

FORT LAUDERDALE CITIZENS REVIEW BOARD MINUTES
Ft. Lauderdale Police Department
City Hall - 8th Floor Conference Room
100 N. Andrews Avenue
Fort Lauderdale, Florida
January 10, 2005 - 7:00 P.M.

AMENDED – 2/14/05

Board Members	Present/Absent	1/05 - 12/05 Cumulative Attendance (Including Special Meetings)	
		P	A
Steven Muffler, Chair	P	1	0
Ted Fling, Vice Chair (arrived 7:40)	P	1	0
Linda Shallenberger	A	0	1
Fenel Antoine	P	1	0
Capt. Kevin Sheehan	P	1	0
Arnold Cooper	P	1	0
Officer Thor Lockhart	P	1	0
Roosevelt Walters	P	1	0
Sgt. Jan Jordan	P	1	0

Staff

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

A. Roll Call

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

B. Approve Minutes from December 13, 2004

Motion made by Mr. Cooper, seconded by Capt. Sheehan, that the Board accept the minutes of the December 13, 2004 meeting. In a voice vote, the motion passed unanimously.

C. General Information

Chair Muffler announced that elections would be held for Chair and Vice Chair of the Board. This matter was deferred pending arrival of additional Board Members.

Capt. Lamberti stated that the matter regarding Officer Hoffman was not ready to be brought to the Board.

Chair Muffler brought up the following matters for further discussion:

Change of Board Name

Chair Muffler suggested that the name "Citizen Review Board" did not fully explain the purpose of the Board, asking for further input or recommendations.

Motion made by Mr. Antoine, seconded by Mr. Walters, to change the name of the Board, however, the actual name change would be discussed at the next meeting. In a voice vote, the motion passed unanimously.

Modification of City Code to Require Police Officers to Attend Board Meetings for Questioning and Providing Unsworn Testimony to the Board

Capt. Lamberti advised that this issue was being reviewed by the City Attorney and the Police Legal Department to check its legality, which would be forwarding their recommendations. Capt. Sheehan pointed out that requiring officers to attend the meetings would result in a minimum of three hours overtime pay.

Televising of Board Meetings

Mr. Antoine had suggested that televising Board meetings would keep the community apprised of Internal Investigation actions. Chair Muffler deferred the matter for further discussion at a later meeting.

D. Review of the following Internal Affairs Investigations:

- | | | |
|----|--------------|--|
| 1. | Complainant: | Bruce G. Roberts, Chief (I.A. #03-099) |
| | Allegation: | Unnecessary Use of Force |
| | Officer: | Keith Kowalski |
| | Disposition: | Exonerated |

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

Mr. Antoine expressed concern regarding the public's perception of the officer's actions, which had been televised, and subjecting the department to further criticism. Mr. Cooper stated that it was found the officer had conducted himself properly and that it would be impossible for the police to consider "public perception" while undertaking their duties.

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

***Motion** made by Capt. Sheehan, seconded by Mr. Walters, to uphold the findings of Internal Affairs. In a voice vote, the motion passed unanimously.*

2. Complainant: Michele Taylor (I.A. #04-081)
Allegation: 1) Discourtesy, insolence, or acting in an uncivil manner by word or act to any member of the public while acting in an official capacity
2) Use of vulgar, obscene, or offensive language while acting in an official capacity
Officer: Timothy McCarthy
Disposition: 1) Not Sustained
2) Not Sustained

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

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 Mr. Walters, to accept the findings of Internal Affairs. In a voice vote, the motion passed unanimously.*

Election of Officers

***Motion** made by Mr. Cooper, seconded by Mr. Antoine, to defer election of officers until additional civilian members of the Board were in attendance. In a roll call vote, the motion failed 2-5.*

***Motion** made by Mr. Walters, seconded by Capt. Sheehan, to hold election of officers. In a roll call vote, the motion passed 5-2.*

Capt. Sheehan moved to reappoint Mr. Muffler as Chair, seconded by Mr. Walters. In a show of hands, with Mr. Cooper dissenting, Mr. Muffler was reappointed as Chair.

Capt. Sheehan nominated Mr. Walters, and moved that he be appointed as Vice Chair, seconded by Mr. Antoine. In a show of hands, Mr. Walters was elected Vice Chair.

[7:40 pm. - Late arrival of Mr. Fling due to medical reasons.]

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Mr. Fling inquired regarding four police matters featured in the newspaper within the last year, which had not yet been brought before the Board, questioning the reasons for the delays. He provided a list of those cases to the Board members (Attachment A hereto).

Capt. Lamberti briefly reviewed the process complaints go through, and advised Mr. Fling that he would do some research and report back to the Board at the next meeting.

There being no further business before this Board, the meeting was adjourned at 7:55 p.m.