

**Town of Shalimar
Police Department Policy Manual**

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8.03.01 PURPOSE

This directive provides a systematic, objective, and impartial method of investigating allegations of inappropriate behavior by Town of Shalimar Police Department employees. It also provides a procedure for the disposition and handling of Internal Affairs Investigations.

8.03.02 AUTHORITY

Section 112.533, Florida Statute

8.03.03 POLICY

The Town of Shalimar Police Department maintains a commitment to the principles outlined in the Law Enforcement Officers' Bill of Rights and to equity and fairness in complaint investigation. In *Garcia vs. New Jersey* and *Gardner vs. Beardsick*, the United States Supreme Court extended to police officers the protection of the privilege against self-incrimination. Statements which they are compelled to make, by threatened loss of their employment or other disciplinary action, may not form the basis of a criminal prosecution against them, nor can they be compelled to waive this privilege. However, the court has clearly indicated that the privilege against self-incrimination is not a bar to dismissal if a police officer refuses to "answer questions specifically, directly and narrowly relating to the performance of his official duties, without being required to waive his immunity with respect to the use of his answers or the fruits thereof in a criminal prosecution of himself." In other words, refusal to answer questions intended merely to secure information concerning his official activities could justify dismissal or other disciplinary action.

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