

Donald J. Lee, Jr.

Chief of Police



Key West

POLICE DEPARTMENT

Citizen Complaint Sworn Affidavit

Complainant Name STEVE LEGNAIOLI Date of Birth 12 14 69 Race W Sex M

Address 2429 Fogarty Phone 305 407 0608 Email _____

Person Affected by Incident (if different from complainant) _____

Address _____ Phone _____ Email _____

Witness Name _____ Date of Birth _____ Race _____ Sex _____

Address _____ Phone _____ Email _____

Incident Date 2013-2018 Time _____ Location _____ Case Number _____

Employee Name(s) or Description(s) CHIEF OF POLICE DONALD LEE

Describe the Incident, Specific Complaint and Desired Remedy

SEE ATTACHED



RESPECT - INTEGRITY - FAIRNESS - SERVICE

Key West Police Department 1604 N. Roosevelt Blvd. Key West, FL 33040 (305) 809-1111
www.keywestcity.com



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Donald J. Lee, Jr.
Chief of Police



Key West **POLICE DEPARTMENT**

PLEASE READ CAREFULLY BEFORE SIGNING. You must complete the remainder of this affidavit in the presence of a notary public. Upon witnessing your signing of this affidavit, a notary public shall complete the notary block by entering the same date the affidavit is signed.

ANY FALSE STATEMENTS MADE MAY BE SUBJECT TO CRIMINAL PROSECUTION UNDER PERJURY, FALSE REPORT OR CIVIL STATUTES. UNDER PENALTY OF PERJURY THE UNDERSIGNED SWEARS THAT THE FACTS CONTAINED ON EVERY PAGE IN THIS DOCUMENT ARE WITHIN THEIR PERSONAL KNOWLEDGE AND ARE TRUE AND CORRECT.

Print Name _____ Signature _____ Date _____

STATE OF FLORIDA, COUNTY OF _____, the forgoing instrument was acknowledged before me this _____ day of _____ (month) _____ (year) by _____ who is personally known to me or who has produced _____ (type of identification) as identification and who DID take the oath listed above.

Notary's Name _____ Notary's Signature _____

Notary's Title or Rank _____ Notary's Identification Number _____

Notary's Stamp:

Employee Receiving Complaint _____ ID Number _____

Date _____ Time _____

F.S. 837.012- Perjury when not in an official proceeding provides that:

1. Whoever makes a false statement which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter shall be guilty of a misdemeanor of the first degree, punishable as provided in F.S. 775.083 or F.S. 775.085.

2. Knowledge of the materiality of the statement is not an element of this crime, and the defendant's mistaken belief that this statement was not material is not a defense.

F.S. 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 WITNESS to 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 F.S. 775.082 or F.S. 775.083.

F.S. 122.432(3) - Officers have the right to bring a civil suit against any individual who files a false or malicious complaint.



RESPECT - INTEGRITY - FAIRNESS - SERVICE

Key West Police Department 1604 N. Roosevelt Blvd. Key West, FL 33040 (305) 809-1111
www.keywestcity.com



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Property Information**UCR Type:** MISCELLANEOUS**Value:** \$1.00**Quantity/Weight:** 1**Narrative 1 - SUPPLEMENTAL**

On April 1, 2016, Detective M. del Valle and I (Detective J. Dean) met with Detective Lieutenant A. Vazquez, Captain J.R. Torres, and Chief D. Lee, in reference to threatening messages made by a subject, Steven Legnaioli.

Captain Torres played me a recording of a voicemail left at the Commissioners Office at City Hall earlier that morning. In the voicemail, the speaker identifies himself as Steven Legnaioli, and advised that he had been threatened by the Key West Police Department. Legnaioli advised that the Chief, Mayor, and the Commissioner (unspecified which commissioner) were acting in a "criminal manner". Legnaioli goes on to advise that there is one person in particular he feels directly threatened his family and that he may have to "neutralize" that person. Legnaioli does not specify in the voicemail what he meant by "neutralize" or who specifically he was talking about neutralizing.

At that time, I was aware that Legnaioli had made threats against Key West Police Department Officers in the past. Chief Lee advised me that in the past, Legnaioli alleged that he and his wife had been contacted and threatened by Capital Police (out of Washington D.C.) and wanted the Key West Police Department to arrest whoever threatened him. Chief Lee advised that he had attempted to refer Legnaioli to Capital Hill Police Department Internal Affairs, and attempted to explain about the jurisdictional issues that would prevent the Key West Police Department from investigating Legnaioli's allegation. Chief Lee advised Legnaioli refused to accept what he had been told.

Chief Lee advised me to locate and make contact with Legnaioli for the purpose of identifying who he wanted to "neutralize", and what he meant by "neutralize". Chief Lee also told me to issue Legnaioli a trespass warning for City Hall, and to advise him not to contact anyone at City Hall in reference to the Capital Police issue or he would face criminal charges.

Chief Lee also advised that Legnaioli had recently somehow acquired Commissioner Jimmy Weekly's cell phone number and had been contacting him directly.

After speaking with Chief Lee, I contacted Commissioner Weekly, who advised me Legnaioli had left a threatening message on his cell phone the previous day. I met with Weekly at City Hall to review the message and to discuss the content of his talks with Legnaioli.

Commissioner Weekly provided me a copy of the voicemail left on his phone by Legnaioli on March 31, 2016. In the voicemail, Legnaioli identified himself and advised that there were people threatening his family and that he would have to kill a "bunch of people" for those threats. Legnaioli does not specify who he planned to kill in his voicemail to Commissioner Weekly.

I asked Commissioner Weekly if he had any idea who Legnaioli was talking about killing. Commissioner Weekly advised that based on his conversations with Legnaioli, he believed Legnaioli was talking about killing a female Capital Hill Police Officer.

Commissioner Weekly provided me a copy of the voicemail.

A short time later, Detective Sergeant B. Lariz advised that Special Investigations Unit Detectives had located Legnaioli going into his home at 1708 Catherine St. No contact was made with Legnaioli at that time.

| | | |
|--|--|---------------------------------------|
| Reporting Officer: JEFFREY W. JR DEAN 3386 | Department: KEY WEST POLICE DEPARTMENT | Report Status: Approved |
| Supervising Officer: | | Date/Time: |
| Verifying Officer: BERNARDO BARRIOS 1555 | Department: KEY WEST POLICE DEPARTMENT | Date/Time: 04/05/2016 11:32 |

01-16-001359

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Detective M. del Valle and I went to Legnaioli's home and made contact with him without incident. My BWC was activated at that time and recorded my interaction with Legnaioli.

Legnaioli did not advise who he was talking about in either voicemail to City Hall or Commissioner Weekly, but did advised that he felt threatened by a female officer with Capital Hill Police, KWPD Sergeant R. Allen, and KWPD Sergeant R. Smith. During my interview with Legnaioli, he also specifically named KWPD Officer K. Bouvier, KWPD Lieutenant J. Tripp, and KWPD Captain S. Brandenburg, but did not advise that he felt threatened by those officers.

I advised Legnaioli it was the position of the Key West Police Department that we did not have jurisdiction to investigate Capital Hill Police. I advised Legnaioli not to go to City Hall or he would be subject to arrest for trespassing. I advised Legnaioli not to contact anyone at City Hall in reference to his issue with Capital Police or he would face harassment/stalking charges.

Legnaioli then went back into his home. Detective M. del Valle and I then left the scene.

My interview with Legnaioli was recorded on my BWC and submitted into COBAN. The voicemails left by Legnaioli to City Hall and to Commissioner Weekly was placed on a disk and submitted into evidence.

I completed an F.I. card in tracs (16-200432) to document Legnaioli's trespass warning and had dispatch enter the trespass warning and instructions not to contact anyone at City Hall into CAD.

I issued an updated Officer Safety BOLO.

CASE STATUS: OTHER

INVESTIGATIVE TIME: 6 HOURS

| | | |
|--|--|---------------------------------------|
| Reporting Officer: JEFFREY W. JR DEAN 3386 | Department: KEY WEST POLICE DEPARTMENT | Report Status: Approved |
| Supervising Officer: | | Date/Time: |
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01-16-001359

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IN THE COUNTY COURT OF THE SIXTEENTH
JUDICIAL CIRCUIT IN AND FOR MONROE COUNTY,
STATE OF FLORIDA

LOWER KEYS CRIMINAL DIVISION

2017 JUN 30 PM 4:01

MONROE COUNTY, FL

State of Florida

vs.

Case Number 2017MM00723AK

Steven Legnaioli
W/M, DOB: 12/14/1969

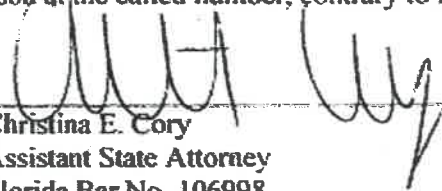
INFORMATION FOR:

1) Harassing Telephone Calls 365.16 1b (2 M)

In the Name and by Authority of the State of Florida:

Dennis W. Ward, State Attorney for the Sixteenth Judicial Circuit, prosecuting for the State of Florida in the said Judicial Circuit, under oath, information makes that Defendant, Steven Legnaioli on or about April 1, 2017, in the County of Monroe and State of Florida, did unlawfully make a telephone call or telephone calls to Lissette Carey, whether or not conversation ensued, without disclosing his identity and with the intent to annoy, abuse, threaten, or harass any person at the called number, contrary to Florida Statute 365.16(1)(b).

The State hereby "NO ACTIONS"
all remaining charges in this case.


Christina E. Cory
Assistant State Attorney
Florida Bar No. 106998
530 Whitehead Street, Suite 301
Key West, Florida 33040
(305) 292-3400
ccory@keyssao.org

STATE OF FLORIDA,
COUNTY OF MONROE

Personally appeared before me, Christina E. Cory, Assistant State Attorney for the Sixteenth Judicial Circuit of Florida who is personally known to me and whose signature appears above, and who being duly sworn, says that the allegations set forth in this Information are based upon facts, which if true, would constitute the offense(s) charged, and that this prosecution is instituted in good faith.

Sworn to and subscribed to before me this 28 day of June 2017.




NOTARY PUBLIC, State of Florida

50527

COPY

5-25-17

ARREST AFFIDAVIT

17MM 723-A-K

IN THE CIRCUIT / COUNTY COURT, 16TH JUDICIAL CIRCUIT,
IN AND FOR THE COUNTY OF MONROE, FLORIDA

STATE OF FLORIDA

V.

Steven Thomas Legnaioli

Harassing Phone Calls F.S.S. Statute # 365.16(b)

2017 NOV 25 AM 11:09

CASE #: 0117002852
DATE OF BIRTH: 12/14/1969
RACE: White
SEX: Male
HEIGHT: 5'09"
WEIGHT: 160
EYE COLOR: Brown
HAIR COLOR: Brown
SSN# [REDACTED]
FL DL#: L254-798-69-454-0

In the name of the State of Florida, to all singular the sheriffs of the State of Florida, Detective J. Dean of The Key West Police Department has this day made oath that on May 24, 2017 in the county aforesaid, one Steven Thomas Legnaioli did then and there commit the offense of: Harassing Phone Calls to wit:

On April 1, 2016, Detective M. del Valle and I (Detective J. Dean) met with Detective Lieutenant A. Vazquez, Captain J.R. Torres, and Chief D. Lee, in reference to threatening messages made by a subject, Steven Legnaioli.

Captain Torres played me a recording of a voicemail left at the Commissioners Office at City Hall earlier that morning. In the voicemail, the speaker identifies himself as Steven Legnaioli, and advised that he had been threatened by the Key West Police Department. Legnaioli advised that the Chief, Mayor, and the Commissioner (unspecified which commissioner) were acting in a "criminal manner".

Legnaioli goes on to advise that there is one person in particular he feels directly threatened his family and that he may have to "neutralize" that person. Legnaioli does not specify in the voicemail what he meant by "neutralize" or who specifically he was talking about neutralizing.

At that time, I was aware that Legnaioli had made threats against Key West Police Department Officers lives in the past. Chief Lee advised me that in the past, Legnaioli alleged that he and his wife had been contacted and threatened by Capital Police (out of Washington D.C.) and wanted the Key West Police Department to arrest whoever threatened him. Chief Lee advised that he had attempted to refer Legnaioli to Capital Hill Police Department Internal Affairs, and attempted to explain about the jurisdictional issues that would prevent the Key West Police Department from investigating Legnaioli's allegation. Chief Lee advised Legnaioli refused to accept what he had been told.

Chief Lee advised me to locate and make contact with Legnaioli for the purpose of identifying who he wanted to 'neutralize', and what he meant by 'neutralize'. Chief Lee also told me to issue Legnaioli a trespass warning for City

60422

Hall, and to advise him not to contact anyone at City Hall in reference to the Capital Police issue or he would face criminal charges.

Chief Lee also advised that Legnaioli had somehow acquired Commissioner Jimmy Weekly's cell phone number and had been contacting him directly. After speaking with Chief Lee, I contacted Commissioner Weekly, who advised me Legnaioli had left a threatening message on his cell phone the previous day. I met with Weekly at City Hall to review the message and to discuss the content of his talks with Legnaioli.

Commissioner Weekly provided me a copy of the voicemail left on his phone by Legnaioli on March 31, 2016. In the voicemail, Legnaioli identified himself and advised that there were people threatening his family and that he would have to kill a "bunch of people" for those threats. Legnaioli does not specify who he planned to kill in his voicemail to Commissioner Weekly.

I asked Commissioner Weekly if he had any idea who Legnaioli was talking about killing. Commissioner Weekly advised that based on his conversations with Legnaioli, he believed Legnaioli was talking about killing a female Capital Hill Police Officer. Commissioner Weekly provided me a copy of the voicemail.

A short time later, Detective Sergeant B. Lariz advised that Special Investigations Unit Detectives had located Legnaioli going into his home at 1708 Catherine St. No contact was made with Legnaioli at that time.

Later that same day, Detective M. del Valle and I went to Legnaioli's home and made contact with him without incident. My BWC was activated at that time and recorded my interaction with Legnaioli. Legnaioli did not advise who he was talking about in either the voicemail to City Hall or Commissioner Weekly, but did advise that he felt threatened by a female officer with Capital Hill Police, KWPD Sergeant R. Allen, and KWPD Sergeant R. Smith. During my interview with Legnaioli, he also specifically named KWPD Officer K. Bouvier, KWPD Lieutenant J. Tripp, and KWPD Captain S. Brandenburg, but did not advise that he felt threatened by those officers.

I advised Legnaioli that it was the position of the Key West Police Department that we did not have jurisdiction to investigate Capital Hill Police. I advised Legnaioli not to go to City Hall or he would be subject to arrest for trespassing. I advised Legnaioli not to contact anyone at City Hall in reference to his issue with Capital Police or he would face harassment/stalking charges. Legnaioli then went back into his home. Detective M. del Valle and I then left the scene.

My interview with Legnaioli was recorded on my BWC and submitted into COBAN. The voicemails left by Legnaioli to City Hall and to Commissioner Weekly was placed on a disk and submitted into evidence. I completed an F.I. card in tracs (16-200432) to document Legnaioli's trespass warning and had dispatch enter the trespass warning and instructions not to contact anyone at City Hall into CAD. I also completed an original report (KWPD report # 16-1359).

On May 23, 2017, I received two email's from Lisette Carey, who is the Executive Assistant to the Mayor and Commission. The following was Carey's emails:

First Email:

I was out of the office most of today on personal leave. I returned to the office just now to work on some things and checked my caller ID on the desk phone. There were 8 missed calls between 12:10pm - 12:20pm from "LEGNAIOLI, DANIE" same phone number I have on file for Steve Legnaioli 305-407-0668. There was no voicemail that I can see at this time.

Just an FYI, as it looks like Mr. Legnaioli may be trying to contact our office again.

Thank you,

Lisette Cuervo Carey
Executive Assistant to Mayor & Commission
City of Key West

305-809-3844

Second Email:

Another call today at 1:24pm. I will try to forward the voicemail to officer dean...

It simply asked for a call back. It is my understanding that I am not to return any calls from Mr. Legnaioli, correct?

Thank you,

Lisette Cuervo Carey
Executive Aide to Mayor & Commission
City of Key West
305-809-3844

Carey was able to forward me the voicemail. In the voicemail, a male voice, advised that he had a question and requested to be called back.

Legnaioli's wife is named Danielle Legnaioli, which is consistent with the name listed on the Caller ID of Carey's phone.

On May 24, 2017, I received another forwarded voicemail from Carey. I recognized the voice in the voicemail as belonging to Legnaioli, who does not identify himself. In the voicemail, Legnaioli claims the Mayor has been lying to him and the State Attorney has confirmed that the Mayor has been conspiring with the Chief of Police. Legnaioli advised he wants whoever is listening to the voicemail to know who they are working for. Legnaioli goes on to advise that whoever receives the voicemail knows who they are working for since they choose to continue going on working there, "we know who you are too". Legnaioli goes on to say "That fucking piece of shit Republican Mayor has been using this office to commit crimes. Extremely fucking crooked. You need to look into this. You need to know who you are working for." Legnaioli goes on to advise "there's gonna be consequences".

Probable cause exists to believe Steven Legnaioli committed the offense of harassing phone calls (F.S.S. 365.16(b)). Steven Legnaioli, left a voicemail on Lisette Carey's work phone. In the voicemail, Legnaioli uses abusive language saying "fucking piece of shit" and "fucking crooked" and threatens Carey by saying "there's gonna be consequences". Legnaioli has a history of making harassing phone calls to city employees and officials and has been warned that doing so would result in criminal charges.

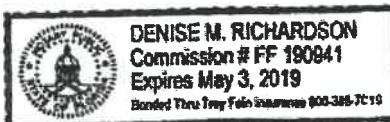
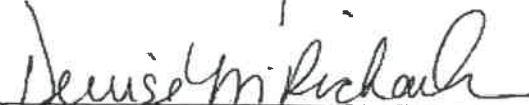
The suspect did knowingly and intentionally commit **Harassing Phone Calls** to the Florida Statute in such cases made and provided, and against the peace and dignity of the State of Florida.

Detective Jeffrey Dean



SWORN AND SUBSCRIBED BEFORE ME THIS 25 day of May 2017.

SIGNATURE AND TITLE OF PERSON TAKING OATH



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DANIELLE LEGNAIOLI
1708 CATHERINE ST
KEY WEST, FL 33040-3534

Page: A-8 of 34
Bill Cycle Date: 04/09/17 - 05/08/17
Account: 523234443717

Visit us online at: www.att.com



305 407-0568
DANIELLE LEGNAIOLI

Data Detail - Continued

| Time | To/From | Type/Unit | Rate Code | |
|--------------------------|---------------|-----------|-----------|------|
| Data Plans | | | | |
| Sunday, 05/07 | | | | |
| 08:30a | Data Transfer | 3,551KB | SDGURL | 0.00 |
| Monday, 05/08 | | | | |
| 02:30a | Data Transfer | 20,454KB | SDGURL | 0.00 |
| 11:16a | Data Transfer | 19,538KB | SDGURL | 0.00 |
| Subtotal for Data Plans: | | | | 0.00 |
| Subtotal for KB's: | | | | 0.00 |

Picture/Video Messages

| | | | | |
|--------------------------------------|------|--------------|----------------|-------------|
| Wednesday, 04/12 | | | | |
| 07:46p | Rcvd | 305-924-0410 | Pict Video MSG | URLMSG 0.00 |
| Subtotal for Picture/Video Messages: | | | | 1 0.00 |
| Total Data Detail | | | | 0.00 |

Rate Code:

SDGURL = AT&T Unlimited Plus Multi Line
URLMSG = Shared Messaging

TALKED TO
DEMIS
WARD
SIA



305 407-0668
DANIELLE LEGNAIOLI

Call Detail

| Time | Place Called | Number Called | Rate Code | Feature Code | Airtime Min | LD/Add'l Charges |
|------------------|--------------|---------------|-----------|--------------|-------------|------------------|
| Monday, 04/10 | | | | | | |
| 11:02a | KEYS FL | 305-296-6013 | SDOV | | 2 | 0.00 |
| 12:36p | INCOMI CL | 305-407-0568 | SDOV | | 2 | 0.00 |
| Tuesday, 04/11 | | | | | | |
| 12:21p | INCOMI CL | 520-636-7033 | SDOV | | 1 | 0.00 |
| 02:19p | KEYS FL | 305-292-3400 | SDOV | | 7 | 0.00 |
| 02:34p | INCOMI CL | 301-660-9262 | SDOV | | 1 | 0.00 |
| 02:49p | INCOMI CL | 301-660-9262 | SDOV | | 1 | 0.00 |
| Wednesday, 04/12 | | | | | | |
| 09:45a | INCOMI CL | 202-836-9610 | SDOV | | 1 | 0.00 |
| 11:21a | INCOMI CL | 631-239-8731 | SDOV | | 1 | 0.00 |
| 07:28p | INCOMI CL | 305-849-8683 | SDOV | | 3 | 0.00 |
| Thursday, 04/13 | | | | | | |
| 04:17p | KEYS FL | 305-292-3400 | SDOV | | 3 | 0.00 |
| Friday, 04/14 | | | | | | |
| 03:02a | KEYS FL | 305-296-2715 | SDOV | | 4 | 0.00 |
| 10:33a | KEYS FL | 305-296-2807 | SDOV | | 1 | 0.00 |
| 03:44p | KEYS FL | 305-296-2807 | SDOV | | 1 | 0.00 |
| 03:45p | KEYS FL | 305-885-7370 | SDOV | | 4 | 0.00 |
| Saturday, 04/15 | | | | | | |
| 11:08a | INCOMI CL | 305-504-3074 | SDOV | | 1 | 0.00 |

| Time | Place Called | Number Called | Rate Code | Feature Code | Airtime Min | LD/Add'l Charges |
|------------------|---------------|---------------|-----------|--------------|-------------|------------------|
| Saturday, 04/15 | | | | | | |
| 11:16a | INCOMI CL | 305-504-3074 | SDOV | | 1 | 0.00 |
| Sunday, 04/16 | | | | | | |
| 01:38p | INCOMI CL | 305-902-8244 | SDOV | | 1 | 0.00 |
| Monday, 04/17 | | | | | | |
| 09:34a | KEYS FL | 305-294-2583 | SDOV | | 2 | 0.00 |
| 01:20p | INCOMI CL | 305-587-1467 | SDOV | | 2 | 0.00 |
| 02:28p | INCOMI CL | 213-298-9696 | SDOV | | 1 | 0.00 |
| 03:11p | KEYS FL | 305-282-3400 | SDOV | | 16 | 0.00 |
| 03:17p | INCOMI CL | 305-294-7254 | SDOV | | 1 | 0.00 |
| Tuesday, 04/18 | | | | | | |
| 05:49p | INCOMI CL | 305-407-0568 | SDOV | | 1 | 0.00 |
| Thursday, 04/20 | | | | | | |
| 09:18a | INCOMI CL | 305-407-0568 | SDOV | | 1 | 0.00 |
| 03:12p | INCOMI CL | 305-900-0908 | SDOV | | 1 | 0.00 |
| Friday, 04/21 | | | | | | |
| 11:19a | INCOMI CL | 305-407-0568 | SDOV | | 4 | 0.00 |
| 02:30p | INCOMI CL | 832-937-7020 | SDOV | | 1 | 0.00 |
| Sunday, 04/23 | | | | | | |
| 10:08a | KEYS FL | 305-414-3992 | SDOV | | 2 | 0.00 |
| Thursday, 04/27 | | | | | | |
| 10:08a | INCOMI CL | 850-658-2466 | SDOV | | 1 | 0.00 |
| 04:12p | KEYS FL | 305-282-3400 | SDOV | | 17 | 0.00 |
| 04:30p | TALLAH FL | 850-414-3990 | SDOV | | 15 | 0.00 |
| 04:44p | INCOMI CL | 305-853-2020 | SDOV | | 12 | 0.00 |
| Friday, 04/28 | | | | | | |
| 01:44p | INCOMI CL | 305-407-0568 | SDOV | | 2 | 0.00 |
| 07:25p | INCOMI CL | 305-304-1540 | SDOV | | 1 | 0.00 |
| 07:27p | INCOMI CL | 305-304-1540 | SDOV | | 1 | 0.00 |
| Saturday, 04/29 | | | | | | |
| 10:56a | KEYS FL | 305-304-1540 | SDOV | | 1 | 0.00 |
| 11:17a | INCOMI CL | 305-923-1358 | SDOV | | 1 | 0.00 |
| Tuesday, 05/02 | | | | | | |
| 08:47a | INCOMI CL | 305-294-7254 | SDOV | | 1 | 0.00 |
| 11:05a | INCOMI CL | 305-912-4582 | SDOV | | 1 | 0.00 |
| 04:18p | ToTI F CL | 800-342-0820 | SDOV | | 19 | 0.00 |
| 04:37p | KEYS FL | 305-292-3400 | SDOV | | 5 | 0.00 |
| Wednesday, 05/03 | | | | | | |
| 09:58a | INCOMI CL | 305-853-2020 | SDOV | | 6 | 0.00 |
| 10:33a | TALLAH FL | 850-488-7884 | SDOV | | 8 | 0.00 |
| 11:25a | INCOMI CL | 305-294-7254 | SDOV | | 1 | 0.00 |
| 01:47p | MIAMI FL | 305-536-5205 | SDOV | | 2 | 0.00 |
| 01:49p | MIAMI FL | 305-536-5205 | SDOV | | 1 | 0.00 |
| 01:50p | TALLAH FL | 850-224-4107 | SDOV | | 3 | 0.00 |
| 01:52p | MIAMI FL | 305-536-5205 | SDOV | | 2 | 0.00 |
| 01:54p | MIAMI FL | 305-789-4221 | SDOV | | 1 | 0.00 |
| 01:55p | WASHINGTON DC | 202-514-2000 | SDOV | | 3 | 0.00 |
| 01:58p | KEYS FL | 305-809-1000 | SDOV | | 2 | 0.00 |
| 03:32p | KEYS FL | 305-296-3093 | SDOV | | 17 | 0.00 |
| 03:51p | MIAMI FL | 305-470-5500 | SDOV | | 14 | 0.00 |
| 05:40p | KEYS FL | 305-296-2807 | SDOV | | 1 | 0.00 |

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13:20

Dean "Don't call there about that anymore"

Me "Can you guys help me ?"

Dean "Unfortunately we've already had this conversation, you had this conversation with the KWPd, The City Managers office, I understand you don't agree with us"

Me " No , its the law , it's the law"

Dean "But it does not fall under our jurisdiction"

Me "It doesn't ?"

Dean "If you continue to call them about this matter , or if you show up there you will be subject to arrest for stalking , harassment, and trespassing"

Me "what can I do about Sargent Allen threatening my family ? ..you guys took this very seriously , what about us ...what about us ?"

Dean "we have our internal affairs, if that didn't work out for you i'm sorry, but thats where we are at with this right now "

Me "Your just shrugging your shoulders cause I hit the blue wall ?"

Dean" "I wish there was more I could do for you, I understand you disagree , but it does not fall under our jurisdiction, and thats the position our department has taken"

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The Basics of my original complaint.

I received a threatening call from Rand Pauls Communication director on her private phone 9:00 pm, this was in response to me leaving a message at one of his offices.

The next morning I called Capitol Hill Police Threat Assessment Division and told the Agent who answered what had happened the night before , she told me that she got a call from that lady , she told me she never called you and that you repeatedly called and harassed her , I suggested that I pull my phone records and send them to her so she can see who is telling the truth and hold the liar accountable , she said "I don't care what the fuck you records show , she won't be held accountable" .. I hung up

My wife then started to receive repeated phone calls on her cell phone at work from the CHP agent , then the secretary at the dentist office where my wife was working started to receive calls from this agent , then the doctor got on the phone and was threatened with arrest for knowing my wife. He was shaken and called his Congressman and CHP to tell them what was happening.

The "staffer" from Rand Pauls office who made a bunch of false claims in my original complaint , confessed to the CHP Agent Zimmeman (mentioned in the complaint) that she DID call me, and Agent Zimmerman said my phone records were no longer needed.

KWPD was called and my original complaint was made, I wanted to press charges for the threatening and harassing calls , as did my wife and her employer.
KWPD told me that they couldn't investigate or make an arrest because the call came from outside their jurisdiction , and I should call the police from where the call was made.

This was told to me by Officer Bouvier , with Zamora verifying 2013

By meeting with officer Bouvier I was expecting to bring a conclusion to this case , but what happened was unexpected. After repeated calls to Bouvier that went unanswered , I contacted Sargent Boutrious who forced the meeting to happen.

Officer Bouvier started the meeting by re-reading the report he made so we could discuss it , and started our discussion by telling me a lie , that the case status was 'other' because it was determined a crime had not been committed.

"Because there was no crime status , there was no crime being investigated , whats the crime you were reporting?" -Bouvier

"What was the threat , cause based on the statute I got nothing" -Bouvier

"How were they threatening you" -Bouvier

Bouvier had just finished reading his report where I outlined the crimes ... repeated calls where the callers threatened and harassed my wife and I , stating that we were in danger and threatening to 'take us down' ...but still doesn't see a crime that has been committed, and continues to act confused and asks ..

"Whos in danger?" -Bouvier

"It's in the report you took , she told me I was in danger , she was threatening me on the phone" -Legnaioli

"Your saying it's in the report I took? ..cause I don't see it" -Bouvier

"Began to curse and threaten..." -Legnaioli

"Thats not her it's you" -Bouvier

"Mr Legnaioli said the staffer called and began to curse and threaten" .."Lets just start on the first sentence, maybe you need to read the report again" -Legnaioli

"Right , maybe I do " -Bouvier

Bouvier has now established that he doesn't have a basic understanding of the complaint I was making. In fact he thinks that the threats made TO me ...were made BY me. He goes on to state that .."I don't remember what I told you 5 years ago"... but for someone who doesn't remember what was said 5 years ago he now takes a giant leap and states that .. "I made contact with the staffer and Capitol Hill Police , they completely and totally deny what you are saying and in fact said that you were the one that was being aggressive" -Bouvier

5 years later he is now making statements in defense of the perpetrators ...statements that are missing from his report. Statements that cannot be backed up today , and statements meant to excuse his unprofessional behavior while investigating this case ...or it should be said lack of investigating"

Bouvier is claiming both of the callers told him they "completely and totally deny" the accusations ...but for some reason failed to put these denials that are essential to the case in his report. In fact Bouvier never spoke to the CHP agent , but is now making statements for the agent on her behalf. I believe this is criminal behavior.

Bouvier kept repeating his defense that the callers told him they were innocent , and I kept asking where it said that in the report. He couldn't back up his statements.

The fact is that when we met 5 years ago Bouvier told me that the he couldn't investigate the case because it fell outside their jurisdiction , I turned to the Chief of Police for help and asked him to look into the matter and when he got back to me he stated that the case didn't

After meeting with officer Bouvier it was clear that he was confused about the law (365.16) and the specifics of the report he submitted on my case ().

The original excuse for not investigating the complaint was that since the threatening phone call my wife and I recieved was placed from outside their jurisdiction , it then fell outside their jurisdiction to investigate , that I should contact the city from where the call was placed , as it falls under their jurisdiction.

During our recent meeting officer Bouvier stated he did not remember telling me that excuse , and that the real reason he didn't investigate was because no crime was committed because the staffer "denied it happened when I spoke to her" ...and in fact "said the opposite of what you said" ..I repeatedly asked where in his report it says that ...he repeatedly stated that "she told him that when they talked": ..5 years ago. And after many failed attempts to have him point that out in his report he gave up and the sargent started answering questions. The original excuse about "jurisdictional issues" was abandoned and forgotten by Officer Bouvier but not forgotten by the Chief of Police and Detective Dean who continues to back up officer Bouvier's original excuse to this day , as documented in attached incident report. Officer Bouvier displayed his confusion about the report when he attributed my claims of being threatened to her claims of threatened , as shown in attached video and transcript. Also Officer Bouvier repeatedly made claims the staffer denied the accusations I made against her ...but for some reason he failed to put that in his report. Officer Bouvier also refers to a voicemail that he never bothered to listen to....ytet inserted into his report. At the time the complaint was made I also told officer Bouvier that the caller from Capitol Hill Police had also been calling and harassing my wife on her personal cell phone , and also contacting my wifes place of work and repeatedly harassing the secretary and the doctor she works for. I explained to Officer Bouvier that that they could back up the evidence I gave him and that when he interviews them they would like to file a complaint as well. Officer Bouvier never contacted any of the witnesses , he also never contacted the caller from Capitol Hill Police about the threatening phone calls made to Me , my wife , the secretary and the doctor , and when confronted about the staffers calls he said to me he believed the denial from the staffer and ended his investigation ...a denial he never reported anywhere , in a report , not on bodycam , nowhereand only mentioned 5 years later when Sargent Boutrios ?? made officer Bouvier meet with me after he failed to return my phone calls. At one point officer Bouvier stated that he can't be expected to remember what happened 5 years ago , in the next breath he then states he remembered she "denied" everything" , and in fact "said the opposite" of what I said.

fall under their jurisdiction because the call was placed outside KW ..the same excuse that Bouvier gave to me. The same excuse that the Chief is still using today to try and wrongly prosecute people , as shown in attached text from a current affidavit. I believe this shows criminal behavior on part of the KWPD. The text attached is sworn under oath to have happened , it shows the Chief of police commenting on and explaining the reason he can't investigate my case as a "jurisdictional issue" ...Detective Dean has also latched onto this criminal position , as shown in attached text from his bodycam on (date) ...The Chief and Dean have stated this is not a crime , yet have both conspired to have me arrested for the very same thing they said wasn't a crime.

My wife and I feel that our rights have been violated by the KWPD

I want to press charges on Bouvier for his false statements and his denying my wife and I due process.

Meeting with Bouvier

"Why does the status say 'other'?"

"Because there was no crime status, there was no crime being investigated, what's the crime you were reporting?"

"What was the threat? ..cause based on the statute, I've got nothing"

"How were they threatening you?"

"You didn't tell me that when we talked"

"When I discuss the issue with both the agent and the staffer"

"Whos in danger?"

"It's in the report you took, she told me I was in danger < she was threatening me on the phone"

"Yopur saying it's in this report I just took? ..cause I don't see it"

"Began to curse and threaten"

"That's you not her"

"Mr. Legnaioli said the staffer called and began to curse and threaten" .."lets just start on the first sentence, maybe you need to read the report again"

"Right, maybe I do"

"So, you made accusations, right"

"I made contact with the staffer, as well as CHP, they completely totally deny what you're saying and in fact said that you were the one that was being aggressive"

"What is it you want me to do?"

"That's what you said, and she said the exact opposite when I spoke to her"

"Where does it say that, that she said the exact opposite?"

"Those weren't her words"

"Where is it in the report?"

"You said you felt the case didn't fall under your jurisdiction because the call was placed outside your jurisdiction is what you told me"

I don't recall that"

"What do you want"

"I was harrassed and threatened , where does she deny it"

"She didn't neccassarly deny that "

I made an accusation , and you said she denied it"

When I spoke to her , what she told me was"

"If she told you that it should be in the report , please"

"I don't remember what I told you 5 years ago"

"What in this statute are you saying was violated"

"Where does it say that she denied what I said?"

Complaint on Chief Donald Lee and Detective Jeff Dean

Dean was at my house on April 1st 2016 to inform me that anymore calls made to City Hall concerning my case 01-13-002756 will result in arrest , he informed me that the KWPD position on my case is that it doesn't fall under their jurisdiction , and since I have been informed of this a few times , that any further calls would be seen as harassment , and would result with me being arrested , I told him I disagreed. This is outlined in Deans incident report case 01-16-001359, and shown in bodycam footage)

In June 2017 Dean carried out his illegal threat and had me arrested , he used his flawed interpretation of the law as basis for probable cause to convince a judge to sign a warrant for my arrest, as shown in signed affidavit.

Deans position that since the threatening calls my wife and I recieved didn't come from within KW , that it doesn't fall under their jurisdiction. That jurisdiction fell where the call was placed.

Statute 365.16 does not make this a requirement , and I feel that Dean was acting outside the law and actually making threats of arrest based on a flawed interpretation of 365.16. I tried to explain to Dean how he was wrong and he didn't want to hear of it , this is explained in the incident report and on Deans bodycam footage from my house.

Detective Dean told me, and explained in his report 01-16-001359 that a call coming from outside KW into KW was outside his jurisdiction , then he had me arrested , just like he previously threatened, for placing a call outside KW into KW ...the very thing he said fell outside his authority.

Dean states in his report "Chief Lee advised me that he had attempted to refer Legnaioli to Capitol Hill Police Department Internal Affairs , and attempted to explain about the jurisdictional issues that would prevent the KWPD from investigating Legnaiolis allegation" , (01-13-002756) Chief Lee advised that Legnaioli refused to accept what he was told"

Dean also hears me state in the voicemail left at City Hall that ... "The State Attorney office has verified that his case falls inside KW jurisdiction and that the KW Mayor has lied to him"

And just like the times before where Dean was confronted with the jurisdictional issue with my case 01-13-002756 ...he ignores the red flags any Detective would have seen and looked into.

I have spoken to Capitol Hill Police Sarg. Scott Grossi of the Office of Professional Responsibility of the US Capitol , just like IA Sargent Castillo suggested, he can be contacted here 1-202-512-2170 , who confirmed jurisdiction fell under KWPD. I have spoke to SA Key West Dennis Ward, who also confirmed jurisdiction falls under KWPD. My family also believes that our constitutional rights have been violated by this action. It is unreasonable to believe that the Chief of Police and Detective Dean didn't know how to determine basic jurisdiction of a caseeven when I repeatedly tried to explain it to them.

I believe that Deans actions were malicious in nature. Dean was at my house to warn me that my calls were criminal , but also took the position that calls made to me were not criminal. I feel he is applying the law unequally , I believe his intent is malicious , and I believe his actions and unlawful legal positions have and will get more people arrested.

I feel my rights have been violated , and I feel my family has been targeted by Detective Dean.

I would like to press charges on Detective Jeff Dean for any crimes he committed against me. And if the Chief instructed Dean on this jurisdictional issue, as the affidavit suggests , then it is established that Lee lied to an investigating officer and is in violation of 837.05. , then he should be charged as well.

Sargant Castillo looked into a complaint I filed with him against the Chief of Police Donald Lee , the Chief stated my case 01-13-002756 didn't fall under KWPD jurisdiction , as shown in attached complaint, the IA affairs Sarg. Castillo stated he agreed with the Chief , and disagreed with the SA Dennis Ward , and IA of Capitol Hill Police , Sarg. Scott Grossi 1-202-512-2170 and that he was closing the investigation. Castillo can be heard and seen stating this on Sarg. Barrius's body cam footage from 11/7/2018 in the front lobby of KWPD around 12:15, he feels there was no wrong doing and considers the complaint closed. Chief Lee and Detective Dean both knew, and allowed an unlawful position that the State Attorney Dennis Ward instructed them was wrong on May 2nd 2017 to be used in a signed arrest affidavit nearly 2 months later to establish probable cause to arrest me , Legnaioli. I feel this is a violation of Florida law , and violates my Constitutional Rights.

Attached documents and materials ...

- Arrest Affidavit created by Dean
- Incident report created by Dean
- Phone record indicating call to SA Dennis Ward
- Transcript containing parts of Deans recording from April 1st 2016
- Transcript of parts of Vasquez bodycam from Sept 7th 2018
- Original report taken by KWPD Bouvier
- Updated report indicating a crime was committed
- Statement written by Legnaioli concerning original complaint and Bouviers response
- Statement written by Legnaioli concerning Complaint against Dean/Lee
- Transcript containing parts of Bouvier recording explaining his report 01-13-002756
- Copy of phone records from May 2017 to show when I spoke with SA Dennis Ward

I believe Donald Lees leadership has been a cancer on the department. After Lee took this unlawful position concerning jurisdiction. , many in his department adopted the same unlawful position as the Lee , it culminated with Detective Dean arresting me for the very thing he claimed was outside his jurisdiction

Here is a list of officers who adopted the Chiefs unlawful position on Jurisdiction.

Officer Betz
Officer Bouvier
Sarg. Zomara
Sarg. Allen

Sarg. Blasenbergr

Detective Dean

Chief Lee

Sarg Smith (refused to take my complaint as IA)

Sarg Tripp (refused to take my complaint as IA)

Sarg Castillo IA

1. Did Dean come to his position on jurisdiction on case 01-13-002756 by himself ?
2. Was Dean (an investigating officer) lied to, or ordered to lie about the jurisdiction on case 01-13-002756 like the Arrest Affidavit suggests ?
3. Were any laws, or any rights violated by the actions of the KWPD ?
4. Did Castillo uncover wrong doing in his investigation and refuse to follow up on it ?
..,and closed the case ?
5. This appears to be the second case where the KWPD refused to follow and enforce law concerning me.
6. Did Lee violate the law with his actions ?

Donald J. Lee, Jr.

Chief of Police



Key West

POLICE DEPARTMENT

November 6, 2018

Mr. Legnaioli,

This letter is in response to the complaint you filed regarding the question of jurisdictional issues pertaining to your case (13-002756).

Chief Lee has asked me to inform you that as he stated before, the Key West Police Department does not have jurisdictional authority over the United States Capitol Police. Therefore, we could not force the Capitol Police to investigate your case/complaint. If you have the need for your case/complaint to be investigated, and you feel the Capitol Police has not been responsive to your needs, you need to contact the Office of Professional Responsibility of the United States Capitol Police.

At this time, this matter is considered closed with no further action.

A handwritten signature in black ink, appearing to read "J. Castillo".

Sergeant Jason Castillo
Professional Standards Division Commander



RESPECT - INTEGRITY - FAIRNESS - SERVICE



13:20

Dean "Don't call there about that anymore"

Me "Can you guys help me ?"

Dean "Unfortunately we've already had this conversation, you had this conversation with the KWPD, The City Managers office, I understand you don't agree with us"

Me " No , its the law , it's the law"

Dean "But it does not fall under our jurisdiction"

Me "It doesn't ?"

Dean "If you continue to call them about this matter , or if you show up there you will be subject to arrest for stalking , harassment, and trespassing"

Me "what can I do about Sargent Allen threatening my family ? ..you guys took this very seriously , what about us ...what about us ?"

Dean "we have our internal affairs, if that didn't work out for you i'm sorry, but thats where we are at with this right now "

Me "Your just shrugging your shoulders cause I hit the blue wall ?"

Dean" "I wish there was more I could do for you, I understand you disagree , but it does not fall under our jurisdiction, and thats the position our department has taken"