



GAINESVILLE POLICE DEPARTMENT

INTERNAL AFFAIRS INVESTIGATIVE REPORT

FILE CLASS:	Administrative Review	DATE OCCURRED:	March 8, 2022
TYPE OF COMPLAINT:	Internal	INTERNAL AFFAIRS #:	22-009
DATE RECEIVED:	March 18, 2022	DATE CLOSED:	May 25, 2022
RELATED CASES:	N/A	ASSIGNED TO:	Sgt. Tracy C. Fundenburg

LOCATION OF COMPLAINANT					
ADDRESS:	812 NW 34th St	CITY:	Gainesville	ADDITIONAL INFO:	Littlewood Elementary

ASSOCIATED NAMES							
CO:	Sgt. J. Hutchinson	RACE:	Black	SEX:	Male	DOB:	N/A
SO:	Ofc. C. Bivins	FINDINGS:	Sustained	ACTIONS:			

APPLICABLE RULE OF CONDUCT

Gainesville Police Department General Order 22.4 Overtime/Extra Duty Details

Failure to work overtime Rule 27

COMPLAINT / NOTES / SUMMARY

COMPLAINT SUMMARY:

On March 8, 2022, Sgt. J. Hutchinson was made aware of the absence of an SRO at Littlewood Elementary School. He searched the Overtime Module and discovered Ofc. C. Bivins had signed up to work. Sgt. Hutchinson attempted to contact Ofc. Bivins by phone, with no answer. Sgt. Hutchinson then attempted to contact Ofc. Bivins, in person, at his residence but did not receive an answer. According to Sgt. Hutchinson, Ofc. Bivins contacted him later in the day and stated he was just waking up and had forgotten he signed up for the assignment. Ofc. Bivins explained he had forgotten about the assignment because he signed up for it in the Overtime Module a few days before the detail. Sgt. Hutchinson noted that Ofc. Bivins was apologetic and upset that he had forgotten the assignment.

INVESTIGATION OF COMPLAINT:

I reviewed the following documents to complete this investigation:

- Administration Referral Form (AIR)
- Overtime Module – Roster Details

On March 8, 2022 at 0700hrs, Ofc. C. Bivins failed to work an overtime assignment he signed up for. I accessed the Overtime Module and discovered Ofc. Bivins was the only officer on the roster to work the assignment. I contacted the Special Details Coordinator, Hannah Smith, who advised that Ofc. Bivins signed up for the assignment on March 3, 2022 at 1359hrs, 5 days prior to the scheduled date.

CONCLUSION

Ofc. Bivins failure to work the overtime assignment, or locate a replacement to work in his place, constitutes a violation of Gainesville Police Department G.O. 22.4 *Overtime/ Extra-Duty Details* and City of Gainesville E3 Rule 27 *Failure to Work Overtime*, therefore the allegation of Failure to Work Overtime is **SUSTAINED**.

This is Ofc. Bivins first violation of this rule. Officer Bivins will receive corrective action in the form of a Written Warning. Furthermore, Ofc. Bivins should be reminded that continued violations of this nature will result in progressive discipline, up to and including dismissal.

Under penalties of perjury, I declare that I have read the foregoing document and that to the best of my knowledge and belief the facts stated in it are true. Furthermore, I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. [112.532](#) and [112.533](#), Florida Statutes.

IA#: 22-009

Investigator:		Date:	05 25 2022
IA Commander:	T. DURST	Date:	5-25-2022
Bureau Commander:		Date:	5-26-22
Chief Inspector:		Date:	05-25-22
Assistant Chief:		Date:	5-25-2022
Chief:		Date:	5/25/22