

**CITIZENS POLICE REVIEW BOARD MEETING
 CITY OF FORT LAUDERDALE
 CITY HALL 8TH FLOOR CONFERENCE ROOM
 100 NORTH ANDREWS AVENUE
 FT. LAUDERDALE, FLORIDA 33301
 MARCH 8, 2010 – 7:00 P.M.**

Board Members	Attendance	1/10 – 12/10 Cumulative Attendance	
		P	A
Alan Stotsky, Chair	P	2	0
Eileen Helfer, Vice Chair	P	2	0
Lt. Glenn Galt	A	1	1
Sgt. William Schultz	P	2	0
Officer Nina Justice	P	2	0
Patrick Kerney	P	2	0
George Trodella	P	2	0
Roosevelt Walters	P	1	0

Staff

Capt. Rick Maglione
 Sgt. Dana Swisher, Internal Affairs
 J. Opperlee, Recording Clerk, Prototype, Inc.

Guests

None

Communication to the City Commission

None.

A. Roll Call

Chair Stotsky called the meeting to order at 7:00 p.m. and determined that a quorum of Board members was present.

B. Approve Minutes from the Board’s January 2010 Meeting

Motion made by Ms. Helfer, seconded by Mr. Kerney, to approve the minutes of the Board’s January 2010 meeting. In a voice vote, Board unanimously approved.

C. General Information

None.

D. Review the Following Internal Affairs Investigation

1. **IA Case** 09-189
 Complainant: Frank C. Adderley, Chief
 Allegations: Use of Deadly Force
 Officers: Nicholas Rollins
 Matthew Mocerì
 Disposition: Exonerated

Motion made by Ms. Helfer, seconded by Mr. Kerney, to support the findings of Internal Affairs.

Mr. Walters asked if the inconsistencies between the statements from officers on the roof and officers on the ground had been questioned. Specifically, Mr. Walters said, "The two... that came from the parking lot say that the person was shot while he was on the ground and the other three said that he was shot while he was backing up getting away from the person he had intended to rob..."

Capt. Maglione explained that Internal Affairs considered whether the officers had violated any policies or procedures and whether the force was justified. He said the inconsistencies had not concerned Homicide. Capt. Maglione had been present that evening, and neither he nor Sgt. Swisher, who had performed the original investigation, had been concerned. Mr. Walters had been worried about this because there were many times that officers had been cleared due to inconsistent statements given by complaining witnesses. He said he would vote in favor of the motion because the person had confessed that he committed the crime and apologized.

Chair Stotsky said he had been concerned about two officers missing when firing at someone over whom they were standing. He said the perpetrator had been very lucky that no significant damage had been done.

Mr. Trodella said the only thing that was a little bit troubling was that the female waiting in the car had not been forthcoming about "what she was doing and was there a plan." Capt. Maglione said it had never been confirmed, but it was suspected that they had robbed someone else earlier, and the location where this had occurred was a place someone would not frequent "unless you're looking for trouble. There's nothing, no businesses are open there."

In a voice vote, Motion passed unanimously.

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

[Minutes prepared by J. Opperlee, ProtoType Services]