

WORKING AGREEMENT

WHEREAS the City of Key West Police Department (KWPD) is charged, in part, with protecting and serving the citizens and general public;

WHEREAS the Citizens Police Review Board (CRB) is charged, in part, with providing the citizens of Key West and the general public a forum to address police professionalism issues;

WHEREAS the parties have mutual interests in increasing police professionalism & maximizing public and officer safety, reducing miscommunications between their respective departments and fostering the public's confidence in KWPD services;

WHEREAS the parties recognize that if one department falls short in their public mission the other also fails and if one department succeeds, the other also succeeds;

NOW THEREFORE, the parties enter this Working Agreement (Agreement) this 1st day of DECEMBER, 2014 to take effect forthwith as follows:

1. The KWPD, by and through its Professional Standards Office (PSO), will forward or make available copies of all completed internal affairs investigations (whether internally generated or externally generated) to the CRB Executive Director within three (3) business days from the first available day for copying under F.S. 112.533(2) (Officers Bill of Rights) and Florida public records law. The CRB will direct the CRB Executive Director to assist in the clerical efforts of reproduction of these files so as to minimize the PSO's manpower disruption.
2. The files referenced in #1 above will contain the summary of available disciplinary history and commendations of the respondent officer(s) which are available under Florida public records laws. The CRB will be sufficiently advised from time to time that said disciplinary history and commendations are not relevant to any pending complaint against an officer in

absence of evidence that the officer has engaged in prior conduct similar to the alleged conduct at issue in the pending case.

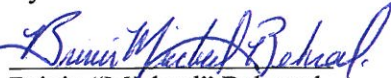
3. Paragraphs #1 & #2 above shall represent CRB's standing and ongoing request for public records under F.S. 119.07 and other applicable public records laws. Said records shall be redacted in accordance with Florida's public records laws and released in accordance with the Officer's Bill of Rights Florida Statute 112.532 et. seq. (Officer's Bill of Rights).
4. The CRB shall extend an invitation to each respondent officer, whose location is reasonably ascertainable, to attend its applicable public hearing addressing that respondent's file. The subject officer may attend and address the CRB directly, through the officer's designee, the officer's union representative and/or the officer's attorney. Said designee will not be the PSO designee mentioned in #8 below to avoid any appearance of conflict of interests or impropriety.
5. The KWPD, by and through PSO, will present each complaining party a CRB informational brochure at the time they formally file an administrative complaint (whether internally or externally generated) with the KWPD concerning any officer of the KWPD. A copy of the brochure jointly agreed to by the CRB and KWPD is attached hereto as Exhibit "A". The CRB Executive Director will provide sufficient copies of said informational brochure to the PSO.
6. The CRB members and its Executive Director, as their schedules permit, will participate in "ride-alongs" with the KWPD to help understand the daily working conditions facing the KWPD members. Said obligation shall not be mandatory upon the CRB members but the CRB Executive Director shall participate in such activities, as his schedule permits. The CRB Executive Director shall report on a yearly basis, commencing November 1, 2009, the names of the CRB members who attended a ride along during the preceding year.
7. The CRB Executive Director, as his schedule permits, attend KWPD training sessions in an effort to educate the CRB members in applicable KWPD training methods that relate to CRB reviews of files.

8. KWPD PSO, by and through a designee, will attend CRB meetings to help explain and educate the CRB in issues relative to the applicable file before the CRB and other standard operating procedures so that the CRB can reach an informed and equitable resolution of the subject matter before the CRB. PSO's designee shall be primarily available to the CRB to present KWPD's policies, regulations, PSO's investigations and findings on each file.
9. The CRB Executive Director and the KWPD designee will work closely to present a joint statistical summary report to the CRB, on an annual basis commencing for the year 2009, addressing a summary of the files completed by PSO for each applicable year and which fall within public records and not in violation the F.S. 112.532 et. seq (Officers Bill of Rights).
10. The CRB standard complaint form will be harmonized as much as practical with the KWPD PSO complaint form so as to avoid any types of conflicts.
11. The CRB and KWPD shall conduct themselves in a professional and respectful manner during all interactions.
12. The KWPD shall provide a copy of all Response to Resistance Incident Reports (RRI) to the CRB Executive Director on a monthly basis by the 10th of the month for the preceding month.

This Agreement shall not be interpreted to conflict, replace, waive or violate Florida law (Public Records Laws, Officer's Bill of Rights and alike), the City of Key West's Charter, or the police union's collective bargaining agreement. If one provision violates any of the forgoing laws or agreements, then it shall be null and void and the remaining parts of this Agreement shall remain in full force and effect. Either party may terminate this Agreement by giving a thirty (30) day written notice to the other party.

Citizen Review Board

By:


Brinin "Michael" Behrend
Chairperson CRB

Key West Police Department

By:


Donald J. Lee, Jr.
Chief of Police