

**CITIZENS POLICE REVIEW BOARD MEETING  
 CITY OF FORT LAUDERDALE  
 CITY HALL 8<sup>TH</sup> FLOOR CONFERENCE ROOM  
 100 NORTH ANDREWS AVENUE  
 FT. LAUDERDALE, FLORIDA 33301  
 OCTOBER 13, 2008 – 7:00 P.M.**

<b>Board Members</b>	<b>Attendance</b>	<b>1/08 – 12/08 Cumulative Attendance</b>	
		<b>P</b>	<b>A</b>
Steven Muffler, Chair	A	4	1
Roosevelt Walters, Vice Chair	P	5	0
Capt. Gregory Blazs	P	3	2
Capt. Eric Brogna	P	5	0
Lieutenant Mike DiMaggio	P	5	0
Ted Fling	P	5	0
Eileen Helfer	P	5	0
Alan Stotsky	P	5	0
George Trodella	P	5	0

**Staff**

Capt. Rick Maglione, Internal Affairs  
 B. Chiappetta, Recording Clerk, Prototype, Inc.

**Witnesses and Visitors**

Ralph Reel, Economic Advisory Board member

**A. Roll Call**

Vice Chair Walters called the meeting to order at 7:01 p.m. and roll call was taken.

**B. Approve Minutes from the Board’s September 2008 Meeting**

Mr. Fling recommended a correction on page 4.

**Motion** made by Ms. Helfer, seconded by Mr. Trodella, to approve the minutes of the Board’s September 2008 meeting as amended. In a voice vote, the motion was unanimously approved.

**C. General Information**

Vice Chair Walters noted a letter sent to Chair Muffler from the City Manager regarding Internal Affairs Case # 08-107. Capt. Maglione informed the Board that Officer McCoy

had received verbal counseling instead of written counseling; he believed this satisfied what the Board had wanted. Mr. Fling asked if the City Manager was aware of this. Capt. Maglione explained that any change to a discipline decision was sent to the City Manager, but the original recommendation on this case was not for discipline, it was for counseling. This could be imposed at the Department level and did not require the City Manager to authorize or impose.

Vice Chair Walters announced that Chair Muffler had resigned from the Board, per an email sent to Capt. Maglione. Chair Muffler had also sent an email to Vice Chair Walters and he distributed copies of this to Board members.

Capt. Maglione said he had a plaque he wished to present to Chair Muffler whenever he could attend a meeting.

Vice Chair Walters noted that Chair Muffler had done an excellent job and changed the way the Board was viewed by the City Attorney and the City Manager.

Vice Chair Walters stated the Board must decide what to do about the Chair and Vice Chair positions through the end of the year. Mr. Fling suggested that Vice Chair Walters serve as acting Chair through the end of the year. The Board would hold regular elections in January.

Vice Chair Walters informed the Board that he suffered from heart problems and recently had a pacemaker implanted.

**Motion** made by Mr. Trodella, seconded by Mr. Stotsky, to hold an election for Board Chair, who would serve through the end of the year. In a voice vote, Board unanimously approved.

**Motion** made by Mr. Stotsky, seconded by Mr. Trodella, to elect Mr. Walters as Chair, to serve through the end of the year. In a voice vote, Board unanimously approved.

#### **D. Review the Following Internal Affairs Investigation**

##### **1. I.A. Case #08-147**

**Complainant:** (Former Chief) Bruce Roberts  
**Allegation:** Conduct unbecoming  
**Officer:** Sharif Masri  
**Disposition:** Sustained

Chair Walters noted that the officer was not present.

Chair Walters opened the hearing for public comment; finding there were no members of the public wishing to speak, public comment was closed.

Mr. Trodella said he had “never seen anything as egregious as the behavior in this case and in reading the whole thing, I don’t see anything that mitigates it.”

Mr. Fling asked if the Fund was out any money Officer Masri or his wife had “gotten away with.” Capt. Maglione explained that they had tried to keep Officer Masri’s case separate from his wife’s issues. Mrs. Masri’s plea included \$16,000 in restitution, but this had not covered all payments made to her practice. Capt. Maglione noted that Internal Affairs had investigated whether there was a violation of agency policy regarding Officer Masri’s conduct, and there unquestionably was.

Mr. Fling asked what recourse Officer Masri had. Capt. Maglione said Officer Masri had a Step 3 hearing the previous week with the Chief of Police; the Chief had 10 days to respond if he wished to change his recommendation to the City Manager. If this did not satisfy Officer Masri, he could appeal to a Step 4 hearing. He could then go as far as independent arbitration to determine if disposition and discipline was just. The union became involved because they must decide whether they wanted to pay for Officer Masri’s appeals.

Capt. Maglione reported that since this was a violation of Chapter 943, FDLE had been sent the case file on October 10.

Chair Walters remarked that what bothered him most was that Officer Masri and his wife had continued even after getting caught.

**Motion** made by Mr. Fling, seconded by Mr. Stotsky, to accept the findings of Internal Affairs. In a voice vote, Board unanimously approved.

**2. I.A. Case #08-156**

<b>Complainant:</b>	(Former Chief) Bruce Roberts
<b>Allegation:</b>	Expedited (Code 2) and Emergency (Code 3) Vehicle Operation
<b>Officer:</b>	Christopher Young-Tem
<b>Disposition:</b>	Exonerated

Mr. Stotsky asked if Internal Affairs always investigated Police-involved deaths. Capt. Maglione stated yes; Traffic Homicide had conducted a regular criminal investigation and the State Attorney’s Office determined no charges should be filed. Internal Affairs then reviewed the case for violations of agency policy. Capt. Maglione stated the

criminal investigation recommended Officer Young-Tem receive traffic citations, but the State Attorney felt those were not warranted.

In response to a question from Mr. Stotsky, Capt. Maglione explained that unmarked tactical units had sirens and lights. Mr. Fling thought the lights in this car had not been installed properly and wondered if this could have made Officer Young-Tem a "little bit flaky" at the time. Capt. Maglione stated the lights were mounted differently on each vehicle, since they were not factory installed.

Chair Walters opened the hearing for public comment. Finding there were no other members of the public wishing to speak, public comment was closed.

**Motion** made by Mr. Fling, seconded by Mr. Stotsky, to accept the findings of Internal Affairs. In a voice vote, Board unanimously approved.

There being no further business before the Board, the meeting was adjourned at 7:31 p.m.