



**CITY OF FORT MYERS  
CITIZENS POLICE REVIEW BOARD  
APRIL 12, 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: Forrest H. Banks and Nzingha Gaines, Board Members

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

**OLD BUSINESS**

1. Status update related to Case No. IA 2021-021 and Case No. IA 2021-009 (Grant W. Alley, City Attorney)

Councilman Streets announced that the Independent Sufficiency Review of the Fort Myers Police Department's Complaint Investigation of the allegation involving Major William Newhouse has been completed. He distributed the Review to the Board and stated that a presentation would be made to the City Council on April 18, 2022.

City Attorney Alley explained that the Review was involving only the allegation pertaining to Major Newhouse. He mentioned that it was received the day prior and immediately circulated to the Mayor and City Council. City Attorney Alley stated that there is no presentation set to occur tonight and will work on having the firm present to the Board in person or via Zoom at a future meeting.

**MOTION:** *Remove Case No. IA 2021-009 from future agendas and provided updates as required.*

Approved.

Donald Oswald, former Fort Myers Police Department Inspector General, stated that based on the briefing given by Councilperson Streets and City Attorney Alley he had no comments to provide at this time.

**NEW BUSINESS/PRESENTATIONS**

2. Minutes and Board Report of the Citizens Police Review Board meeting held on March 8, 2022

Approved.

**CONSENT AGENDA**

**Citizens Police Review Board – ACTION AGENDA**

**April 12, 2022**

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

3. **Case No.:** Prelim 2021-063  
**Investigator:** Sergeant Dan Losapio  
**Complainant:** Delmus Rogers  
**Officer:** Unknown  
**Policy Related to Complaint:** Alleged Complaint: Broad & Nonspecific allegations  
**Chief of Police Disposition:** Judicial  
**Discipline:** None

Approved.

4. **Case No.:** Prelim 2021-064  
**Investigator:** Sergeant Dan Losapio  
**Complainant:** Delmus Rogers  
**Officer:** Officer Evelyn Hodakoski  
**Policy Related to Complaint:** Alleged Complaint: Performance of Duty  
**Chief of Police Disposition:** No Policy Violation  
**Discipline:** None  
**Officer:** Officer Jarred Garrett  
**Policy Related to Complaint:** Alleged Complaint: Performance of Duty  
**Chief of Police Disposition:** No Policy Violation  
**Discipline:** None

Approved.

5. **Case No.:** Prelim 2021-065  
**Investigator:** Sergeant David Conticelli  
**Complainant:** Sarah Lynne Bryant  
**Officer:** Detective Cierra Carter  
**Policy Related to Complaint:** Alleged Complaint: Criminal Investigations and Follow-ups  
**Chief of Police Disposition:** No Policy Violation  
**Discipline:** None

Approved.

6. **Case No.:** Prelim 2022-002  
**Investigator:** Sergeant David Conticelli  
**Complainant:** Thomas Glenn Falcon  
**Officer:** Officer Nicholas Mallone  
**Policy Related to Complaint:** Alleged Complaint: Standard of Conduct / Performance of Duty  
**Chief of Police Disposition:** No Policy Violation  
**Discipline:** None

Approved.

7. **Case No.:** Prelim 2022-005  
**Investigator:** Sergeant Dan Losapio  
**Complainant:** Delmus Rogers  
**Officer:** Unknown  
**Policy Related to Complaint:** Alleged Complaint: Broad and Nonspecific allegations  
**Chief of Police Disposition:** No Policy Violation  
**Discipline:** None

Approved.

8. **Case No.:** Prelim 2022-006  
**Investigator:** Sergeant David Conticelli  
**Complainant:** Richard L. Thomas  
**Officer:** Officer Blake Bottomley  
**Policy Related to Complaint:** Alleged Complaint: Performance of Duty  
**Chief of Police Disposition:** No Policy Violation  
**Discipline:** None

Approved.

9. **Case No.:** Prelim 2022-007  
**Investigator:** Sergeant David Conticelli  
**Complainant:** Not Public Record (Per F.S.S. 119.071 (2)(H))  
**Officer:** None  
**Policy Related to Complaint:** Alleged Complaint: No specific complaint  
**Chief of Police Disposition:** No Policy Violation  
**Discipline:** None

Approved.

**MANDATORY REVIEW BY BOARD**

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

10. **Case No.:** \*FD 2019-001  
**Investigator:** Lieutenant Brian O'Reilly  
**Complainant:** Chief Derrick Diggs  
**Officer:** U.S. Marshals Task Force Officer  
**Policy Related to Complaint:** General Order 6.1 Use of Force & Response to Resistance Section II (A) F.S.S. 776.05  
**Chief of Police Disposition:** Exonerated  
**Discipline:** None

Approved.

11. **Case No.:** \*IA 2021-014

**Investigator:** Sergeant Dan Losapio

**Complainant:** Deputy Chief Jeffrey Meyers

**Officer:** Officer Jonathan King

**Policy Related to Complaint:** General Order 6.1 Use of Force & Response to Resistance Section III C (2)(d)(1) Deployment & Restrictions

**Chief of Police Disposition:** Not Sustained

**Discipline:** None

Approved.

**NON-MANDATORY REVIEW BY BOARD**

12. **Case No.:** IA 2021-004

**Investigator:** Sergeant James Langton

**Complainant:** Principal Angela Nadar

**Officer:** Grampa Cop Richard Flesland

i. **Policy Related to Complaint:** General Order 9.1 General Rules of Conduct Section II (2) Obedience to laws, rules, ordinances, and departmental policies, rules, orders, and procedures

**Chief of Police Disposition:** Resigned in Lieu of Termination

**Discipline:** Sustained

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

**Chief of Police Disposition:** Resigned in Lieu of Termination

**Discipline:** Sustained

Approved.

**OTHER BUSINESS** (NONE)

**NEXT MEETING ANNOUNCEMENT** – The next meeting will be held on May 10, 2022 at 5:30 p.m.

**ADJOURNMENT** 5:56 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.*