

**CITY OF FORT LAUDERDALE
CITIZENS POLICE REVIEW BOARD MEETING**

100 North Andrews Avenue
Eighth Floor Commission Conference Room
Fort Lauderdale, Florida
October 8, 2007 - 7:00 p.m.

Board Members	Attendance	1/07 – 12/07 Cumulative Attendance	
		P	A
Steven Muffler, Chair	P	7	1
Roosevelt Walters, Vice Chair	P	8	0
Captain Karen Dietrich	P	6	2
Lieutenant Mike DiMaggio	P	6	2
Ted Fling	P	8	0
Lieutenant Eric Brogna	P	6	2
Linda Shallenberger	P	8	0
Alan Stotsky	P	7	1
George Trodella	P	8	0

Staff and Guests

Sergeant McGowan, Internal Affairs
Captain Rick Maglione, Internal Affairs
Sergeant Hector Martinez, Internal Affairs
Elizabeth Rivera, Prototype, Inc.

A. ROLL CALL

Chair Muffler called the meeting to order at 7:03 p.m. and roll call was taken.

B. APPROVAL OF MINUTES – September 10, 2007

MOTION made by Mr. Walters, seconded by Ms. Shallenberger, to approve the minutes of the Board's September 10, 2007 meeting. Board unanimously approved.

C. GENERAL INFORMATION

Captain Maglione announced that Sergeant Brogna had been promoted to Lieutenant. He then introduced new Internal Affairs Sergeant Hector Martinez.

Chair Muffler referred to the letter he had written to the City Commission on behalf of the Board, and Mayor Naugle's reply. Mr. Fling said he had spoken with Mayor Naugle and explained to him that the Board wanted a simple, consolidated ordinance.

D. INTERNAL AFFAIRS INVESTIGATION REVIEW

1. **Complainant:** **Forrest Moore**
(I. A. Case #07-069)
- Allegations:** **Unnecessary use of Force**
Officer: **Paul Maniates**
Disposition: **Not Sustained**

The officer was not present.

Mr. Fling remarked he had given up on the state's attorney. He noted that the attorney's closeout letter stated the officer had been charged with unnecessary force and had made an unlawful arrest. But Mr. Fling said nothing in the record indicated an unlawful arrest had been made.

Captain Maglione explained that Mr. Moore's original concern regarded false arrest and unnecessary force, and this was where the state's attorney, had gotten that language from. In fact, Mr. Moore had not been arrested.

Captain Maglione said this was a case where there was "clearly no cause to levy an administrative charge against somebody for something that obviously did not occur," so Officer Maniates had not been charged with making a false arrest.

Mr. Trodella felt the officer had done "the right thing for the right reason."

Chair Muffler opened the floor to public comment. As no members of the public wished to address the Board on this item, Chair Muffler closed the public comment and brought the discussion back to the Board.

Motion made by Ms. Shallenberger, seconded by Mr. Fling, to uphold the findings of Internal Affairs. Board unanimously approved.

Adjournment

There being no further business before the Board, the meeting was adjourned at 7:11 p.m.