



CITY OF KEY WEST RESIGNATION FORM

Date: Jul 29, 2016

To: Donald J. Lee, Jr Dept. Police
Department Head

I, Dennis Ryan, Police Officer
(Print Name & Position)

do hereby submit my resignation/retirement as an employee of the City of Key West,

Effective Jul 29, 2016

The reason for this resignation is personal matters

I do understand that through my voluntary resignation and withdrawal of my pension funds, I sever all relationships with the City of Key West for employment purposes; and in order to be reemployed by the City of Key West, I must make a formal application and follow normal procedures through the application process to be considered for re-employment. I further understand that should I become reemployed by the City, my prior service will not count toward seniority, longevity, retirement or any other employee benefit. I am also, waiving any right I may have to a hearing.

I further understand that if I am retiring, there is paperwork to be completed with the Pension Board and that this form will not substitute for said pension paperwork.

I have read and understand the above information.

Employee Signature

Dennis F. Ryan
Department Head or Designee

7/29/16
Date Accepted



Florida Department of
Law Enforcement

INTERNAL INVESTIGATION REPORT

Incorporated by Reference in Rule 11B-27.003(2)a., F.A.C.



CJSTC
78

Please type or print in black or blue and use capital and small letters for names, titles, and address

OFFICER

1. Social Security Number: _____
2. Officer's Name: RYAN DENNIS E
Last First MI
3. Officer's Last Known Address: _____
Street City State Zip Code
4. Officer's Telephone Number: 305-731-6353

AGENCY

5. Agency ORI: FL 0440100
6. Agency Name: KEY WEST POLICE DEPT.
7. Agency Contact Person: SGT. R. SMITH
8. Agency Contact Person's Telephone Number: 305-809-1035
9. Agency Fax Number: _____

VIOLATION - ALLEGATION

10. Nature of Allegation(s): INTOXICANTS AND DRUGS, UNBECOMING CONDUCT, PERFORMANCE STANDARDS

11. Agency Disposition: Sustained - (Violation of Section 943.13(4) or (7) or Rule 11B-27.0011, F.A.C.) ☒
Sustained - (Violation of Agency Policy): ☒ Not Sustained: ☐ Unfounded: ☐ Exonerated: ☐

12. Limitation Period for Disciplinary Action: Date Internal Investigation Initiated: 04/25/16 Date Internal Investigation Completed: 7/27/16

Exception to limitation period for disciplinary action: Place a check mark by the exceptions to limitations that apply		Days Told
<input type="checkbox"/>	Written waiver of limitation by officer	_____
<input type="checkbox"/>	Ongoing criminal investigation or criminal prosecution	_____
<input type="checkbox"/>	Officer incapacitated or unavailable	_____
<input type="checkbox"/>	Multi-jurisdictional investigation	_____
<input type="checkbox"/>	Emergency or natural disaster as declared by the Governor	_____

13. Criminal Charges Filed: NO

14. Agency Disciplinary Action: RESIGNED

15. If the allegation has been sustained and determined to be a violation of Section 943.13(4) or (7), F.S. or Rule 11B-27.0011, F.A.C., attach and forward the following documentation to the Florida Department of Law Enforcement.

- | | | |
|-------------------------------|---|--|
| Summary of the Facts | <input checked="" type="checkbox"/> Internal Investigation Report | <input checked="" type="checkbox"/> Name and Address of Witness |
| Witness Statement/Disposition | <input checked="" type="checkbox"/> Certified Court Documents | <input checked="" type="checkbox"/> Other Supportive Information |

NOTICE: Pursuant to Section 943.1395(5), F.S., 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. or Rule 11B-27.0011, F.A.C. If the investigation is sustained, the employing agency must forward a report to the Commission as specified by Rule 11B-27.003.

16. Agency administrator's signature

7/29/16
17. Date signed

18. Agency administrator's name and title
CHIEF DONALD LEE JR.

Key West Police Department Personnel Action Form

PAF #: PS 16-03

Investigated by: Sgt. Randy Smith

Date: 07/20/2016

Member: Officer Dennis Ryan Position: Patrol Officer (SRO) Division: Operations Date of Incident: 04/7/16-04/11/16

Complainant Name: Chief Donald Lee, Jr. Status (citizen, agency, rank, etc.): Chief of Police

Address: 1604 N. Roosevelt Blvd Phone Number: 305-809-1111

City: Key West State: FL Zip: 33040 E Mail:

FILL IN APPROPRIATE VIOLATION AND TITLE BELOW

Contrary to: Key West Police Department General Order 02.22, Disciplinary Procedures and Code of Conduct

	Subsection	Paragraph # (s)	Title(s)
1.	02.21.04.30		Intoxicants and Drugs
2.	02.21.04.18		Unbecoming Conduct
3.	02.21.04.06	(B)	Performance Standards
4.			
5.			

Allegation -WRITE BRIEF DESCRIPTION OF INCIDENT HERE (If more space is needed please attach in memo form):

SEE ATTACHED IA INVESTIGATION – PS 16-03

Member Response (If more space is needed please attach in writing):

I have read this Investigation and understand its contents. I understand my signature on this form does not constitute guilt or innocence.





Member's signature (REQUIRED)

Assignment/Position

Date

DETERMINATION (TO BE SIGNED BY SUPERVISORS IN MEMBER'S CHAIN OF COMMAND)

Sign Off #1	1.	2.	3.	4.	5.	Sign Off #2	1.	2.	3.	4.	5.	Sign Off #3	1.	2.	3.	4.	5.
Exonerated	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exonerated	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exonerated	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unfounded	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Unfounded	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Unfounded	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Not Sustained	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Not Sustained	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Not Sustained	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sustained	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sustained	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sustained	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Please check one of the following:

Non-Discipline Action Recommended

- ☐ Counseling: _____
☐ Retraining: _____

Discipline Recommended

- ☐ Written Reprimand: _____
☐ Suspension: _____
☐ Other: _____

Sergeant:

Date: _____

Signature

Please check one of the following:

Non-Discipline Action Recommended

- ☐ Counseling: _____
☐ Retraining: _____

Discipline Recommended

- ☐ Written Reprimand: _____
☐ Suspension: _____
☐ Other: _____

Lieutenant:

Date: _____

Signature

Please check one of the following:

Non-Discipline Action Recommended

- ☐ Counseling: _____
☐ Retraining: _____

Discipline Recommended

- ☐ Written Reprimand: _____
☐ Suspension: _____
☒ Other: TERMINATION

Captain or Finding Officer:

Date: 07/26/16

Signature

COMMANDERS: PLEASE ATTACH DISCIPLINE OR CORRECTIVE ACTION

Complaint: Supervisors Assessment

☐ **Resolved** – The matter was resolved to the complainant's satisfaction and therefore no further action appears needed.

The concern listed above has been resolved to the complainant's satisfaction and declines further review or action.

Printed Name

Signature

Date

☐ **Court Issue** – The complaint pertains solely to the lawfulness or justification of enforcement action and such action appears not to constitute a violation of the law or departmental directive. The proper form for resolution is a court of law.

☐ **Complaint** – The matter was not resolved to the complainant's satisfaction nor does it appear to be a "court issue".


Chief Donald J. Lee Jr.

7/26/16
Date

Proposed Final Action or Discipline: termination

Notice of Intent to Discipline

It is the intent of the Key West Police Department to proceed with disciplinary action against you based upon violation(s) of department policy. You will find below the proposal of the action sought. This proposal may change after further review and/or consideration of any additional facts.

☐ Suspension (without pay)

☐ Demotion

☒ Termination

Employee Signature: _____ Date: _____

Only in the case of a proposed suspension, demotion or termination, please complete the section below.

RECORD OF THE EMPLOYEE'S RIGHT TO RESPOND TO THE CHIEF OF POLICE OR OTHER DEPARTMENT OFFICIAL AUTHORIZED TO APPROVE FINAL DISCIPLINARY ACTION

I hereby wish to exercise my right to respond to the charges pending against me with the Police Chief or other official authorized to take the final disciplinary action. I understand that I have the right to have a labor organization or other representative of my choice present for this discussion. If you elected to have a predetermination hearing you must contact the office of the Chief of Police within three business days.

Employee Signature:  Date: 7/26/16

Representative (if any): _____

Representative's telephone number: _____

I do not wish to exercise my right to respond to the charges pending against me with the Chief of Police or other official authorized to take final disciplinary action.

Employee Signature: _____ Date: _____

Donald J. Lee, Jr.

Chief of Police



Key West

POLICE DEPARTMENT

TO: Sgt. Randy Smith

FROM: Chief Donald J. Lee, Jr.

A handwritten signature in black ink, appearing to be "DLJ", written over the "FROM:" line.

DATE: July 27, 2016

REF: PS 16-03

I have reviewed the file and finding of fact completed by Capt. Torres. I concur with his findings. Please notify Ofc. Ryan of my intent to terminate his employment with our department.



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Donald J. Lee, Jr.

Chief of Police



Key West

POLICE DEPARTMENT

TO: Sgt. Randy, Commander Professional Standards Division

FROM: Captain J.R. Torres, Operations Bureau Commander

DATE: July 26, 2016

RE: Conclusion/Finding of Fact-PS 16-03

I have received the above referenced file for the purpose of making a finding of fact based on the preponderance of evidence of the information contained therein.

The complaint was originated by Chief Lee and investigated by your office. Officer Dennis Ryan is the subject member and the allegations of policy violation are as follows:

- **Intoxicants and Drugs (02.21.04.30)**

Members shall comply with all requirements of applicable Departmental written directives related to drug and alcohol testing, as well as possession and/or use of drugs and alcoholic beverages.

- **Unbecoming Conduct (02.21.04.18)**

All members will at all times, both on and off duty, conduct themselves in such a manner as to reflect most favorably on the Department. Conduct unbecoming a member will include any act or conduct, whether or not specifically prohibited in this or other departmental written directives, which tends to bring this Department into disrepute or reflects discredit upon the member, or that which tends to impair the operation and efficiency of this Department.

- **Performance Standards (02.21.04.06 (B))**

Members shall always be careful to perform their responsibilities in a safe manner, never neglecting reasonable or mandated safety precautions, procedures or devices.



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Donald J. Lee, Jr.

Chief of Police



Key West

POLICE DEPARTMENT

Conclusion/Finding

I have conducted a complete review of all reports, recordings, photos, timelines and photographs of the text messages supplied to me in reference to this case and conclude the following:

- On the allegation of **Intoxicants and Drugs**, I find the violation **Sustained**. On Thursday, April 7, 2016, Officer Dennis Ryan and a group of coaches, parents and chaperones took a group of juveniles to the State of Florida Police Athletic League (PAL) Basketball Tournament in Jacksonville, Florida. While on this trip, coaches, chaperones, players and parents became concerned about Ryan after he began acting strange. Some of the witnesses described his actions as those of someone on drugs or having a medication issue or possibly a mental problem. On Monday, April 11, 2016, upon returning from the trip, Mr. William Stafford, who was one of the chaperons, came to the police department to voice his concern regarding Ryan's welfare because he felt that there was something wrong with him. While talking with Mr. Stafford, I was informed by Lt. Ream that Mike Henriquez, Principal of HOB, also wanted to talk to me because he had been approached by a parent that was worried about his son being pulled out of class to go to Ryan's office to talk about the trip. The parent told Mr. Henriquez he had learned about what went on with Ryan during the trip and was not comfortable with his son being alone with Ryan. Mr. Stafford and Mr. Henriquez also informed me that several other parents and coaches wanted to talk to us about what they had witnessed during the trip. After concluding my meeting with Mr. Stafford and Mr. Henriquez, I made contact with Ryan and asked him to come to my office. From the moment Ryan entered my office he started acting in a way that I had never seen him act before. Ryan appeared irritated, had trouble staying still, had cotton mouth, was speaking very rapidly and what he was saying was not making much sense. Lt. Vasquez and Lt. Ream, whom were also in my office, agreed that something was not right with Ryan. Subsequently, I made the decision to send Ryan for a reasonable suspicion drug test. I completed the required paperwork and directed Sgt. Williamson to immediately take Ryan to the testing site. Ryan was placed on administrative duties while awaiting the test results. When the test results came back, Ryan had tested positive for Methadone. A split test was then done with the same positive test results.
- When asked about his positive drug test, Ryan denied having ever used any illegal substances such as Methadone, but could not provide an explanation as to the presence of the substance in his system/body.



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Donald J. Lee, Jr.
Chief of Police



Key West **POLICE DEPARTMENT**

- On the allegation of **Unbecoming Conduct**, I find the violation **Sustained**. According to witnesses, after arriving in Jacksonville and as the weekend progressed, Ryan's inexplicable behavior worsen. Ryan was constantly getting lost on his way to the games and would drive over the median, make illegal u turns, and sometimes speed to the point that by the end of the weekend the kids that were initially wanting to travel with him, no longer desired to do so and were frightened. Ryan was late for games and in some instances, leave the games and never return, leaving players behind which had to be picked up by other coaches and parents. During one of the games a coach was approached by a Jacksonville Police Officer and asked if Ryan was with their group because Ryan was making the officer extremely uncomfortable with his behavior. When the officer was informed that Ryan was a Key West Police Officer, the Jacksonville Officer could not believe Ryan was a cop because of the way he was acting. Allegedly, Ryan was sneaking water into the game in his pockets after being told that was not permitted. Parents and coaches that initially were looking at Ryan for direction because in their eyes he was a police officer and the person in charge of the group, were now worried because they had seen Ryan's behavior deteriorate and now he was getting angry. Ryan was very upset because the night before the departure date he was informed that the kids he was planning to take to Eckerd College in Tampa, on this unscheduled trip, were not going with him and he was to travel back to Key West alone. Ryan was also told to be in the hotel parking lot by 6 a.m. because that was the time they were leaving. When Ryan got there everyone was still sleeping and apparently this really irritated him. According to one of the parents that was getting ready to leave, it was at this point that Ryan started cursing and using profanity in front of her kids as he paced back and forth in anger. The parent was really upset and did not appreciate that type of language being used in front of her children. Additionally, she heard Ryan saying, "I just want to kill them" and she felt that this was something a man carrying a gun, especially a police officer shouldn't be saying. The parent stated that she did not think the threat was directed at the children or parents but rather at the coaches that had been having difficulties with Ryan all weekend. Nonetheless, the witness/parent did not find the statements appropriate or necessary. It is my opinion that Ryan's conduct did not reflect favorably on our Agency and brought disrepute and discredit upon himself, the Key West Police Department and the Police Athletic League.
- When asked about the allegations of his unusual behavior over the weekend, Ryan attributed whatever may have been perceived by the witnesses as unusual behavior, to frustration, anger and fatigue. Ryan denies driving erratically, or sneaking water into the games. Ryan stated that the only reason he left the game was to avoid an argument with the lady that was making an issue of him allegedly sneaking water into the gym. Ryan alleges that the person that spoke to the coach about him is not a Jacksonville Police Officer. Ryan adamantly denies having called anyone a snitch or making any prejudice comments.



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Donald J. Lee, Jr.

Chief of Police



Key West

POLICE DEPARTMENT

- On the allegation of **Performance Standards**, I find the violation **Sustained**. On Thursday, April 7, 2016, between 10 to 11 a.m. a small convoy of four (4) vehicles left Key West for a PAL Basketball Tournament in Jacksonville, Florida. Ryan was supposed to lead the convoy and maintain control over fuel stops and food stops as he was in charge of the PAL credit card. According to witnesses Ryan was driving at speeds in excess of 95 MPH, was weaving in and out of traffic to the degree that the people following him decided not to follow anymore because it was becoming unsafe. Ryan had been entrusted with the responsibility of being the head chaperone in charge of both teams during the tournament. Ryan received clear directions as to how to use the credit card and was informed this credit card was only to be used for hotels, meals and gas. Ryan was told the card was not to be given to anyone else to be used without authorization. During the trip Ryan used the credit card to get a hotel room for himself that was not approved in the PAL budget for the tournament. Additionally, Ryan relinquished the credit card to different coaches, parents and even students because for one reason or another Ryan frequently couldn't be there to fulfill the responsibility of paying for the players to be fed. Another issue that was concerning according to witnesses was that Ryan appeared to be extremely distracted and forgetful to the point he would not only leave players behind and not return to pick them up, but also forgot the PAL credit card and protocol book (white book) in places like the restaurant and the gym. Also mentioned by witnesses was the fact that at one point Ryan was driving around with the back doors opened with his police gear (gun belt) about to fall out the back doors and on to the street. Ryan also apparently left his work computer in the parking lot of the hotel where it was found by another coach from Ormond Beach. All together Ryan's actions generated such worries with coaches and parents that the juveniles who were traveling with him on the way to Jacksonville and during the tournament, were not allowed to return with him to Key West.
- When asked about the allegations of driving erratically, Ryan denies it and states that the ones that were driving erratically were the other coaches and he felt they placed him in danger. Ryan also denies ever leaving the credit card and protocol book at any restaurant or being the one that left the back doors of the car opened. Ryan denies that anybody ever explained to him the procedures for using the credit card or tax exempt form.



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Donald J. Lee, Jr.

Chief of Police



Key West

POLICE DEPARTMENT

Recommendation

- After reviewing all the facts and evidence supplied to me in reference to this case and based on the preponderance of evidence, I find all allegations **Sustained**, and recommend Ryan's employment with the Key West Police Department and the City of Key West be terminated.



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