

**FORT LAUDERDALE CITIZENS REVIEW BOARD MINUTES**  
**Ft. Lauderdale Police Department**  
**City Hall - 8th Floor Conference Room**  
**100 N. Andrews Avenue**  
**Fort Lauderdale, Florida**  
**December 13, 2004 - 7:00 P.M.**

<u>Board Members</u>	<u>Present/Absent</u>	<u>1/04 - 12/04</u>	
		<u>Cumulative Attendance</u> <u>(Including Special Meetings)</u>	
		<u>P</u>	<u>A</u>
Steven Muffler, Chair	P	11	0
Ted Fling, Vice Chair	P	11	0
Linda Shallenberger	P	10	1
Fenel Antoine	P	10	1
Capt. Kevin Sheehan	P	11	0
Arnold Cooper	P	10	1
Officer Thor Lockhart	P	9	2
Roosevelt Walters	P	9	2
Sgt. Jan Jordan	P	1	0

**Staff**

Captain Robert Lamberti, Internal Affairs  
Sgt. Rick Maglione, Internal Affairs  
Lisa Edmondson, Recording Secretary

**A. Roll Call**

Chair Muffler called the meeting to order at 7:00 p.m.

Mr. Robert Bates, Director of the Office of Professional Standards, was introduced by Chair Muffler.

**B. Approve Minutes from November 8, 2004**

*Motion made by Ms. Shallenberger, seconded by Capt. Sheehan, that the Board accept the minutes of the November 8, 2004 meeting. In a voice vote, the motion passed unanimously.*

**C. General Information**

Sgt. Jordan was introduced as a new member of the Board.

Chair Muffler reported that he had met with the City Manager who had requested copies of the information packets sent to the Board be provided to him also. Mr. Bates also requested copies.

Chair Muffler indicated that the City Manager was concerned about compliance with the rule to present cases to the Board within twenty days, however, there were still waiting for an interpretation of the Ordinance.

Capt. Lamberti advised the Board that it was his opinion the twenty day clock starts when a case is sustained and an officer receives discipline, for purposes of the appeal process. He stated the City Manager looks at the recommendations of the Chief of Police and Citizen Review Board in making his decision. Capt. Lamberti read the ordinance, under Section 2-249, which states: "The Citizen Review Board shall make its recommendation for the City Manager's consideration within twenty working days of the date the police officer is notified by the Chief of Police of his recommendation." Capt. Lamberti opined that this would imply discipline cases are specifically being addressed, which cases are received by the Board within twenty days. He also assured the Board that when possible, he would improve the timeliness of the cases coming before them, although he indicated that matters scheduled for Staff Review and those in the State Attorney's Office were out of his control.

Capt. Lamberti suggested that the Chair keep a copy of the Police Policies and Procedures Manual available during their meetings.

**D. Review of the following Internal Affairs Investigations:**

1. Complainant: Melinda Blostein (I.A. #03-196)  
Allegation: 1) Conduct Prejudicial  
2) Conduct Unbecoming  
3) Untruthfulness  
Officer: Robert Hoffman  
Disposition: 1) Sustained  
2) Not Sustained  
3) Not Sustained

Withdrawn from agenda.

2. Complainant: Bruce G. Roberts, Chief (I.A. #04-069)  
Allegation: Use of Deadly Force  
Officers: James Jagers  
Gary Martin  
Disposition: Exonerated.

Chair Muffler read the allegations into the record, noting that the officers were not present.

Ms. Shallenberger asked if the officers had received technical firearms training and was advised by Capt. Lamberti that he would check into it. There was additional brief discussion regarding the number of rounds fired.

Chair Muffler then opened the floor for public hearing. With no one wishing to speak, public hearing was closed.

***Motion** made by Mr. Cooper, seconded by Ms. Shallenberger, that the Board accept the findings of Internal Affairs. In a voice vote, the motion passed unanimously.*

Mr. Fling asked to be advised of the response from the State Attorney's Office on this matter.

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| 3. | Complainant: | Bruce G. Roberts, Chief (I.A. #04-126)                                    |
|    | Allegation:  | 1) Conduct Unbecoming<br>2) Conduct Prejudicial<br>3) Employee Harassment |
|    | Officer:     | John Gonzalez   |
|    | Disposition: | 1) Not Sustained<br>2) Not Sustained<br>3) Not Sustained                  |

Chair Muffler read the allegations into the record, noting that the officer was not present.

Mr. Fling pointed out that the statement Officer Gonzalez gave on 4/7 made him sound "scary," questioning his ability as a police officer and further stating that taking preventative action may be prudent.

Chair Muffler expressed concern regarding allegation 2, Conduct Prejudicial, stating that the matter of the officers' ongoing marital dispute was disruptive to the Police Department, and he did not agree with the finding of IA with regard to that allegation. Having to move Officer Gonzalez to another district was disruptive to the Department.

Capt. Lamberti advised that Officer Gonzalez is currently suspended with pay pending investigation of an unrelated criminal matter.

Mr. Fling also questioned Officer Gonzalez's ability to handle citizen domestic complaints when he handles his own in such an inappropriate manner.

Chair Muffler then opened the floor for public hearing. With no one wishing to speak, public hearing was closed.

***Motion** made by Ms. Shallenberger, seconded by Mr. Fling, that the Board accept the findings of Internal Affairs. In a voice vote, the motion passed 8-1 with Chair Muffler dissenting.*

Chair Muffler reported that he and Mr. Walters had successfully completed the Citizen Police Academy.

Chair Muffler also mentioned, as topics for future discussion, a proposed name change for the Board more descriptive of its purpose, showing the meetings via cable TV, and having the officers attend the Board meetings.

There being no further business before this Board, the meeting was adjourned at 7:45 p.m.