



Florida Department of Law Enforcement

# Internal Investigation Report



CJSTC  
78

Please read instructions on back of this form that tell you when and how to use it. Type or print in black ink.

### OFFICER

### AGENCY

- |   |                                       |
|---|---------------------------------------|
| 1. SSN: [REDACTED]  | 5. ORI: FL 0640100                    |
| 2. Officer's Name: Kelley, Dale A.  | 6. Agency: Daytona Beach Police Dept. |
| 3. Officer's Last Known Address:<br>[REDACTED]<br>Daytona Beach, FL 32119 | 7. Agency Contact: LT. B. Skipper     |
| 4. Telephone Number: [REDACTED]   | 8. Telephone Number: (386) 671-5122   |
|   | 9. Agency FAX Number: (386) 671-5105  |

### VIOLATION/ALLEGATION

10. Nature of Allegation(s): Criminal Conduct (Domestic Battery)
11. Agency Disposition: Sustained - (Violation of s.943.13 (4) or (7))
12. Criminal Charges Filed: Proceedings Concluded
13. Agency Disciplinary Action: Suspension (20 Hours)
14. If the allegation has been sustained and determined to be a violation of s.943.13(4) or (7), attach and forward the following to FDLE.
- XXX Summary of the Facts    XXX Internal Investigation Report    XXX Name & Address of Witness
- XXX Witness Statement/Disposition    XXX Certified Court Documents    XXX Other Supportive Information

**NOTICE:** Pursuant to Florida Statute 943.1395(5), an employing agency must conduct an internal investigation when having cause to suspect that an officer it employs is not in compliance with Section 943.13(4) or (7), F.S. If the investigation is sustained, the employing agency must forward a report to the Commission as specified by Rule 11B-27.003.

\_\_\_\_\_  
Agency administrator's signature

Dennis M. Jones, Chief of Police

\_\_\_\_\_  
Agency administrator's name and title

6-3-04

\_\_\_\_\_  
Date signed



Florida Department of  
Law Enforcement

Criminal Justice  
Professionalism Program

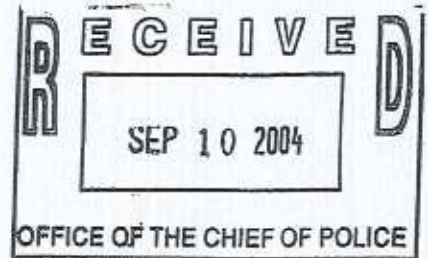
P.O. Box 1489  
Tallahassee, Florida 32302-1489  
(850) 410-8600  
<http://www.fdle.state.fl.us>

*For Prof. Standards  
J.A. FCY*  
*[Signature]*

Guy M. Tunnell  
Commissioner

September 1, 2004

Dale A. Kelley  
[Redacted]



Subject: Letter of Acknowledgment  
Re: Battery (Domestic Violence)

Dear Mr. Kelley:

When an employing agency disciplines an officer and the officer's employment is continued or reinstated by the agency, the Criminal Justice Standards and Training Commission Staff shall review the sustained disciplinary charge(s) and disciplinary penalty to determine whether the penalty conforms to the disciplinary penalties prescribed by Commission rule. Subsequently, Commission Staff will notify the employing agency and officer of the results of the review in writing. If the penalty conforms to the disciplinary penalty provided by rule, the officer and employing agency shall be notified, by a **Letter of Acknowledgment**, that no further action shall be taken. If the penalty does not conform to such disciplinary penalty prescribed by rule, the officer and employer shall be notified, in writing, of further action to be taken.

Pursuant to Section 943.1395(8)(d), Florida Statutes, Commission Staff acknowledges that the disciplinary action taken by your employing agency, for the above referenced misconduct, falls within the penalty guideline specified in Rule 11B-27.005, Florida Administrative Code, for such misconduct.

Please be advised that you are required to notify Commission Staff of any appeal of the employing agency's final disciplinary action, and subsequently with the outcome of such appeal. The result of any such appeal may affect your case.

By this notice, you are issued an official **Letter of Acknowledgment**. No further action will be taken in this matter by the Criminal Justice Standards and Training Commission. You are advised, however, that future acts of misconduct may subject your certification as an officer to disciplinary action by the Commission. Furthermore, this Letter of Acknowledgment may be considered an aggravating circumstance, pursuant to 11B-27.005(6)(a)12, Florida Administrative Code, if administrative charges are brought by the Criminal Justice Standards and Training Commission for future acts of misconduct within the next three years of the date of receipt of the sustained allegations from the employing agency.

Sincerely,

Guy M. Tunnell  
Commissioner

*David G. Brand / Jch*

David G. Brand, Training and Research Manager  
Bureau of Standards  
Criminal Justice Professionalism Program

DGB/lh

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✓ cc: Daytona Beach Police Department

Committed to



Florida Department of  
Law Enforcement

Guy M. Tunnell  
Commissioner

June 9, 2004

Honorable Dennis Jones  
Daytona Beach Police Department  
990 Orange Avenue  
Daytona Beach, Florida 32114

Criminal Justice  
Professionalism Program

P.O. Box 1489  
Tallahassee, Florida 32302-1489  
(850) 410-8600  
<http://www.fdle.state.fl.us>

TAT: Lt. Skypen  
6-14-04

SUBJECT: Notice of Probable Cause Determination  
RE: Dale A. Kelley; Case No. 20821; Battery (Domestic Violence)

Dear Chief Jones:

This is to advise that the above referenced officer has been scheduled for a Probable Cause Determination, before a Panel of the Criminal Justice Standards and Training Commission, for misconduct in violation of Chapter 943.13(7), Florida Statutes.

The proceedings will be held on September 14, 2004, beginning at 10:00 a.m., at the Broward Community College, Criminal Justice Institute, 3501 Southwest Davie Road, Fort Lauderdale, Florida. This case will be presented to the Panel, as a Consent Agenda Item, to issue the officer a **Letter of Acknowledgment**, in recognition of your agency's disciplinary action meeting the Commission's penalty guideline for the misconduct.

Please be advised that you are required to notify the Commission, prior to the convening of the Probable Cause Panel, of any appeal of your agency's final disciplinary action, and subsequently with the outcome of such appeal. The result of any such appeal may affect the officer's disciplinary case before the Commission.

You are invited to attend the Probable Cause Determination and you may address the Panel members, if you wish.

Should you have any questions, please contact Linda Hodges, Case Specialist in the Bureau of Standards, at telephone number (850)410-8634.

NOTE: WEAPONS WILL NOT BE ALLOWED ON THE PREMISES DURING THE PROCEEDINGS.

Sincerely,

Guy M. Tunnell  
Commissioner

*Victoria G. Marsey*

Victoria G. Marsey, Bureau Chief  
Bureau of Standards  
Criminal Justice Professionalism Program

VGM/lah

