



**CITY OF FORT MYERS
CITIZENS POLICE REVIEW BOARD
JANUARY 11, 2022
5:30 PM**

Oscar M. Corbin, Jr. City Hall
2200 Second Street
Fort Myers, Florida, 33901

*Michele Parker
Chair*

*Erma Boyd-Dorsey
Vice Chair*

Danielle L. O'Halloran

Forrest H. Banks

Robert Votaw, Jr.

Amanda L. Dennis

Nzingha Gaines

Steven Brown-Cestero

ACTION AGENDA

CALL TO ORDER 5:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Absent: Danielle O'Halloran, Board Member

PUBLIC INPUT (Three (3) minute time limit) (NONE)

OLD BUSINESS

1. Discussion on recommendations the Board would like to present to City Council for consideration in amending the current Citizens Police Review Board ordinance, and update to the request of the Police Department to provide a list of closed Internal Affairs cases initiated internally and externally for the last two years.

Board Member Brown and Board Member Banks requested that Councilman Streets work with the City Manager and the City Attorney to determine if the language should be clarified in the Citizens Police Review Board Ordinance regarding the review of closed cases initiated internally and externally.

2. **Case No.:** Prelim 2021-034 **(tabled from the November 9, 2021, Citizens Police Review Board Meeting)*
Investigator: Captain Jason Fields
Complainant: Dawn Stoner
Officer: Officer Nicholas Mallone
Policy Related to Complaint: Alleged Complaint: Unprofessional
Chief of Police Disposition: No Policy Violation
Discipline: None

Approved.

NEW BUSINESS/PRESENTATIONS

3. Comments and concerns from Councilman Johnny W. Streets, Jr.

Councilman Streets thanked the Board for their service to the city. He urged the Board to call upon on him, as the Council Liaison to the Board, to assist with any concerns they may have.

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4. Minutes and Board Report of the Citizens Police Review Board meeting held on November 9, 2021

Approved with corrections to the minutes on page 12; recording of the Board Member votes on Case No. Admin 2021-004.

CONSENT AGENDA

(Any Board Member may remove an Item from the Consent Agenda and place it on the Regular Agenda for discussion following the Consent Agenda)

5. **Case No.:** Prelim 2021-011
Investigator: Sergeant Daniel Morency
Complainant: Samantha Doerr
Officer: Undetermined
Policy Related to Complaint: Alleged Complaint: Unprofessional
Chief of Police Disposition: Insufficient Evidence to Investigate
Discipline: None

Approved.

6. **Case No.:** Prelim 2021-038
Investigator: Sergeant James Langton
Complainant: James Kendall
Officer: Unknown
Policy Related to Complaint: Alleged Complaint: Failed to respond to a call for service
Chief of Police Disposition: No Policy Violation
Discipline: None

Approved.

7. **Case No.:** Prelim 2021-049
Investigator: Lieutenant Lesa Breneman
Complainant: Terrance Truesdale
Officer: Unknown
Policy Related to Complaint: Alleged Complaint: Harassment
Chief of Police Disposition: Insufficient Evidence to Investigate
Discipline: None

Approved.

8. **Case No.:** Prelim 2021-050
Investigator: Lieutenant Lesa Breneman
Complainant: Not Public Record (Per F.S.S. 119.071 2.H.)
Officer: Unknown
Policy Related to Complaint: Alleged Complaint: Harassment
Chief of Police Disposition: Insufficient Evidence to Investigate

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Discipline: None

Approved.

MANDATORY REVIEW BY BOARD (NONE)

(Indicates a full review is required or voted on under the City Ordinance Rules and Procedures for the Citizens Police Review Board)*

NON-MANDATORY REVIEW BY BOARD

9. **Case No.:** IA 2021-005

Investigator: Sergeant James Langton

Complainant: Patricia Balaban

Officer: Officer Brandon Winters

i. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (9) Standard of Conduct

Chief of Police Disposition: Sustained

Discipline: Termination

ii. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (9) Standard of Conduct

Chief of Police Disposition: Sustained

Discipline: Termination

iii. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (9) Standard of Conduct

Chief of Police Disposition: Sustained

Discipline: Reprimand

Complainant: Sergeant James Langton

Officer: Officer Brandon Winters

i. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (8) Performance of Duty

Chief of Police Disposition: Sustained

Discipline: Termination

ii. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (8) Performance of Duty

Chief of Police Disposition: Sustained

Discipline: Termination

iii. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (8) Performance of Duty

Chief of Police Disposition: Sustained

Discipline: Termination

iv. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (8) Performance of Duty

Chief of Police Disposition: Sustained

Discipline: Termination

v. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (8) Performance of Duty

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- Chief of Police Disposition:** Sustained
Discipline: Termination
- vi. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (8) Performance of Duty
Chief of Police Disposition: Sustained
Discipline: Reprimand
- vii. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (8) Performance of Duty
Chief of Police Disposition: Sustained
Discipline: Reprimand
- viii. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (8) Performance of Duty
Chief of Police Disposition: Sustained
Discipline: Reprimand
- ix. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (8) Performance of Duty
Chief of Police Disposition: Sustained
Discipline: Reprimand
- x. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (8) Performance of Duty
Chief of Police Disposition: Sustained
Discipline: Reprimand
- xi. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (8) Performance of Duty
Chief of Police Disposition: Sustained
Discipline: Reprimand
- xii. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (8) Performance of Duty
Chief of Police Disposition: Sustained
Discipline: Reprimand
- xiii. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (A) (8) Performance of Duty
Chief of Police Disposition: Sustained
Discipline: Reprimand
- xiv. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (M) Misrepresentation or falsification
Chief of Police Disposition: Sustained
Discipline: Termination
- xv. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (M) Misrepresentation or falsification
Chief of Police Disposition: Sustained
Discipline: Termination
- xvi. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (M) Misrepresentation or falsification
Chief of Police Disposition: Sustained

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- Discipline:** Termination
- xvii. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (M) Misrepresentation or falsification
Chief of Police Disposition: Sustained
Discipline: Termination
- xviii. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct
Section II (M) Misrepresentation or falsification
Chief of Police Disposition: Sustained
Discipline: Termination
- xix. **Policy Related to Complaint:** 25.3 Mobile Video/Audio Recording Equipment
Sec IV (A) Body-Worn MVR Operating Procedures
Chief of Police Disposition: Sustained
Discipline: Counseling

Approved.

OTHER BUSINESS

NEXT MEETING ANNOUNCEMENT – The next meeting will be held on February 8, 2022 at 5:30 p.m.

ADJOURNMENT 6:22 p.m.

If a person decides to appeal any decision made by the City Council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Special Requirements: If you require special aid or services as addressed in the Americans with Disabilities Act, please contact the City Clerk's Office at (239) 321-7035 or for the hearing impaired, TDD telephone number (239) 332-2541.