

**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 11, 2010 – 6:00 P.M.**

**1/10 – 12/10**

<b>Board Members</b>	<b>Attendance</b>	<b>Cumulative Attendance</b>	
		<b>P</b>	<b>A</b>
Alan Stotsky, Chair	P	7	1
Eileen Helfer, Vice Chair	P	8	0
Marc Dickerman	P	2	0
Lt. Glenn Galt	P	6	2
James Jordan	P	2	0
Officer Nina Justice	P	6	2
Sgt. William Schultz	P	6	2
Roosevelt Walters	P	7	0

**Staff**

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

**Guests**

Sgt. Dana Swisher, Internal Affairs

**Communications to the City Commission**

None.

**A. Roll Call**

Chair Stotsky called the meeting to order at 6:00 p.m. A quorum was present.

**B. Approve Minutes from September 13, 2010**

**Motion** made by Mr. Dickerman, seconded by Mr. Walters, to approve the minutes of the September 13, 2010 meeting. In a voice vote, the **motion** passed unanimously.

**C. General Information**

None.

**D. Review the Following Internal Affairs Investigations**

**1. IA Case 10-074**

**Complainant:**

Stephanie Georges

**Allegation:**

1) To regularly or continuously associate or have dealings with a person whom an employee knows to be under active criminal investigation or indictment, or who has a reputation in the community or the Dept. for present involvement in felonious or criminal behavior as necessary in the performance of official duties

2) Soliciting a special privilege or using position for personal gain or private advantage or for the advantage of another

3) Untruthfulness

4) Engaging in conduct unbecoming a Police Officer / Police Department employee

**Officer:**

Jason Maldonado

**Disposition:**

All charges – Sustained

Chair Stotsky stated he would like to review each complaint individually. He clarified that Stephanie Georges is making the complaint regarding Officer Maldonado. Captain Maglione noted that Officer Maldonado was not present at the meeting and was suspended for 20 days without pay. His final day of employment is October 12, 2010. Captain Maglione explained this is standard in all termination cases.

The Board voted unanimously to accept the findings of Allegations 1, 2, 3, and 4.

**2. IA Case 10-115**

**Complainant:**

Frank Adderley, Chief of Police

**Allegation:**

Use of Deadly Force

**Officer:**

(Former Officer) William Welyczko

**Disposition:**

Exonerated

Mr. Dickerman asked what variable would cause ECD not to be effective. Capt. Maglione replied the device can occasionally malfunction, although it did not do so in this case. At other times a probe can catch on clothing and fail to complete the circuit; probes may not be sufficiently effective because they are too close together; and some individuals under the influence of controlled substances may

not be affected by the probe. He stated that every ECD use is reviewed, and the device is "totally ineffective" in some cases.

He continued that he did not feel "pain compliance" was effective in this case, due to "the state of mind" that the recipient was in when the device was deployed.

The Board voted unanimously to uphold the findings exonerating the former Officer.

Chair Stotsky asked if there was any comment regarding why former Officer Welyzcko left the Police Department. Capt. Maglione said he had resigned after using all of his approved leave, as he was unable to return to full duty. There was no misconduct involved.

Vice Chair Helfer asked if former Officer Welyzcko still receives "the help that you get after having a situation like this happen." Capt. Maglione said whenever an on-duty injury is incurred, whether physical or psychological, it becomes a Workers' Compensation claim, which is still active after leaving employment.

Mr. Walters asked if this claim would "close out" at a later time. Capt. Maglione said he believed the claim would be closed once "maximum medical improvement" has been determined. If this did not occur, he said it would become a disability issue rather than Workers' Compensation.

There being no further business to come before the Board at this time, the meeting was adjourned at 6:07 p.m.

[Minutes prepared by K. McGuire, Prototype, Inc.]