



Citizen Complaint Sworn Affidavit

Complainant Name STEVE LEGNAIOLI Date of Birth 12/14/69 Race W Sex MAddress 2429 FOGARTY AVE. Phone 1-305-407-0068 Email _____

Person Affected by Incident (if different from complainant) _____

Address _____ Phone _____ Email _____

Witness Name _____ Date of Birth _____ Race _____ Sex _____

Address _____ Phone _____ Email _____

Incident Date 11/7/2018 Time 12:30 Location KW PD LOBBY Case Number _____Employee Name(s) or Description(s) Sergeant JASON CASTILLO

Describe the Incident, Specific Complaint and Desired Remedy

Description Attached -SEE ATTACHED4 PAGES**RESPECT - INTEGRITY - FAIRNESS - SERVICE**Key West Police Department 1604 N. Roosevelt Blvd. Key West, FL 33040 (305) 809-1111
www.keywestcity.com

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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I N C I D E N T	Case #	Date Report Prepared	Occurred From	Occurred To	Report Type
	01-13-002756	05/29/2013 16:32	04/25/2013 21:45	04/26/2013 23:00	Original
	Dept. Classification		Case Status	Case Status Date	Cleared
	CAD MISCELLANEOUS INCIDENT		OTHER	05/30/2013	05/29/2013 16:45
	Common Name				
HASKINS PLUMBING - 2023 FLAGLER AV Apt. .2 KEYWEST, FL 33040 (MONROE County)					
Day of Week : THURSDAY					
Dispatched : 05/29/2013 15:52					
Responded : 05/29/2013 15:52					
Arrived : 05/29/2013 15:58					
Map Reference : 2291XX4BN					
Location Type : RESIDENCE-SINGLE FAMILY					
Beat Assignment : 5					
Alcohol Related : NO					
Drug Related : NO					
Total Damaged Property Value : \$0.00					
Total Stolen Property Value : \$0.00					
Total Recovered Property Value : \$0.00					

P E R S O N 1	Person Type	Business/Person Name			Business Phone
	PERSON REPORTING	STEVEN THOMAS LEGNAIOLI			
	Home Phone	Person Address			
	(305) 407-0668	Use Address from Incident Location Information			
	Other Phone	Employer Address			
	Race	Sex	SSN	DL Exp. Date	DL Number
	WHITE	Male		12/14/2018	L254798694540
	Birth Date	Birth Place			
	12/14/1969	UNITED STATES			
Age : 43					
DL State : FL					
DL Country : UNITED STATES					
Ethnic Origin : NON-HISPANIC					
Min. Height : 5'9"					
Min. Weight : 160 lbs					
Adult or Juvenile : ADULT					
Coat : NONE					
Hat : NONE					
Shirt : WHITE T					
Pants : TAN SHORTS					
Shoes : UNKNOWN					
Hair Color : BROWN					
Hair Length : MEDIUM					
Facial Hair : STUBBLE					
Eye Color : BROWN					
Build : MEDIUM/AVERAGE					
Complexion : MEDIUM					
Glasses : NO					
Hand Use : UNKNOWN					
Caution : UNKNOWN					
Religion : UNKNOWN					
Marital Status : MARRIED					
Speech : NORMAL					
Residency Type : CITY					
Residency Status : FULL YEAR					
Citizenship : UNITED STATES					
End of Person: 1					

N A R R A T I V E 1	Topic	ORIGINAL
	On Tuesday May 29, 2013 I, Ofc. K. Bouvier responded to 2023 Flagler Ave. apartment 2 (Haskins Plumbing). The Reporting Person stated he was receiving threatening phone calls.	
	Upon my arrival, I met with the Reporting Pearson and identified him by his Florida driver license as Steven Thomas Legnaioli (DOB 12/14/1969). Mr. Legnaioli told me that on April 25, 2013 at about 9:40pm he received a phone call from a staffer associated with Kentucky Senator Randal Paul.	
	Mr. Legnaioli said the staffer called his phone and through the course of the conversation, the staffer began to curse and threaten him. Mr. Legnaioli said the staffer called his mother a whore and told him that he was in danger.	
	Mr. Legnaioli also said that an agent from the Capital Police had been calling and harassing his wife at	

Reporting Officer	Department	Report Status:
KRISTOPHER BOUVIER (3356)	KEY WEST POLICE DEPARTMENT	Approved
Officer Name		Date/Time
Verifying Officer	Department	Date / Time
SGT FRANCISCO ZAMORA (1402)	KEY WEST POLICE DEPARTMENT	06/04/2013 12:53

01-13-002756

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INCIDENT DATA

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OTHERS INVOLVED

**P
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[illegible]

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Castillo was given a complaint by Legnaioli that was to address an ongoing issue.

The issue is that my family and me , and my wifes employer were all called harassed and threatened by individuals working for the Capitol hill police , and Kentucky Senator Rand Paul.

The original complaint was pushed aside by Officer Bouvier, Sarg. Zomara, Detective Dean , Sarg. Tripp, Sarg. Smith of IA ...and the Chief of Police.

I was told by Donald Lee that the case didn't fall under their jurisdiction , and they won't investigate it.

This was turned over to IA Sarg. Castillo who refused to take the complaint until Captain Torres forced him to.

Castillo did ask Lee about the issue , and Lee told Castillo that Legnaiolis case (01-13-002756) didn't fall under their jurisdiction. Castillo refused to write Lees response down on the complaint form without Lee's permission until Captain Torres instructed him to. Castillo wrote in down and closed the complaint against my protest.

I informed Castillo that when a complaint is filed , and the IA's investigation turns up wrongdoing , that the investigation should continue, not be closed.

He said he was rejecting what the State Attorney Dennis Ward had told the KWPD , he would also reject what the Internal Affairs of the Capitol Hill Police had said. I gave Castillo the phone number of Sarg. Scott Grossi of Capitol Hill Police Internal Affairs so he could follow up with his investigation , he refused to take the number and said the case was closed. These statements can be seen on bodycam of Sarg. Barrious on 11/7/2018 around noon in the KWPD lobby.

Further statements by Castillo concerning Lee's position can be found can be found on Sarg. Vasquez bodycam from 9/7/2018 around 3pm

I feel that the KWPD has acted in a criminal way , and has violated the rights of my family and me.

The KWPD informed me that if a threatening call comes from outside their jurisdiction, that they have no authority over it.

And incredibly I was then arrested by Dean , for the very thing he said he had no authority over, making a call from outside KW , into KW.

Attached pages..

-Complaint filed on Donnie Lee with Castillo

-Original case from 5/29/2013 01-13-002756, where Bouvier said no crime was reported.

-UPDATED original case 01-13-002756, updated 8/25/2018 to show 'Harassment Simple' as a crime.

-Letter from Castillo on behalf of the KWPD Professional Standards Division explaining the response from Donnie Lee when asked why the KWPD could not investigate case 01-13-002756

-Complaint statement against Donnie Lee and Detective Dean that was filed in a separate complaint, it is added to provide context.

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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. Barrious'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
- 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. Blasenber

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 ?



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	305-824-0410	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

305 407-0668
DANIELLE LEGNAIOLI

Call Detail

Time	Place Called	Number Called	Rate Code	Feature Code	Airtime Min	LD/Addl Charges
Monday, 04/10						
11:02a	KEYS FL	305-296-6013	SDOV		2	0.00
12:36p	INCONI CL	305-407-0568	SDOV		2	0.00
Tuesday, 04/11						
12:21p	INCONI CL	520-636-7033	SDOV		1	0.00
02:18p	KEYS FL	305-292-3400	SDOV		7	0.00
02:34p	INCONI CL	301-660-9262	SDOV		1	0.00
02:45p	INCONI CL	301-660-9262	SDOV		1	0.00
Wednesday, 04/12						
09:45a	INCONI CL	202-836-9610	SDOV		1	0.00
11:21a	INCONI CL	631-230-8731	SDOV		1	0.00
07:28p	INCONI CL	305-840-8683	SDOV		3	0.00
Thursday, 04/13						
04:17p	KEYS FL	305-292-3400	SDOV		3	0.00
Friday, 04/14						
01:02p	KEYS FL	305-305-2715	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	305-985-7370	SDOV		4	0.00
Saturday, 04/15						
11:08a	INCONI CL	305-504-3074	SDOV		1	0.00

Time	Place Called	Number Called	Rate Code	Feature Code	Airtime Min	LD/Addl Charges
Saturday, 04/15						
11:16a	INCONI CL	305-504-3074	SDOV		1	0.00
Sunday, 04/16						
01:38p	INCONI CL	305-902-8244	SDOV		1	0.00
Monday, 04/17						
09:34a	KEYS FL	305-294-2583	SDOV		2	0.00
01:20p	INCONI CL	305-587-1467	SDOV		2	0.00
02:28p	INCONI CL	213-298-9686	SDOV		1	0.00
03:11p	KEYS FL	305-292-3400	SDOV		16	0.00
03:17p	INCONI CL	305-294-7254	SDOV		1	0.00
Tuesday, 04/18						
05:49p	INCONI CL	305-407-0568	SDOV		1	0.00
Thursday, 04/20						
09:18a	INCONI CL	305-407-0568	SDOV		1	0.00
03:12p	INCONI CL	305-900-0908	SDOV		1	0.00
Friday, 04/21						
11:19a	INCONI CL	305-407-0568	SDOV		4	0.00
02:30p	INCONI 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	INCONI CL	850-659-2466	SDOV		1	0.00
04:12p	KEYS FL	305-292-3400	SDOV		17	0.00
04:30p	TALLAH FL	850-414-3990	SDOV		15	0.00
04:44p	INCONI CL	305-853-2020	SDOV		12	0.00
Friday, 04/28						
01:44p	INCONI CL	305-407-0568	SDOV		2	0.00
07:25p	INCONI CL	305-304-1540	SDOV		1	0.00
07:27p	INCONI CL	305-304-1540	SDOV		1	0.00
Saturday, 04/29						
10:56a	KEYS FL	305-304-1540	SDOV		1	0.00
11:17a	INCONI CL	305-923-1358	SDOV		1	0.00
Tuesday, 05/02						
08:47a	INCONI CL	305-294-7254	SDOV		1	0.00
11:05a	INCONI CL	305-912-4582	SDOV		1	0.00
04:18p	To11 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	INCONI CL	305-853-2020	SDOV		6	0.00
10:33a	TALLAH FL	850-489-7864	SDOV		8	0.00
11:25a	INCONI CL	305-294-7254	SDOV		1	0.00
01:47p	MIAMI FL	305-536-5205	SDOV		2	0.00
01:48p	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	WASHDC DC	202-514-2000	SDOV		3	0.00
01:58p	KEYS FL	305-809-1000	SDOV		2	0.00
02:02p	INCONI CL	305-304-1540	SDOV		2	0.00
03:32p	KEYS FL	305-296-3088	SDOV		17	0.00
03:51p	MIAMI FL	305-470-5500	SDOV		14	0.00
05:40p	KEYS FL	305-292-3400	SDOV		1	0.00

TALKED
TO DENNIS
WARD
SA

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State of Florida

vs.

Case Number 2017MM00723AK

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

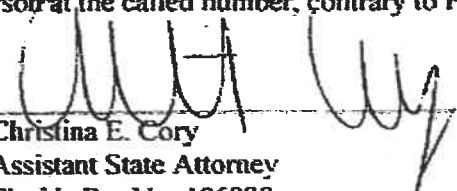
INFORMATION FOR:

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).

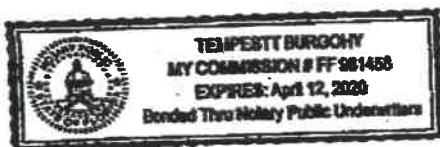
The State hereby "NO ACTIONS"
all remaining charges in this case.


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

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 MAY 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

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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)

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]
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2017 MAY 25 AM 11:09

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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

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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,

Lissette 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 Lissette 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.

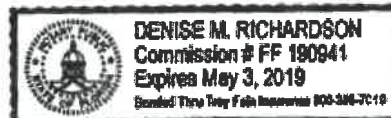
Detective Jeffrey Dean

Jeff Dean

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

SIGNATURE AND TITLE OF PERSON TAKING OATH

Denise M. Richardson



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 blue ink, appearing to read "J. Castillo", is written over a horizontal line.

Sergeant Jason Castillo
Professional Standards Division Commander



RESPECT - INTEGRITY - FAIRNESS - SERVICE



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Citizen Complaint Sworn Affidavit

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

Address 2429 Fogarty Phone 305 407 0668 Email _____

Person Affected by Incident (if different from complainant) same

Address _____ Phone _____ Email _____

Witness Name _____ Date of Birth _____ Race _____ Sex _____

Address _____ Phone _____ Email _____

Incident Date 4/01/16 Time _____ Location _____ Case Number _____

Employee Name(s) or Description(s) _____

Describe the Incident, Specific Complaint and Desired Remedy

in Detective Deans incident report,
(CASE 01-16-001359)

The chief of Police (Lee) states
He could not investigate my
CASE (01-13-002756) BECAUSE of
"Jurisdictional ISSUES"

What Jurisdictional ISSUES prevents the
KWPD from investigating my case?

ONLY 1 question



RESPECT - INTEGRITY - FAIRNESS - SERVICE

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



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 KYPD, 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"