

AFFIDAVIT OF SERVICE  
PATROL DIVISION

RECEIVED THIS NOTICE 3-12-11 (DATE)  
AND SERVED IT UPON Dale Kelley (NAME)  
AT 510 Harvey ST (ADDRESS)  
AT 6:10pm 3-12-11 (TIME/DATE)

AND READ SAID NOTICE TO HIM/HER

Dale Kelley  
(Employee) (SIGNATURE)  
3/12/2011  
(DATE)

SGT F Welch  
(Supervisor) (SIGNATURE)  
3-12-11  
(DATE)

Officer Dale Kelley – Reprimand. Violation of Department Directive 75.1.3,  
Improper Radio Procedures, Memo dated – March 9, 2011 DOC #100.2011.0183.

**PLEASE RETURN THIS ORIGINAL FORM WITH COPY  
OF DOCUMENT SERVED, AFTER SIGNATURE OF  
EMPLOYEE AND SUPERVISOR, SGT MICHAELS  
PATROL ADMINISTRATION, OPERATIONS BUREAU.**

# Daytona Beach Police Department

Michael J. Chitwood, Chief of Police

## MEMORANDUM

TO: Officer Dale Kelley  
FROM: Michael J. Chitwood, Chief of Police *MJC*  
SUBJECT: Reprimand  
DATE: March 9, 2011

On February 27, 2011, you responded to the area of Beach and Fairview in reference to a vehicle that struck a building. While responding to the scene you observed a possible suspect vehicle / operator at 515 N. Ridgewood Avenue. Upon observing the vehicle you failed to give your location over the radio to the Communication Center. You also failed to respond to radio calls from the shift supervisors. Once contact was reestablished with you and your location, it was determined that you had been involved in a physical altercation with the suspect and that a taser had been utilized. Your lack of radio communications during this time created an officer safety issue, as well as confusion to other responding units. Upon radio contact with the shift supervisors you communicated a disrespectful attitude and did not acknowledge a level of responsibility to restore acceptable radio communications.

Based upon the above information, I find you in violation of Departmental Directive 75.1.3. Improper Radio Procedures which states, "All personnel of the Daytona Beach Police Department are responsible for maintaining at all times a professional attitude and demeanor when dealing with the public and/or other Departmental employees while on the radio or telephone.

You are therefore, warned that future violations of this nature will result in progressively more severe disciplinary actions.

Be guided accordingly.

MJC/rpm  
100.2011.0183

cc: Personnel File: Officer Dale Kelley  
Deputy Chief B. Walton, Captain J. Hoffman, Lieutenant T. Pera and Sergeant R. Weber



DAYTONA BEACH POLICE DEPARTMENT  
EMPLOYEE INCIDENT FORM

Date: 02/27/2011

Name of Employee(s) D. Kelley

Supervisor: Sgt F. W. Weber

Reason(s) (Be Specific): Improper Radio Procedure G.O. Directive 75.1.3

Narrative:

On 02/27/2011 you responded to the vicinity of Beach and Fairview in reference to a vehicle that struck a building. Communications dispatched to patrol units a basic vehicle and damage description with an updated original incident location. During the course of police response to the vicinity, you observed the suspect vehicle/operator on the north side of 515 N. Ridgewood. Upon observing the vehicle you failed to give a location resulting in the shift supervisor and shift commander calling you five times on the radio without a response. When you did respond, your communications dictated that you could not be bothered as you were conducting a Signal 4 investigation, when in fact you had been involved in a physical altercation with the operator and a Taser had been utilized. It is understandable that an altercation can unfold rapidly, however contacting a subject and challenging him alone, under these circumstances, without disclosing a location is an officer safety risk and also created confusion to responding units. When contacted at the scene by the shift supervisor, you stated that you could not transmit on the radio. There was no acknowledgement of your level of responsibility that could have resulted in injury to yourself, nor the disrespectful radio response that you gave to the shift supervisor and shift commander who inquired about your location. I find you in violation of Directive 75 subsection 75.1.3 which states: All personnel of the Daytona Beach Police Department are responsible for maintaining at all times a professional attitude and demeanor when dealing with the public and/or other Departmental employees while on the telephone or radio.

Employee Response: I feel that getting a write up for doing my job? Do to the defendant being dead and unable to speak cause a high level of confusing for two officers. I heard Lt. Pera call me on the radio 1 Time then I heard Sgt. Weber call me 1 Time on the radio. I then finally called out my location. I feel this is an unfair write up.

*I have read the foregoing and have been counseled in regard to this matter. I understand that my signature does not signify my agreement or disagreement with the information specified herein.*

2/27/2011  
Date

[Signature]  
Employee Signature

I have counseled the employee concerning this matter and recommend the following:

I recommend a written warning from the Deputy Chief of operations

2-27-11  
Date

Sgt FW Wehn  
Signature

**Unit Supervisor**

Action Taken: Conc

2/28/11  
Date

[Signature]  
Signature  
PERA  
31553

**Division Commander**

Action Taken: CONCOR

2/28/11  
Date

[Signature]  
Supervisor Signature 64213

**Deputy Chief**

Action Taken: WRITTEN REPRIMAND

2/28/11  
Date

Beyamei Walter  
Supervisor Signature

**Chief of Police**

Action Taken: Con

03/01/11  
Date

[Signature]  
Supervisor Signature