

**CITIZENS POLICE REVIEW BOARD MEETING
 CITY OF FORT LAUDERDALE
 CITY HALL 8TH FLOOR CONFERENCE ROOM
 100 NORTH ANDREWS AVENUE
 FT. LAUDERDALE, FLORIDA 33301
 April 14, 2014 – 6:00 P.M.**

Board Members	Attendance	1/2014 – 12/2014 Cumulative Attendance	
		P	A
Marc Dickerman, Chair	P	3	0
Det. Nina Justice, Vice Chair	P	3	0
Kevin Borwick	A	1	1
Ted Fling	P	1	2
Lt. Steve Greenlaw	P	3	0
Sgt. Adam Solomon	P	3	0
Kenneth Staab	P	1	2
Maxine Streeter	P	3	0
Roosevelt Walters	P	3	0

It was noted that a quorum was present for the meeting.

Staff

Capt. Doug MacDougall, Internal Affairs, Fort Lauderdale Police Department
 Sgt. Frank Vetancourt, Internal Affairs, Fort Lauderdale Police Department
 Sgt. Edgar Cruz, Internal Affairs, Fort Lauderdale Police Department
 Sgt. David Cortes, Internal Affairs, Fort Lauderdale Police Department
 Chief of Police Franklin Adderley, Fort Lauderdale Police Department
 Brad Weissman, Assistant City Attorney
 J. Opperlee, Recording Secretary, Prototype, Inc.

Guests

Dana Calvo
 Peter Calvo
 Jodi Henson
 Joseph Robinson

Communications to City Commission

None.

A. Roll Call

Chair Dickerman called the meeting to order at 6:00 p.m.

B. Approve minutes from February 11, 2014

Motion made by Mr. Walters, seconded by Det. Justice, to approve. In a voice vote, the **motion** passed unanimously.

C. General Information

It was noted that the City Manager had received the Board's recommendations regarding Cases IA 13-083 and IA 13-106 and took no exception to them.

D. Review the following Internal Affairs investigation

Complainant:	Lynne Michelle Brogna, Dana Calvo, Jodi Hansen, Linda Robinson & (two juveniles) (IA Case 13-110)
Allegation:	1) Conduct unbecoming a police officer / department Employee
Officer:	Eric Brogna
Disposition:	1) Not Sustained

A **motion** was made by Ms. Streeter to not accept the Department's finding that the conduct was not sustained. The **motion** died for lack of second.

Ms. Streeter explained that she felt the disposition of the case should be exonerated or Unfounded rather than Not Sustained.

There being no questions from the Board at this time, Chair Dickerman opened the public hearing.

Joseph Robinson, private citizen, stated that the case was originally filed with the Coral Springs Police Department and had gone to the State Attorney's Office, which had decided against prosecution and passed the case on to Internal Affairs. Mr. Robinson concluded that he was certain an incident had occurred, although he had not witnessed any of the alleged actions.

Jodi Henson, private citizen, advised that she was the mother of the alleged victim. She stated that the incident had involved unwanted touching or fondling, and that the relationship between herself and the Officer was not hostile at the time of the incident. Ms. Henson concluded that the incident had not been reported for three years because the Officer had agreed to seek counseling.

Dana Calvo, private citizen, stated she was the aunt of the alleged victim. She explained that the family had attempted to hold the Officer accountable by having him seek therapy rather than reporting the incident; however, she asserted that there should be no time frame when wrongdoing occurs. She added that the family had only been

informed of the case's outcome the previous week, and had not been notified of tonight's Board meeting in a timely manner.

Ms. Calvo noted that the victim's family had text messages, emails, and photographs that contradicted the Officer's statements regarding his relationship with the family. She concluded that the Officer had never directly denied the allegation.

Vice Chair Justice explained that the Board's decision must be based on the evidence presented to them, and asked why the evidence to which Ms. Calvo referred had never been presented to the Coral Springs Police Department. Ms. Calvo said there had never been an opportunity to provide this evidence or refute any of the Officer's statements. She advised that this evidence would have shown that the Officer had an amicable relationship with the alleged victim's family.

Lt. Greenlaw requested further explanation of the various time frames for incidents that witnesses had described. Ms. Calvo replied that these incidents had never been formally documented. Lt. Greenlaw explained the Board's responsibilities, which were related only to administrative review of the incident and did not allow them to add or detract from the documentation provided to the Coral Springs Police Department.

It was clarified that the Internal Affairs investigation had been required to be completed within 180 days. There is no set time frame in which a complainant can expect his or her case to come before the Board. Capt. MacDougall concluded that the Department may consider notifying complainants by telephone as well as by letter.

The Board discussed the case further, noting that the lack of physical evidence and the length of time between the occurrence and reporting of the alleged incident would have made it difficult for Internal Affairs to arrive at a finding of Sustained. Lt. Greenlaw described some of the reasons the allegation had been Not Sustained, emphasizing the lack of physical evidence provided. Sgt. Solomon noted that there was little possibility that a criminal case would have resulted in a conviction due to this lack of evidence, regardless of the seriousness of the allegation or the individual's position as an Officer.

Ms. Calvo cited the length of the investigation by the State Attorney's Office as indicative that there was sufficient evidence to advance the case.

Linda Robinson, private citizen, stated she is the mother of Ms. Henson and Ms. Calvo. She advised that the case had not been reported at an earlier time because the Officer had said he would seek help if no charges were filed.

Mr. Staab agreed that the time frame in which the victim's family was able to review information in the case was limited. Lt. Greenlaw noted that the Officer had not opted to provide a statement to the investigator of the criminal case, but had given a statement to Internal Affairs for their review. Ms. Henson asserted that the Officer's statement and responses to the allegations were not truthful.

Mr. Fling stated that the Board should not be acting as investigators or questioning Internal Affairs reports provided to them. He felt they should “stop harassing the Internal Affairs people.”

Motion made by Vice Chair Justice, seconded by Mr. Walters, to accept the findings of Internal Affairs in Case 13-110, Major Eric Brogna, as Not Sustained on the charges of Conduct unbecoming of a Police Officer/Department Employee. In a voice vote, the **motion** passed 7-1 (Ms. Streeter dissenting).

There being no further business to come before the Board at this time, the meeting was adjourned at 7:03 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

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