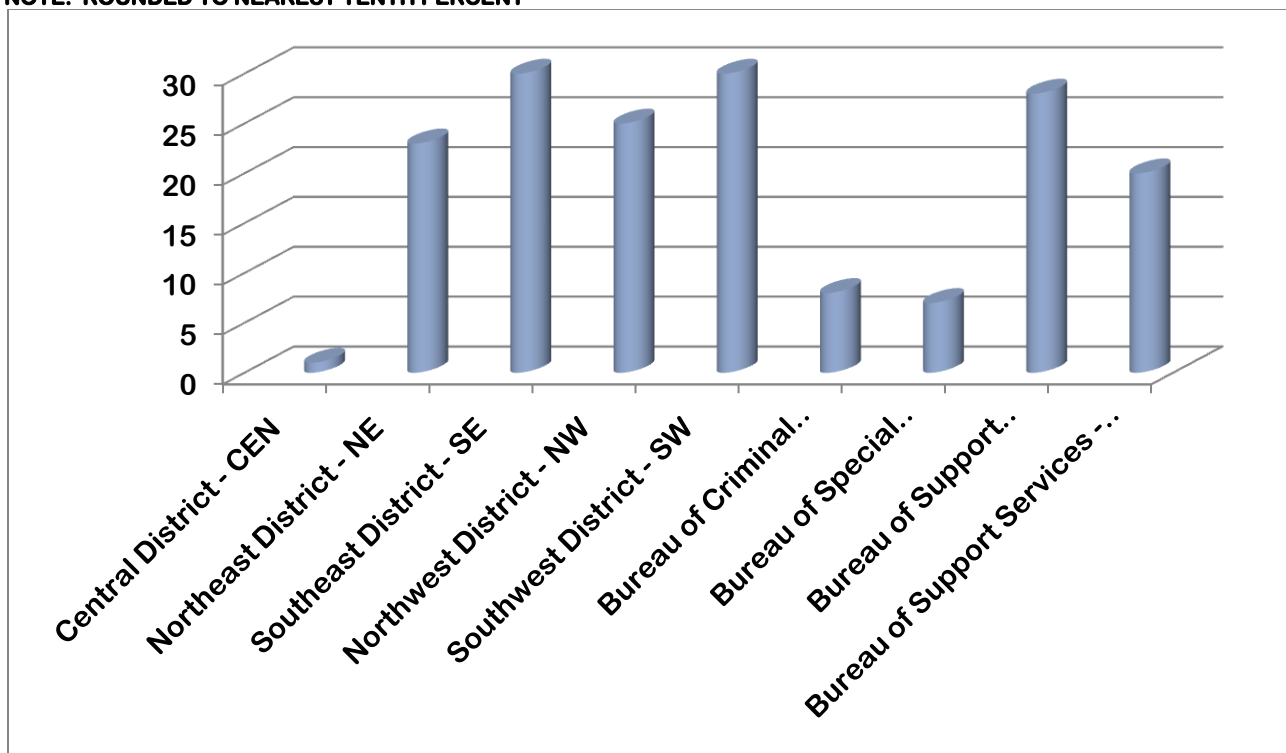


CHART 3
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

Table 4 and Chart 4 summarize the total number of 2008 Department of Detention administrative complaint distribution occurring within specific division and bureau/facility.

**2008 ADMINISTRATIVE COMPLAINT DISTRIBUTION BY
DIVISION/BUREAU/FACILITY
DEPARTMENT OF DETENTION**

DEPARTMENT OF DETENTION	YEAR 2006	YEAR 2007	YEAR 2008	NUMERICAL/ PERCENT INCREASE OR DECREASE 2006/2007	NUMERICAL/ PERCENT INCREASE OR DECREASE 2007/2008
Central County Jail - CCJ	24	8	14	-16/-66.7%	+6/+75.0%
South County Jail - SCJ	14	9	10	-5/-35.7%	+1/+11.1%
S. T. A. R. Program - STAR	2	4	1	+2/+100.0%	-3/-75.0%
Court & Support Svcs. Bureau - C&SS	19	11	6	-8/-42.1%	-5/-45.5%
Intake & Records Bureau - I&RB	18	9	4	-9/-50.0%	-5/-55.6%
TOTAL – D.O.D.	77	41	35	-36/-46.8%	-6/-14.6%

TABLE 4
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

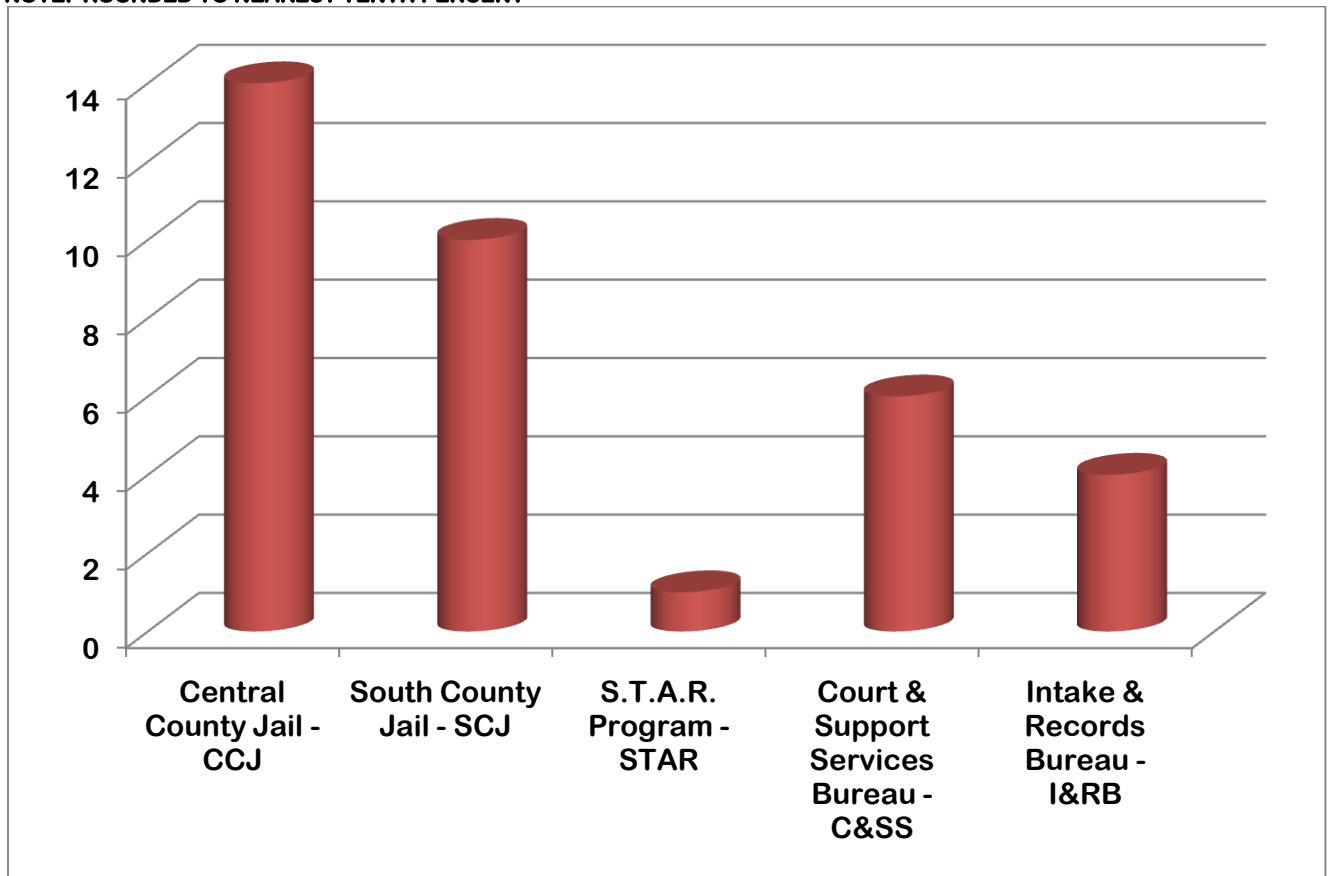


CHART 4
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

Table 5 and Chart 5 summarize the total number of 2008 Office of Business Affairs administrative complaint distribution occurring within specific division.

2008 ADMINISTRATIVE COMPLAINT DISTRIBUTION BY DIVISION OFFICE OF BUSINESS AFFAIRS

OFFICE OF BUSINESS AFFAIRS	YEAR 2006	YEAR 2007	YEAR 2008	NUMERICAL/ PERCENT INCREASE OR DECREASE 2006/2007	NUMERICAL/ PERCENT INCREASE OR DECREASE 2007/2008
Business Services Division	2	1	0	-1/-50.0%	-1/-100.0%
Human Resources Division	0	6	2	+6/+100.0%	-4/-66.7%
Fiscal Services Division	2	0	0	-2/-100.0%	0/0.0%
Information Technology Division	0	1	1	+1/+100.0%	0/0.0%
TOTAL – O. B. A.	4	8	3	+4/+100.0%	-5/-62.5%

TABLE 5

NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

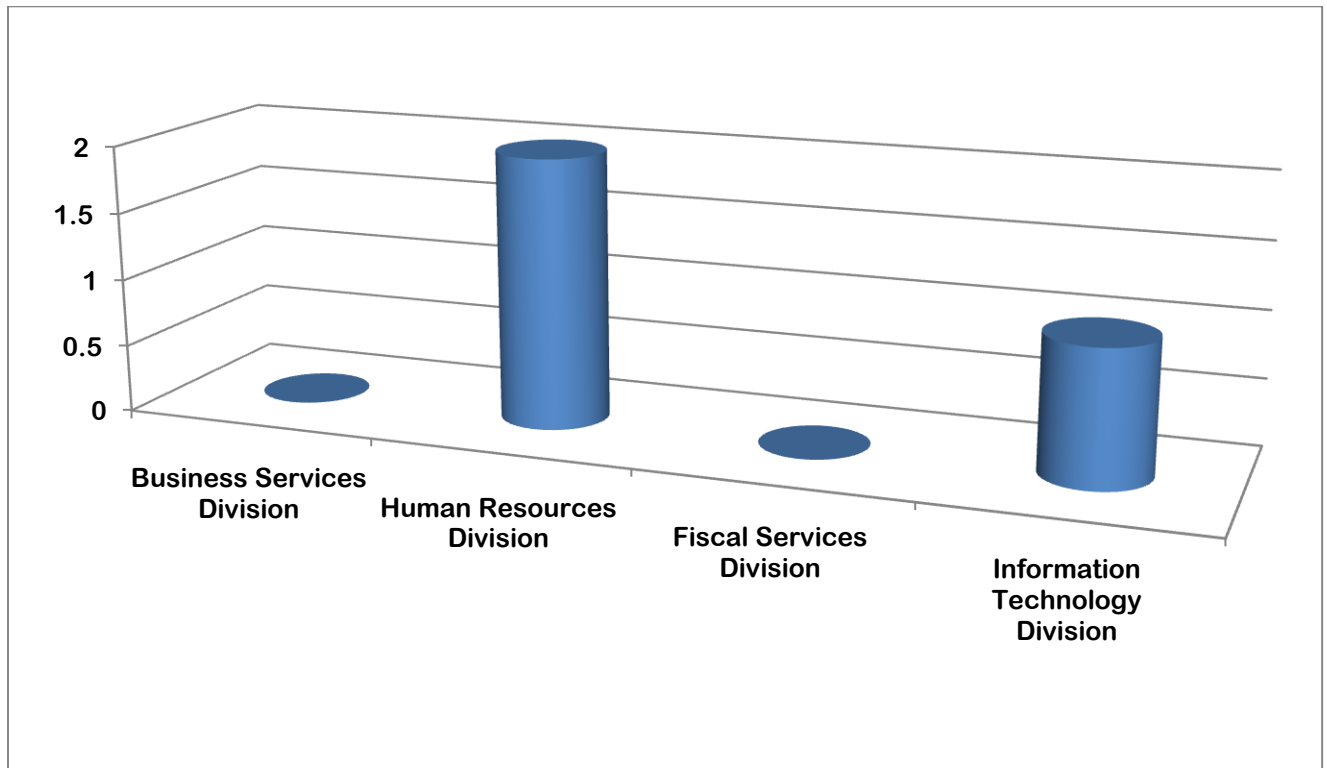


CHART 5

NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

Table 6 and Chart 6 summarize the total number of 2008 Outside/Contract Agencies administrative complaint distribution.

**2008 ADMINISTRATIVE COMPLAINT DISTRIBUTION
OUTSIDE/CONTRACT AGENCIES**

AGENCY	YEAR 2006	YEAR 2007	YEAR 2008	NUMERICAL/ PERCENT INCREASE OR DECREASE 2006/2007	NUMERICAL/ PERCENT INCREASE OR DECREASE 2007/2008
Bartow Police Department	0	0	0	0/0.0%	0/0.0%
City of Fort Meade	0	1	0	+1/+100.0%	-1/-100.0%
Correctional Medical Services	1	0	0	-1/-100.0%	0/0.0%
Davenport Police Department	0	1	0	+1/+100.0%	-1/-100.0%
Eagle Lake Police Department	0	1	0	+1/+100.0%	-1/-100.0%
Haines City Police Department	0	3	2	+3/+100.0%	-1/-33.3%
Lake Hamilton Police Department	0	1	0	+1/+100.0%	-1/-100.0%
Polk County School Board	0	0	0	0/0.0%	0/0.0%
TOTAL OUTSIDE /CONTRACT AGENCIES	1	7	2	+6/+600.0%	-5/-71.4%

TABLE 6

SOURCE: PCSO AIM SYSTEM, 2009

NOTE: ROUNDED TO NEAREST TENTH PERCENT

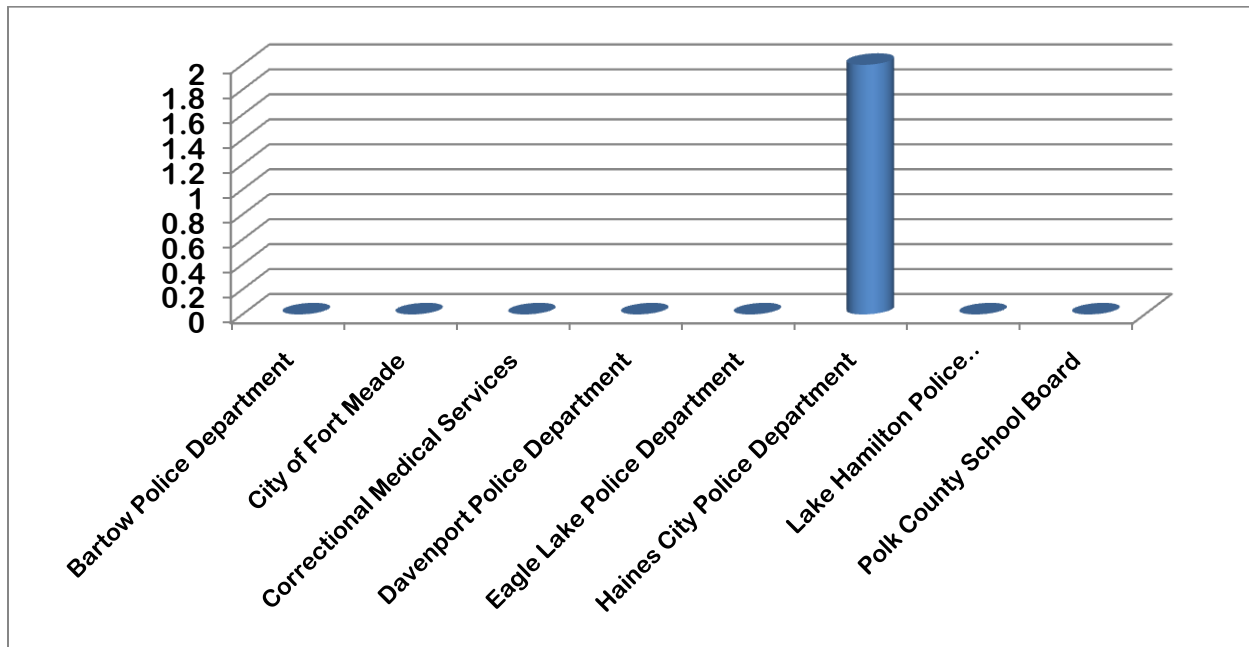


CHART 6

SOURCE: PCSO AIM SYSTEM, 2009

NOTE: ROUNDED TO NEAREST TENTH PERCENT

Table 7 and Chart 7 summarize the total number of 2008 Polk County Sheriff's Office administrative complaints by origin.

**2008 ADMINISTRATIVE COMPLAINTS BY ORIGIN
POLK COUNTY SHERIFF'S OFFICE**

ADMINISTRATIVE COMPLAINTS BY ORIGIN	YEAR 2006	YEAR 2007	YEAR 2008	NUMERICAL/ PERCENT INCREASE OR DECREASE 2006/2007	NUMERICAL/ PERCENT INCREASE OR DECREASE 2007/2008
Agency Initiated	50	58	73	+8/+16.0%	+15/+25.9%
Citizen Initiated	241	179	125	-62/-25.7%	-54/-30.2%
Anonymous Initiated	10	7	3	-3/-30.0%	-4/-57.1%
Inmate Initiated	7	10	1	+3/+42.9%	-9/-900.0%
Outside Agency Initiated	5	7	11	+2/+40.0%	+4/+57.1%
TOTALS	313	261	213	-52/-16.6%	-48/-18.4%

TABLE 7
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

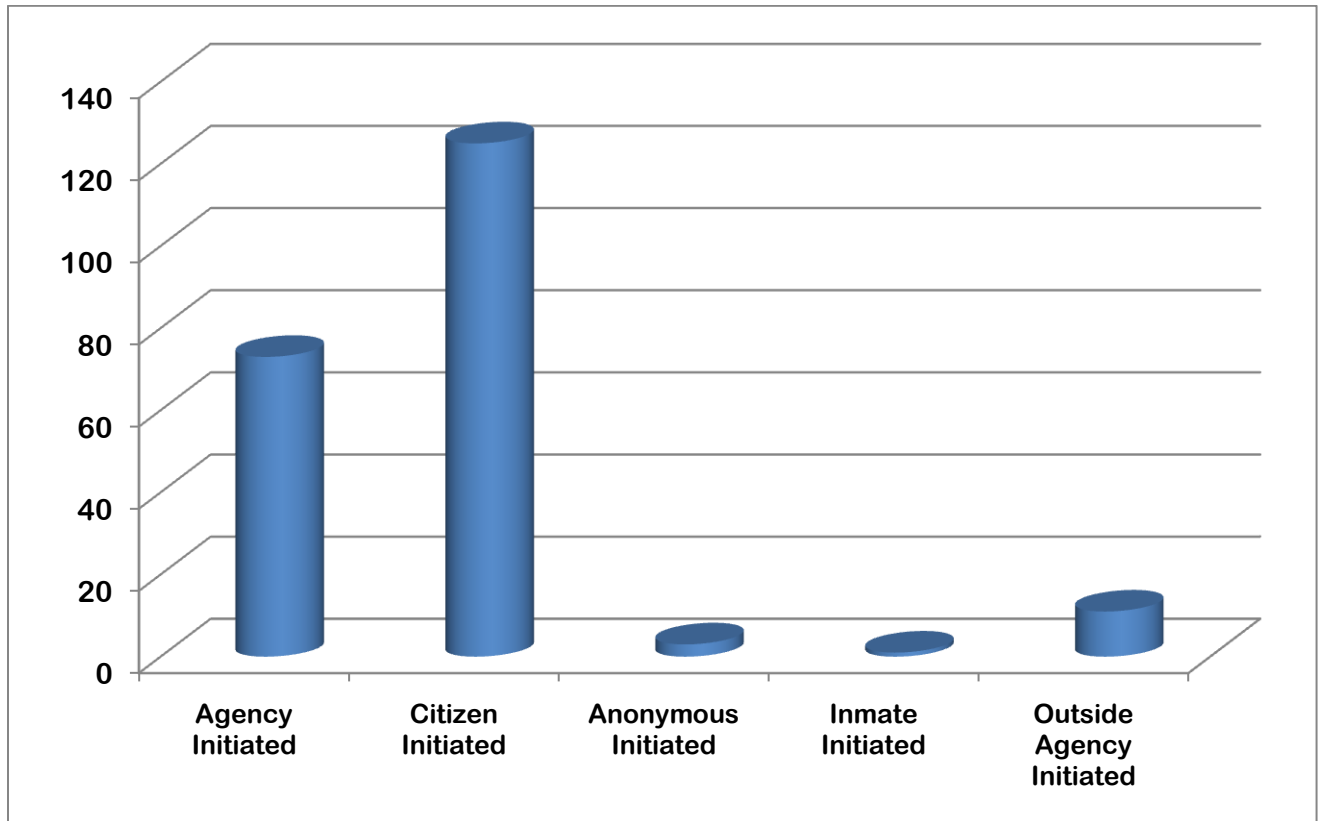


CHART 7
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

**2008 ADMINISTRATIVE INQUIRY AND
ADMINISTRATIVE INVESTIGATION DISTRIBUTION**

In accordance with PCSO G.O. 52.1 – Administrative Inquiries and Investigations, a total of **137 complaints** were referred for administrative inquiry (AQ) and were investigated by supervision/command staff within the respective departments/office. This represents a **22.2% decrease from 2007**. Seventy-five (75) of the remaining **76 administrative complaints** were authorized for completion of an administrative investigation (AI) by the AIS. This represents a **10.6% decrease from 2007** (Table 8). The remaining administrative complaint is pending.

Table 8 and Chart 8 summarize the total number of 2008 Polk County Sheriff’s Office complaint referral, administrative inquiry and administrative investigation distribution.

**2008 COMPLAINT REFERRAL, ADMINISTRATIVE INQUIRY AND
ADMINISTRATIVE INVESTIGATION DISTRIBUTION
POLK COUNTY SHERIFF’S OFFICE**

ADMINISTRATIVE COMPLAINTS	YEAR 2006	YEAR 2007	YEAR 2008	NUMERICAL/ PERCENT INCREASE OR DECREASE 2006/2007	NUMERICAL/ PERCENT INCREASE OR DECREASE 2007/2008
Complaint Referrals- CR	0	0	1	<i>0/0.0%</i>	<i>+1/+100.0%</i>
Administrative Inquiries - AQ	255	176	137	<i>-79/-31.0%</i>	<i>-39/-22.2%</i>
Administrative Investigations - AI	58	85	75	<i>+27/+46.6%</i>	<i>-10/-11.8%</i>
TOTAL ADMINISTRATIVE COMPLAINTS	313	261	213	<i>-52/-16.6%</i>	<i>-48/-18.4%</i>

TABLE 8
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

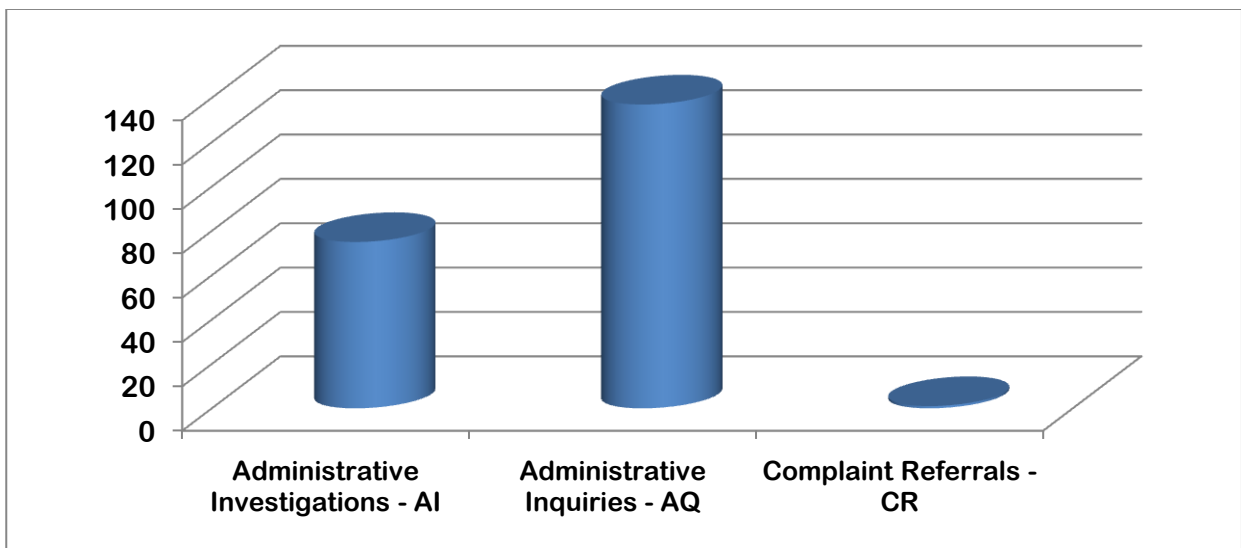


CHART 8
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

2008 ADMINISTRATIVE COMPLAINT ALLEGATIONS

In accordance with PCSO G.O. 52.1 – Administrative Inquiries and Investigations, every administrative complaint is required to be documented on an Administrative Complaint Form (PCSO Form 183) and classified under one or more of the following general categories as enumerated in G.O. 26.1 – Disciplinary Procedures:

- G.O. 26.1.E.8. Insubordination Offenses
- G.O. 26.1.E.9. Neglect of Duty Offenses
- G.O. 26.1.E.10. Improper Conduct Offenses
- G.O. 26.1.E.11. Competency, Job Knowledge, Proficiency
- G.O. 26.1.E.12. Unlawful Conduct Offenses
- G.O. 26.1.E.13. Damage to County Property by Neglect
(Additionally, miscellaneous categories of allegations as directed by the Sheriff or the Chief of Staff.)

A total of **375 administrative complaint allegations** were received and documented by the agency during 2008. This represents a **decrease of 78 (-17.2%)** from 453 administrative complaint allegations in 2007 (Table 9).

The following tables and charts summarize the total number of 2008 administrative complaint *allegations* received and documented.

Please note that the number of administrative complaints as summarized in Table 8 and the number of administrative complaint allegations summarized in Table 9 will differ from the number of actual complaint referrals due to the fact that some complaint referrals may have multiple allegations against one or more subject members.

Table 9 and Chart 9 summarize the total number of 2008 administrative complaint allegations by category.

2008 ADMINISTRATIVE COMPLAINT ALLEGATIONS BY CATEGORY

ADMINISTRATIVE COMPLAINT (CR) ALLEGATIONS	YEAR 2006	YEAR 2007	YEAR 2008	NUMERICAL/ PERCENT INCREASE OR DECREASE 2006/2007	NUMERICAL/ PERCENT INCREASE OR DECREASE 2007/2008
GO 26.1.E.8. Insubordination Offenses	6	10	6	<i>+4/+66.7%</i>	<i>-4/-40.0%</i>
GO 26.1.E.9. Neglect of Duty Offenses	46	34	36	<i>-12/-26.1%</i>	<i>+2/+5.9%</i>
GO 26.1.E.10. Improper Conduct Offenses	303	275	211	<i>-28/-9.2%</i>	<i>-64/-23.3%</i>
GO 26.1.E.11. Competency, Job Knowledge, Proficiency	130	99	84	<i>-31/-23.8%</i>	<i>-15/-15.2%</i>
GO 26.1.E.12. Unlawful Conduct	37	29	23	<i>-8/-21.6%</i>	<i>-6/-20.7%</i>
GO 26.1.E.13. Damage to County Property	1	0	0	<i>-1/-100.0%</i>	<i>0/0.0%</i>
Deadly Protective Actions	3	0	4	<i>-3/-100.0%</i>	<i>+4/+100.0%</i>
In-Custody Death/Death Investigations	5	3	8	<i>-2/-40.0%</i>	<i>+5/+166.7%</i>
Miscellaneous (Injunction for Protection and Accidental Discharge/Weapon W/Injury	0	3	3	<i>+3/+100.0%</i>	<i>0/0.0%</i>
TOTAL ADMINISTRATIVE COMPLAINT ALLEGATIONS	531	453	375	<i>-78/-14.7%</i>	<i>-78/-17.2%</i>

TABLE 9
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

**2008 ADMINISTRATIVE COMPLAINT ALLEGATIONS
DISTRIBUTION BY CATEGORY**

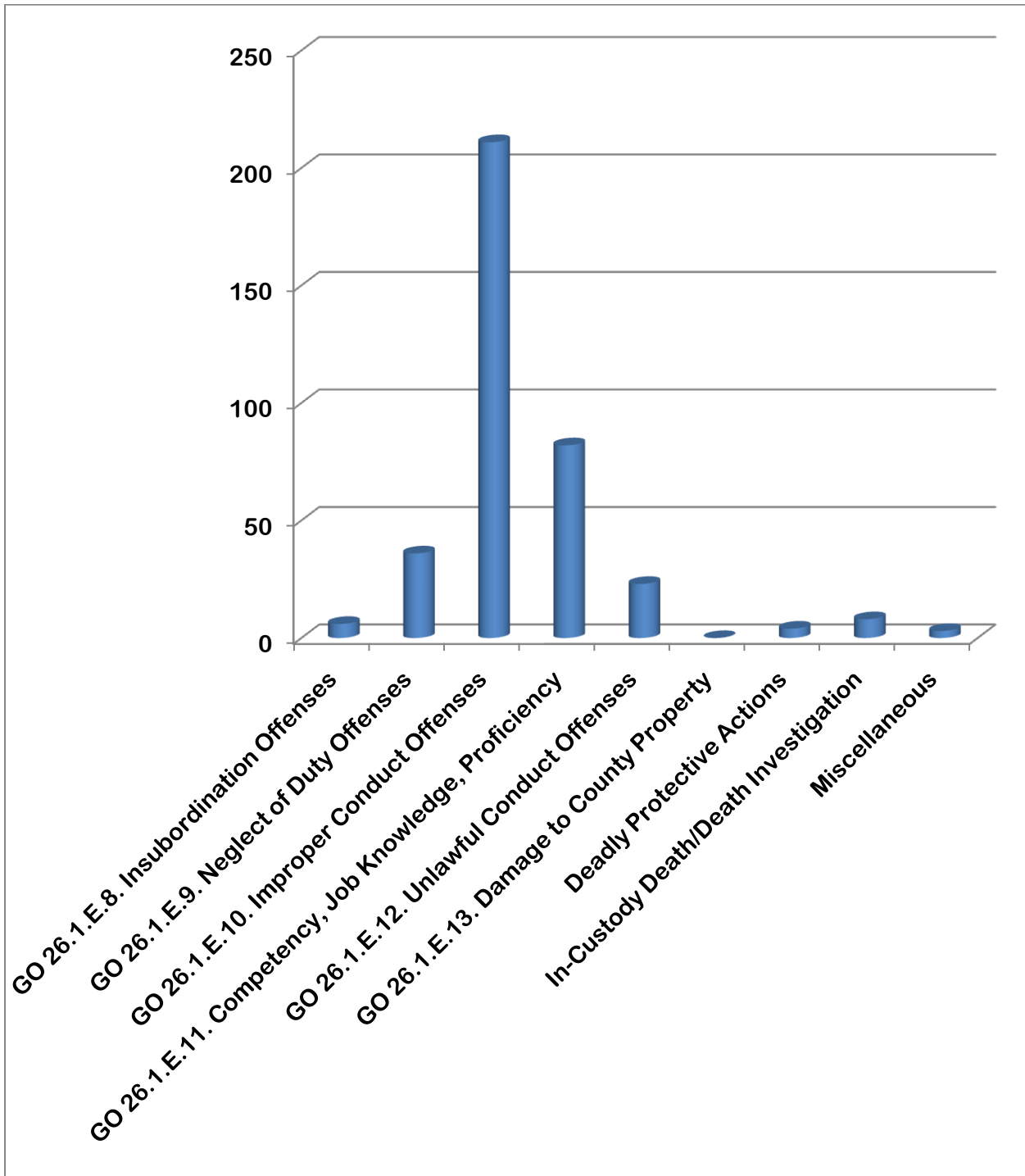


CHART 9
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

Table 10 and Chart 10 summarize the total number of 2008 Polk County Sheriff's Office administrative complaint allegations by origins.

**2008 ADMINISTRATIVE COMPLAINT ALLEGATIONS BY ORIGIN
POLK COUNTY SHERIFF'S OFFICE**

ADMINISTRATIVE COMPLAINT ALLEGATIONS	INITIATED BY					TOTALS 2008	PERCENT -AGE 2008
	AGENCY 2008	CITIZEN 2008	ANONYMOUS 2008	INMATE 2008	OUTSIDE AGENCY 2008		
GO 26.1.E.8. Insubordination Offenses	6 (100.0%)	0 (0.0%)	0 (0.0%)	0 (0%)	0 (0.0%)	6	1.6%
GO 26.1.E.9. Neglect of Duty Offenses	24 (66.7%)	12 (33.3%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	36	9.6%
GO 26.1.E.10. Improper Conduct Offenses	43 (20.3%)	149 (70.6%)	1 (.5%)	1 (.5%)	17 (8.1%)	211	56.3%
GO 26.1.E.11. Competency, Job Knowledge, Proficiency	38 (45.2%)	43 (51.2%)	2 (2.4%)	0 (0.0%)	1 (1.2%)	84	22.4%
GO 26.1.E.12. Unlawful Conduct Offenses	12 (52.2%)	9 (39.1%)	0 (0.0%)	0 (0.0%)	2 (8.7%)	23	6.1%
GO 26.1.E.13. Damage to County Property	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0	0.0%
Deadly Protective Actions	4 (100.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	4	1.1%
In-Custody Death	8 (100.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	8	2.1%
Miscellaneous (Injunction for Protection and Accidental Discharge/Weapon W/Injury)	3 (100.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (33.3%)	3	.8%
TOTALS - 2008	138 (36.8%)	213 (56.8%)	3 (.8%)	1 (.3%)	20 (5.3%)	375	100.0%
TOTALS - 2007	133 (29.4%)	283 (62.5)	10 (2.2%)	17 (3.7%)	10 (2.2%)	453	100.0%
TOTALS - 2006	74 (13.9%)	395 (74.)	36 (6.8%)	14 (2.6%)	12 (2.3%)	531	100.0%
2007/2008 PERCENT INCR. OR DECR.	+3.8%	-24.7%	-9.5%	-94.1%	+100.0%	-17.2%	
2006/2007 PERCENT INCR. OR DECR.	+79.7%	-28.4%	-72.2%	+21.4%	-16.7%	-14.7%	

TABLE 10
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

2008 ADMINISTRATIVE COMPLAINT ALLEGATIONS BY ORIGIN
POLK COUNTY SHERIFF'S OFFICE

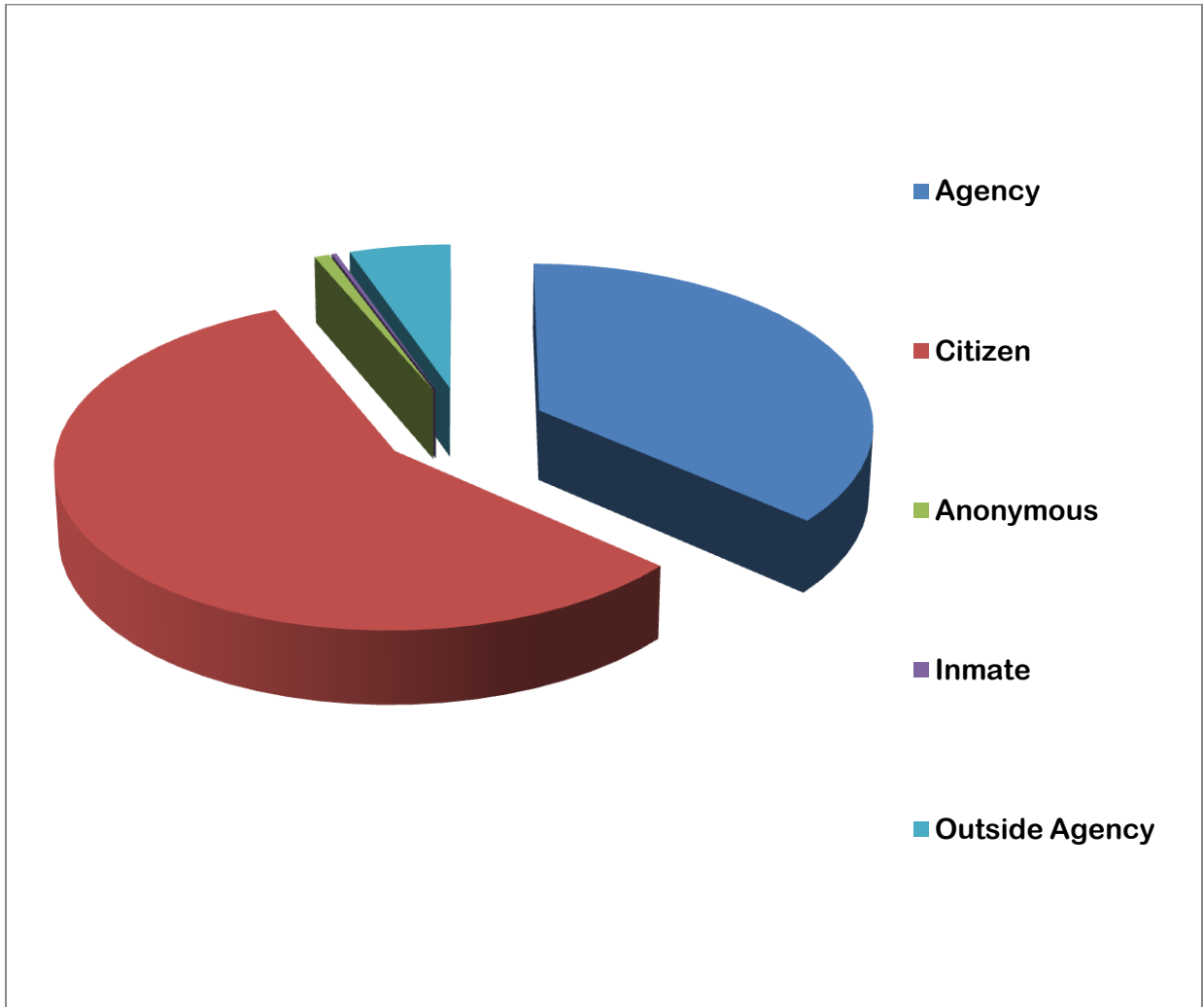


CHART 10
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

Table 11 and Chart 11 summarize the total number of 2008 administrative inquiry (AQ) allegations occurring within the Polk County Sheriff's Office.

2008 ADMINISTRATIVE INQUIRY (AQ) ALLEGATIONS

ADMINISTRATIVE INQUIRY (AQ) ALLEGATIONS	OFFICE OF THE SHERIFF	DLE	DOD	OBA	OA	TOTALS 2008	PERCENTAGE 2008
GO 26.1.E.8. Insubordination Offenses	0	5	0	0	0	5	2.2%
GO 26.1.E.9. Neglect of Duty Offenses	0	19	0	0	0	19	8.6%
GO 26.1.E.10. Improper Conduct Offenses	0	116	15	1	0	132	58.9%
GO 26.1.E.11. Competency, Job Knowledge, Proficiency	0	62	1	0	0	63	28.1%
GO 26.1.E.12. Unlawful Conduct Offenses	0	3	2	0	0	5	2.2%
GO 26.1.E.13. Damage to County Property	0	0	0	0	0	0	0.0%
TOTAL AQ ALLEGATIONS - 2008	0	205	18	1	0	224	100.0%
PERCENTAGE - 2008	0.0%	91.5%	8.1%	.4%	0.0%	100.0%	
TOTAL AQ ALLEGATIONS - 2007	0	226	31	3	0	260	
TOTAL AQ ALLEGATIONS - 2006	0	297	76	3	0	376	
PERCENT INCREASE OR DECREASE - 2007/2008	0.0%	-9.3%	-41.9%	-66.7%	0.0%	-13.8%	
PERCENT INCREASE OR DECREASE - 2006/2007	0.0%	-23.9%	-59.2%	0.0%	0.0%	-30.9%	

TABLE 11
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

2008 ADMINISTRATIVE INQUIRY (AQ) ALLEGATIONS DISTRIBUTION

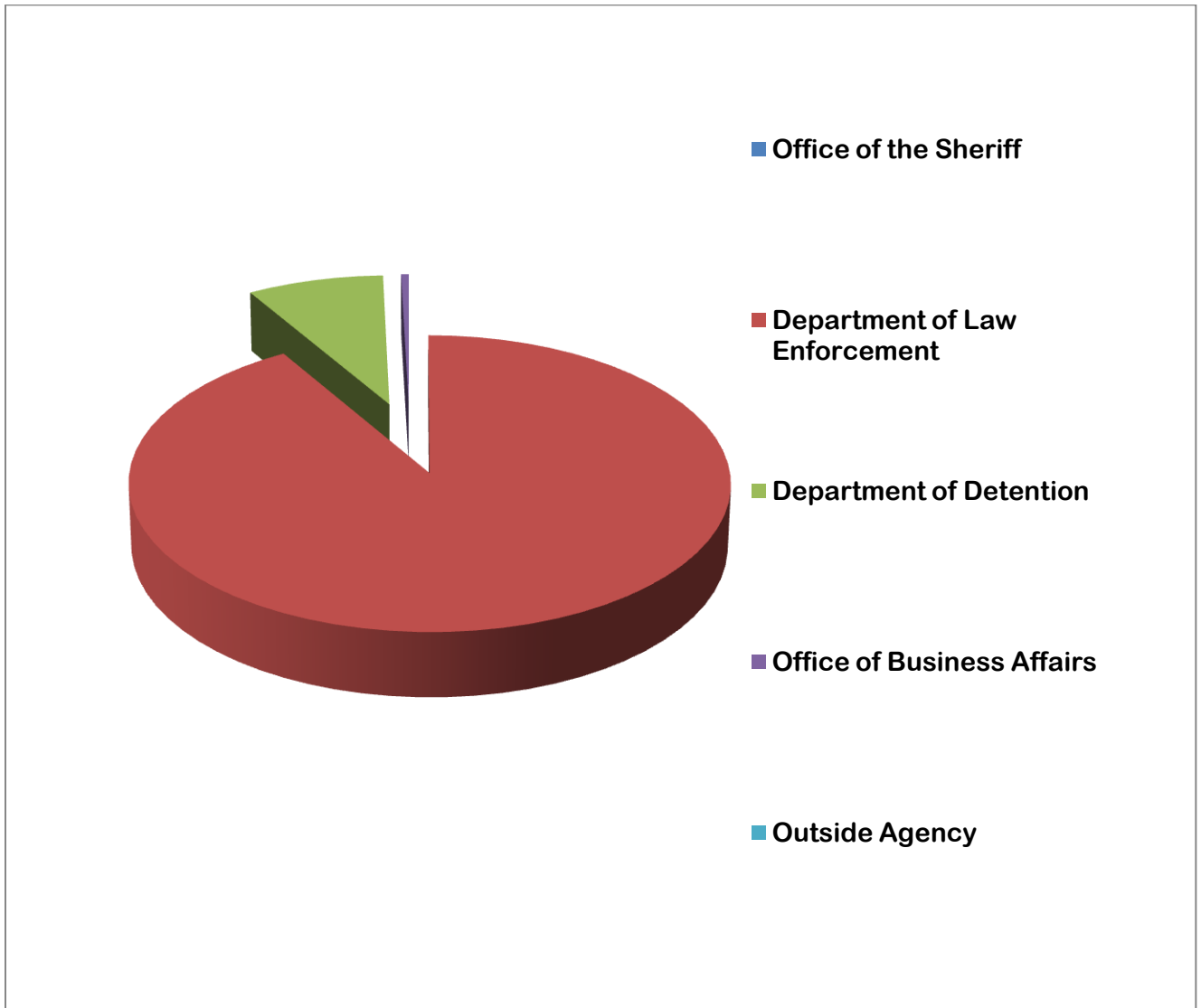


CHART 11
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

Table 12 and Chart 12 summarize the total number of 2008 administrative investigation (AI) allegations occurring within the Polk County Sheriff's Office.*

2008 ADMINISTRATIVE INVESTIGATION (AI) ALLEGATIONS

ADMINISTRATIVE INVESTIGATION (AI) ALLEGATIONS	OFFICE OF THE SHERIFF	DLE	DOD	OBA	OA	TOTAL 2008	PERCENT -AGE 2008
GO 26.1.E.8. Insubordination Offenses	0	1	0	0	0	1	.7%
GO 26.1.E.9. Neglect of Duty Offenses	0	11	6	0	0	17	11.3%
GO 26.1.E.10. Improper Conduct Offenses	1	57	17	1	2	78	52.0%
GO 26.1.E.11. Competency, Job Knowledge, Proficiency	0	21	0	0	0	21	14.0%
GO 26.1.E.12. Unlawful Conduct Offenses	0	7	11	0	0	18	12.0%
GO 26.1.E.13. Damage to County Property	0	0	0	0	0	0	0.0%
Deadly Protective Action	0	4	0	0	0	4	2.7%
In-Custody Death	0	0	8	0	0	8	5.3%
Miscellaneous (Injunction for Protection and Accidental Discharge/Weapon W/Injury)	0	2	1	0	0	3	2.0%
TOTAL AI ALLEGATIONS - 2008	1	103	43	1	2	150	100.0%
PERCENTAGE - 2008	0.7%	68.6%	28.7%	.7%	1.3%	100.0%	
TOTAL AI ALLEGATIONS - 2007	0	120	47	16	10	193	
TOTAL AI ALLEGATIONS - 2006	2	69	81	1	1	154	
PERCENT INCREASE OR DECREASE - 2007/2008	+100.0%	-14.2%	-8.5%	-93.8%	-80.0%	-22.3%	
PERCENT INCREASE OR DECREASE - 2006/2007	-2/100.0%	+73.9%	-41.9%	+1500.0%	+900.0%	+25.3%	

TABLE 12

SOURCE: PCSO AIM SYSTEM, 2009

NOTE: ROUNDED TO NEAREST TENTH PERCENT

*Please note one (1) CR (Complaint Referral) is pending which contains one (1) Office of Business Affairs allegation of GO 26.1. E. 10. – Improper Conduct Offense and will not show in either Table 11 or Table 12.

2008 ADMINISTRATIVE INVESTIGATION (AI) ALLEGATIONS DISTRIBUTION

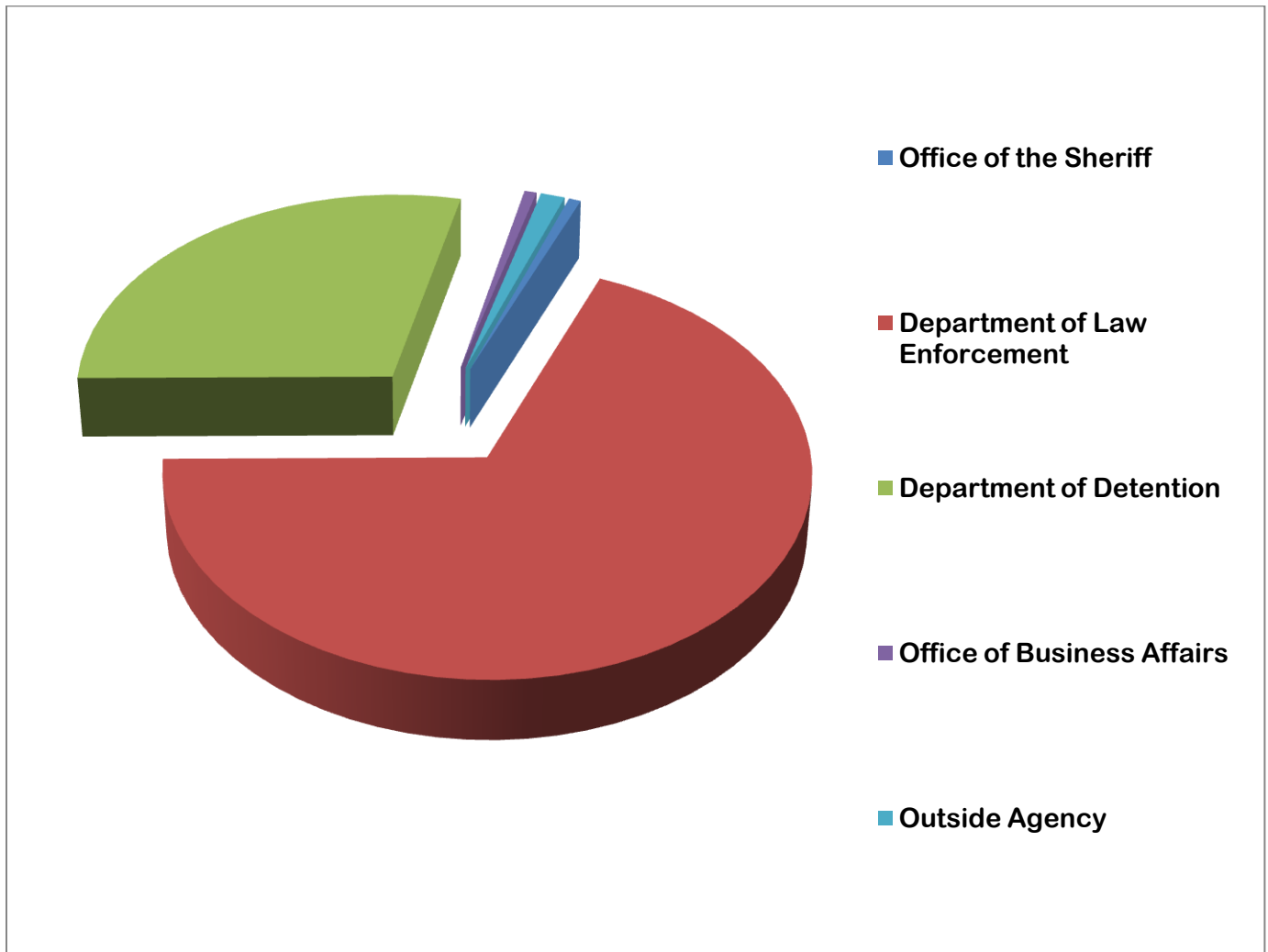


CHART 12
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

Table 13 and Chart 13 summarize the total number of 2008 Polk County Sheriff's Office administrative complaint allegation findings by origin.

2008 ADMINISTRATIVE COMPLAINT ALLEGATION FINDINGS BY ORIGIN
POLK COUNTY SHERIFF'S OFFICE

FINDINGS	INITIATED BY					TOTL	PERCENT -AGE
	AGENCY	CITIZEN	ANONY- MOUS	IN- MATE	OUT- SIDE AGEN- CY		
Exonerated	3	38	0	0	0	41	11.0%
Not Sustained	11	58	2	0	1	72	19.3%
Partially Sustained	1	3	0	0	0	4	1.1%
Policy Failure	0	0	0	0	0	0	0.0%
Sustained	80	59	0	0	14	153	41.0%
Unfounded	6	33	1	1	2	43	11.5%
Violation Not Based On Original Complaint	19	17	0	0	0	36	9.7%
Other - No Policy Violation	14	0	0	0	0	14	3.8%
Other - Summarily Disposed	0	5	0	0	2	7	1.9%
Other - Forwarded to Outside Agency	1	0	0	0	1	2	0.5%
Closed-Combined With Another C. R.	1	0	0	0	0	1	0.2%
TOTAL FINDINGS - 2008	136	213	3	1	20	373*	100.0%
PERCENTAGE - 2008	36.4%	57.1%	0.8%	0.3%	5.4%	100.0%	
TOTAL FINDINGS - 2007	116	271	10	17	8	422	
TOTAL FINDINGS - 2006	69	393	36	13	12	523	
PERCENT INCREASE OR DECREASE - 2007/2008	+17.2%	-21.4%	-70.0%	-16.0%	+150.0%	-11.6%	
PERCENT INCREASE OR DECREASE - 2006/2007	+68.1%	-31.0%	-72.2%	+30.8%	-33.3%	-19.3%	

TABLE 13

SOURCE: PCSO AIM SYSTEM, 2009

NOTE: ROUNDED TO NEAREST TENTH PERCENT

***Two (2) complaint allegations are pending: One allegation is contained in a Complaint Referral and the other is contained in an Administrative Investigation.**

**2008 ADMINISTRATIVE COMPLAINT ALLEGATION FINDINGS BY ORIGIN
POLK COUNTY SHERIFF'S OFFICE**

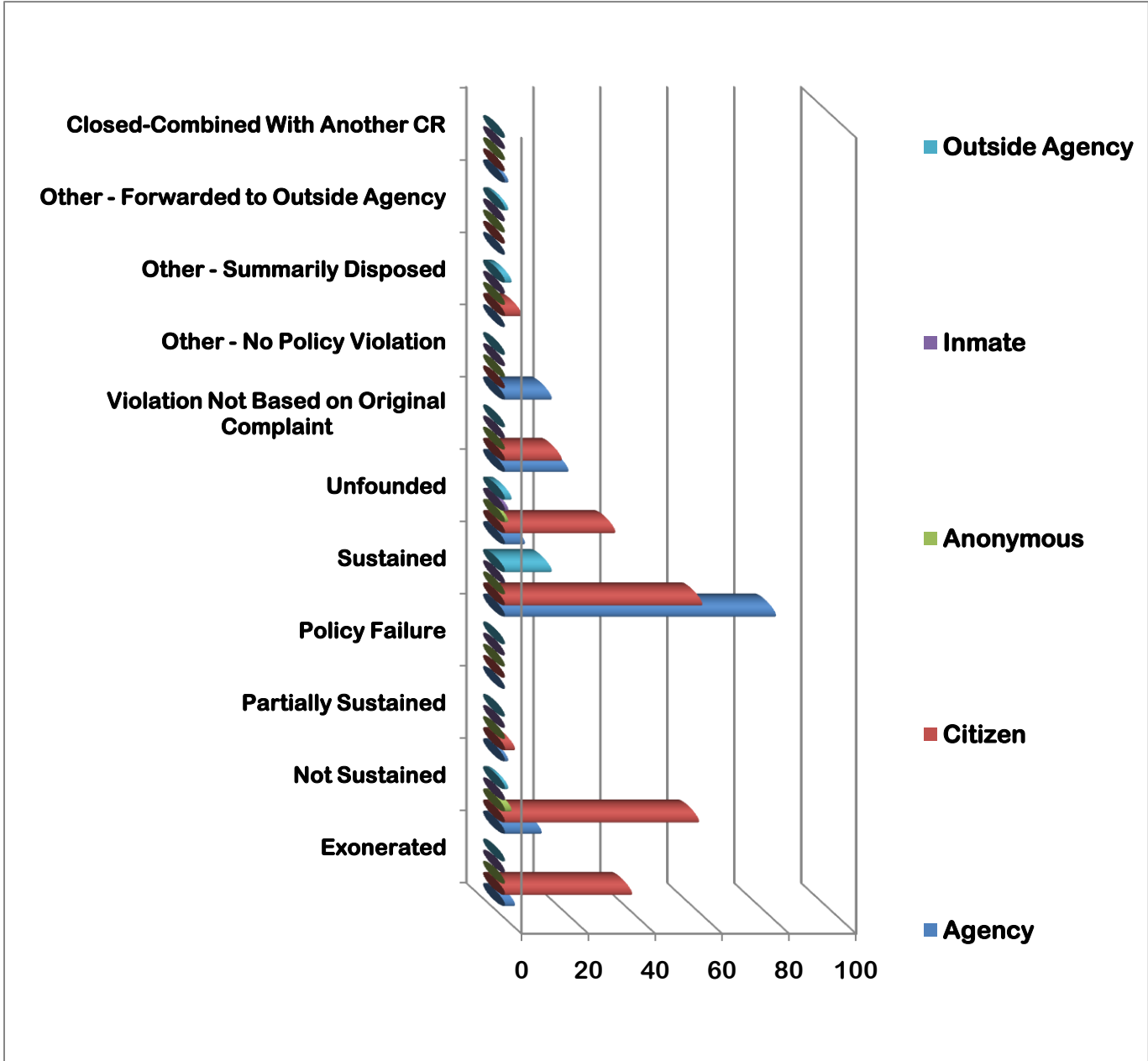


CHART 13
NOTE: ROUNDED TO NEAREST TENTH PERCENT

SOURCE: PCSO AIM SYSTEM, 2009

2008 HARASSMENT COMPLAINT SUMMARY

Two grievances were investigated in 2008 regarding allegations of harassment based upon a protected class or status. These complaints were documented and assigned a complaint referral (CR) number. One of the complaints has been investigated by the Human Resources Division, closed and assigned an administrative investigation (AI) number. The remaining complaint is under investigation by the Human Resources Division and will be assigned an AI number upon completion.

- 1) AI08-55. On 2/28/08, a female civilian assigned to the Animal Control Section reported that sexual comments and inappropriate touching had been directed to her by another member in front of co-workers. The subject member waived the pre-disciplinary hearing on this matter and received retraining and 16 hours of suspension without pay.
- 2) CR08-181 - Pending.

2008 BIAS-BASED PROFILING COMPLAINT SUMMARY

Three (3) allegations of bias-based profiling were received and investigated in 2008. These allegations were assigned a complaint referral (CR) Number and investigated by the AIS in accordance with G.O. 52.1 – Administrative Inquiries and Investigations, and resulted in the following:

- 1) AI08-12. On 1/1/08 a black female alleged her daughter's traffic stop and traffic citation by a PCSO law enforcement deputy was motivated by bias-based profiling. The complaint was exonerated and no disciplinary action was noted.
- 2) AI08-14. On 2/19/08 a black male alleged a traffic stop and search of his vehicle conducted by a PCSO law enforcement deputy was motivated by bias-based profiling. The complaint was exonerated and no disciplinary action was noted.
- 3) AI08-57. On 8/23/08 a black male alleged a traffic stop and search of his vehicle conducted by a PCSO law enforcement deputy was motivated by bias-based profiling. The complaint was exonerated and no disciplinary action was noted.

2008 DEADLY PROTECTIVE ACTION SUMMARY

There were no Level 6 protective actions reported in the Office of the Sheriff, the Department of Detention or the Office of Business Affairs.

The Department of Law Enforcement reported **twenty-three (23) instances of Level 6 use of protective action** in 2008. This represents an **increase of 7 (+43.8%)** from 2007 (16).

Eighteen (18) of the twenty-three (23) **Level 6 protective action incidents** that occurred during 2008 were responses by Department of Law Enforcement Deputy Sheriffs to incidents involving injured or dangerous animals. All involved the use of agency-issued firearms. All were properly reported, documented and approved by supervisory/command staff, requiring no further inquiry/investigation. The review of these incidents determined that no policy violations occurred.

Two (2) of the remaining Level 6 protective action incidents occurring during 2008 involved authorized legal interventions with agency-issued motor vehicles involved in authorized pursuits to halt suspect vehicles. During the first of the two motor vehicle incidents, LP08-140 (occurring in the Southwest District), stop sticks were previously deployed. The second of the two motor vehicle incidents, LP08-141, occurred in the Northwest District. These incidents were properly reported, documented and approved by supervisory/command staff, requiring no further inquiry/investigation. The review of these incidents determined that no policy violations occurred.

The three (3) remaining uses of Level Six protective action (firearms) against individuals were investigated in 2008. These incidents were documented and assigned a complaint referral (CR) number. In accordance with G.O. 52.1 – Administrative Inquiries and Investigations, these incidents were investigated by the AIS and resulted in the following:

- 1) AI08-22. On 3/21/08, a deputy utilized deadly protective action during a call for service wherein a subject attacked and repeatedly stabbed the deputy with a knife. The deputy utilized his agency issued sidearm and shot the subject who was pronounced dead at the scene. The deputy was hospitalized and treated for his injuries. The administrative investigation concluded on 8/26/08 with a finding of “Other; No Violation Noted.”
- 2) AI08-61. On 10/3/08, two deputies utilized deadly protective action while they were performing their duties as narcotics detectives when they confronted a subject who produced a firearm from his pocket. The deputies fired their agency issued sidearms at the subject. The deputies were uninjured and the subject was medically treated and booked into jail. The administrative investigation concluded on 12/18/08 with a finding of “Other; No Violation Noted.”
- 3) AI08-64. On 8/20/08, a deputy utilized deadly protective action during a call for service when the deputy observed an unrelated crime in progress and intervened. The subject drove a motor vehicle at the deputy and the deputy fired his agency issued sidearm at the vehicle. The deputy was uninjured and the subject was later arrested unharmed. The administrative investigation concluded on 12/31/08 with a finding of “Other; No Violation Noted.”

2008 IN-CUSTODY DEATH SUMMARY

Four (4) in-custody deaths were investigated in 2008. These incidents were documented and assigned a complaint referral (CR) number. In accordance with G.O. 52.1 – Administrative Inquiries and Investigations, these incidents were investigated by the AIS and resulted in the following:

- 1) AI08-02. On 1/6/08, an in-custody death occurred at the Bartow Regional Medical Center with hospital medical staff and Polk County Emergency Medical Services personnel in attendance. The administrative investigation concluded on 2/20/08 with a finding of “Other; No violation noted.”
- 2) AI08-04. On 1/15/08, an in-custody death occurred at the Lake Wales Medical Center with hospital medical staff and Polk County Emergency Medical Services personnel in attendance. The administrative investigation concluded on 1/22/09 with a finding of “Other; No policy failure that contributed to the inmate death.”
- 3) AI08-10. On 1/16/08, an in-custody death occurred at the Lakeland Regional Medical Center with hospital medical staff and Polk County Emergency Medical Services personnel in attendance. The administrative investigation concluded on 9/30/08 with a finding of “Other; No violation noted.”
- 4) AI08-20. On 3/5/08, an in-custody death occurred at the Bartow Regional Medical Center with hospital medical staff and Polk County Emergency Medical Services personnel in attendance. The administrative investigation concluded on 3/18/09 with a finding of “Other; No policy failure that contributed to the inmate death.”

2008 EARLY INTERVENTION PROGRAM (EIP) ALERTS

In accordance with G.O. 35.2 – Early Intervention Program (EIP) 2008*, any *member who is the subject of three (3) administrative investigations within a consecutive twelve (12)-month period; or the subject of three (3) administrative inquiries within a consecutive three (3)-month period; or the subject of any combination of three (3) administrative investigations or administrative inquiries within a consecutive three (3)-month period* causes the initiation of a Tracking Notification (PCSO Form 1561) by the AIS. The Tracking Notification is forwarded to the affected member's district/bureau captain/deputy director or higher authority for review and intervention when required.

A comprehensive EIP system is an essential component of good discipline in a well-managed law enforcement agency. The EIP is a supervisory/management tool to systematically assess various factors related to a member's performance and behavior.

The EIP is designed to identify potential below standard performance issues and resolve them by early intervention. The early identification of these potential below standard performance issues and appropriate follow-up intervention/remedial actions shall increase the agency's accountability and offer members a better opportunity to achieve the agency's Core Values and Mission.

During the year 2008, five (5) EIP Tracking Notifications were generated by the AIM System as a result of administrative complaints. They are as follows:

- 1) TN08-004 was generated regarding three (3) administrative investigations (AI) being initiated involving an agency member within a consecutive twelve (12) month period (6/17/07, 2/19/08 and 3/21/08). The findings on these administrative investigations were 2 Allegations Sustained, 2 Allegations Sustained, and 2 Allegations Sustained.

The Tracking Notification was forwarded to the member's district captain for review and disposition. Upon review, the member's command/supervisory chain of command recommended that the Tracking Notification be closed as the member resigned during an investigation and no further action was taken by the member's supervisory chain of command.

- 2) TN08-005 was generated regarding three (3) administrative inquiries (AQ) being initiated involving an agency member within a consecutive three (3) month period (1/1/08, 1/9/08 and 1/23/08). The findings on these administrative inquiries were Sustained, Sustained, and Sustained. The member received discipline on the individual inquiries.

The Tracking Notification was forwarded to the member's district captain for review and disposition. Upon review, the member's command/supervisory chain of command recommended that the Tracking Notification be closed. No further action taken by the member's supervisory chain of command.

- 3) TN08-007 was generated regarding three (3) administrative investigations (AI) being initiated involving an agency member within a consecutive twelve (12) month period (2/19/08, 4/15/08 and 5/22/08). The findings on these administrative investigations were Exonerated, Unfounded, and Exonerated.

The Tracking Notification was forwarded to the member's district captain for review and disposition. Upon review, the member's command/supervisory chain of command recommended that the Tracking Notification be closed. No further action taken by the member's supervisory chain of command.

- 4) TN08-011 was generated regarding three (3) administrative inquiries (AQ) being initiated involving an agency member within a consecutive three (3)-month period (7/12/08, 9/2/08 and 9/17/08). The findings on these administrative inquiries were 1 allegation Sustained and 1 Not Sustained, 1 allegation Sustained and 1 Not Sustained, and No Violations Noted. The member received discipline on the individual inquiries as appropriate.

The Tracking Notification was forwarded to the member's district captain for review and disposition. Upon review, the member's command/supervisory chain of command recommended that the Tracking Notification be closed. No further action taken by the member's supervisory chain of command.

- 5) TN08-012 was generated regarding three (3) administrative inquiries (AQ) being initiated involving an agency member within a consecutive three (3)-month period (5/26/08, 6/22/08 and 7/12/08). The findings on these administrative inquiries were Sustained, 2 Sustained, and Sustained.

The Tracking Notification was forwarded to the member's district captain for review and disposition. Upon review, the member's command/supervisory chain of command recommended that the Tracking Notification be closed as the member resigned during an investigation and no further action was taken by the member's supervisory chain of command.

**Effective January 1, 2009, G.O. 35.2-Early Intervention Program was amended to read, ...an Early Intervention Program Tracking Notification (PCSO Form 1561) shall be initiated by the AIS when: A Sheriff's Office member is the subject of two (2) administrative investigations within a consecutive three hundred sixty-five (365)-day period; or A Sheriff's Office member is the subject of two (2) administrative inquiries within a consecutive ninety (90)-day period; or A Sheriff's Office member is the subject of any combination of two (2) administrative investigations or administrative inquiries within a consecutive ninety (90)-day period.*