

**ACTION AGENDA  
CITIZENS POLICE REVIEW BOARD**

July 14, 2020  
5:30 o'clock p.m.

<b>CITIZENS POLICE REVIEW BOARD</b>								
Robert W. Votaw, Jr. Chair	Erma Boyd-Dorsey Vice Chair	Michele Parker	Vacant	Vacant	Danielle L. O'Halloran, Esquire	Vacant	Forrest H. Banks	Shawn T. Walker

**CITY COUNCIL CHAMBERS, 2200 SECOND STREET**

<b>CALL TO ORDER</b> (5:30 p.m.)		
<b>Pledge of Allegiance to the Flag of the United States of America</b> (5:30 p.m.)		Chair Votaw led the Pledge of Allegiance to the Flag of the United States of America
<b>Roll Call</b> (5:30 p.m.)		Absent: None
<b>Public Input – Non-Public Hearing Agenda Items:</b> (Three (3) minute time limit per speaker)		There was no one present to be heard.
<b>OLD BUSINESS</b>		None.
<b>NEW BUSINESS/APPEARANCES:</b>		Lieutenant Jason Pate provided a presentation and overview of the training provided to Fort Myers Police Department Officers over the past three years. Major Newhouse provided the board with a copy of the Internal Affairs Bureau's Standard Operating Procedures.  (See video @ 5:31 p.m.)
1.	Minutes of March 10, 2020	Approved.  (See video @ 6:01 p.m.)

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<p><b><u>CONSENT AGENDA</u></b></p> <p><b>Any Citizens Police Review Board Member may have an item removed from the consent agenda and placed on the regular agenda for discussion following the consent agenda.</b></p>		
2.	<p><b>Case No. Prelim 2020-003</b></p> <p><b>Policy Related to Complaint:</b> Alleged Complaint: Harassment</p> <p><b>Complainant:</b> Clem Gloster</p> <p><b>Subject Officers:</b></p> <p>Officer Chad Barnett Officer Brandon Birch Officer Miguel Hernandez</p> <p><b>Internal Affairs Disposition:</b> No Policy Violation</p> <p><b>Discipline:</b> None</p> <p><b>Investigator:</b> Lieutenant Brian O'Reilly</p>	<p>Approved.</p> <p>(See video @ 6:02 p.m.)</p>
3.	<p><b>Case No. Prelim 2020-004</b></p> <p><b>Policy Related to Complaint:</b> Alleged Complaint: Performance of Duty</p> <p><b>Complainant:</b> Regina Williams</p> <p><b>Officers:</b> Officer Kyle Martins</p> <p><b>Internal Affairs Disposition/Finding:</b> No Policy Violation</p> <p><b>Discipline:</b> None</p> <p><b>Investigator:</b> Sergeant Dan Losapio</p>	<p>Approved.</p> <p>(See video @ 6:02 p.m.)</p>
4.	<p><b>Case No. Prelim 2020-005</b></p> <p><b>Policy Related to Complaint:</b> Alleged Complaint: Harassment</p> <p><b>Complainant:</b> John'Keria Massey</p> <p><b>Officers:</b> Officer Brandon Birch Officer Harrison Williams</p> <p><b>Internal Affairs Disposition:</b> No Policy Violation</p> <p><b>Discipline:</b> None</p> <p><b>Investigator:</b> Captain Joshua Steinman</p>	<p>Approved.</p> <p>(See video @ 6:02 p.m.)</p>

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<b>CONSENT AGENDA (CONTINUED)</b>		
5.	<p><b>Case No. Prelim 2020-006</b>  <b>Policy Related to Complaint:</b> Alleged Complaint: Performance of Duty  <b>Complainant:</b> Howard Hawkins  <b>Officer:</b> Officer Manuel Massa  <b>Internal Affairs Disposition:</b> No Policy Violation  <b>Discipline:</b> None  <b>Investigator:</b> Sergeant Dan Losapio</p>	<p>Approved.             (See video @ 6:08 p.m.)</p>
6.	<p><b>Case No. Prelim 2020-007</b>  <b>Policy Related to Complaint:</b> Alleged Complaint: Performance of Duty  <b>Complainant:</b> Lorelle Justice  <b>Officer:</b> Officer Ivan Caffroni  <b>Internal Affairs Disposition/Finding:</b> No Policy Violation  <b>Discipline:</b> None  <b>Investigator:</b> Sergeant Dan Losapio</p>	<p>Approved.             (See video @ 6:11 p.m.)</p>
7.	<p><b>Case No. Prelim 2020-008</b>  <b>Policy Related to Complaint:</b> Alleged Complaint: Standard of Conduct  <b>Complainant:</b> Jeremy Berman  <b>Officers:</b> N/A  <b>Internal Affairs Disposition:</b> No Policy Violation  <b>Discipline:</b> None  <b>Investigator:</b> Lieutenant Brian O'Reilly</p>	<p>Approved.             (See video @ 6:02 p.m.)</p>
8.	<p><b>Case No. Prelim 2020-009</b>  <b>Policy Related to Complaint:</b> Alleged Complaint: Harassment  <b>Complainant:</b> David Williams  <b>Officers:</b> Officer Jimmy Hernandez                              Officer Yanny Morales  <b>Internal Affairs Disposition:</b> Judicial  <b>Discipline:</b> None  <b>Investigator:</b> Sergeant Dan Losapio</p>	<p>Approved.             (See video @ 6:02 p.m.)</p>

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<b>CONSENT AGENDA (CONTINUED)</b>		
9.	<p><b>Case No. Prelim 2020-010</b>  <b>Policy Related to Complaint:</b>                      Alleged Complaint: Improper Driving  <b>Complainant:</b> Devin Hotsko  <b>Officers:</b> Undetermined  <b>Internal Affairs Disposition:</b> No Policy Violation  <b>Discipline:</b> None  <b>Investigator:</b> Sergeant Daniel Morency</p>	<p>Approved.                       (See video @ 6:11 p.m.)</p>
10.	<p><b>Case No. Prelim 2020-011</b>  <b>Policy Related to Complaint:</b>                      Alleged Complaint: Performance of Duty  <b>Complainant:</b> Rosalee Wilson  <b>Officers:</b>                      Officer Joshua Kuhl                      Officer Anthony Townsend                      Officer Luke Walsh  <b>Internal Affairs Disposition:</b> No Policy Violation  <b>Discipline:</b> None  <b>Investigator:</b> Sergeant Daniel Morency</p>	<p>Approved.                       (See video @ 6:02 p.m.)</p>
11.	<p><b>Case No. Prelim 2020-012</b>  <b>Policy Related to Complaint:</b> Alleged Complaint: Performance of Duty  <b>Complainant:</b> Latoya Gilmore  <b>Officer:</b> Officer Bensly Melidor  <b>Internal Affairs Disposition:</b> No Policy Violation  <b>Discipline:</b> None  <b>Investigator:</b> Sergeant Dan Losapio</p>	<p>Approved.                       (See video @ 6:02 p.m.)</p>

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<b>CONSENT AGENDA (CONTINUED)</b>		
12.	<p><b>Case No. Prelim 2020-013</b></p> <p><b>Policy Related to Complaint:</b> Alleged Complaint: Performance of Duty</p> <p><b>Complainant:</b> Rodney White</p> <p><b>Officers:</b> Officer Michael Luna Officer Ryan Beiner</p> <p><b>Internal Affairs Disposition:</b> No Policy Violation</p> <p><b>Discipline:</b> None</p> <p><b>Investigator:</b> Sergeant Daniel Morency</p>	<p>Approved.</p> <p>(See video @ 6:02 p.m.)</p>
13.	<p><b>Case No. Prelim 2020-014</b></p> <p><b>Policy Related to Complaint:</b> Alleged Complaint: Harassment</p> <p><b>Complainant:</b> Shaquita Hutto</p> <p><b>Officers:</b> Officer David Gaide Officer Matthew Sellers, Jr. Officer Jari Sanders Officer James Moschella Officer Miguel Hernandez Officer Zachary Ross Officer Brandon Birch Lieutenant Nichole Green Deputy Chief Randall Pepitone</p> <p><b>Internal Affairs Disposition:</b> No Policy Violation</p> <p><b>Discipline:</b> None</p> <p><b>Investigator:</b> Sergeant Dan Losapio</p>	<p>Approved.</p> <p>(See video @ 6:02 p.m.)</p>
14.	<p><b>Case No. Prelim 2020-018</b></p> <p><b>Policy Related to Complaint:</b> Alleged Complaint: Not Abiding by the Law</p> <p><b>Complainant:</b> Warren Williams</p> <p><b>Officer:</b> Unknown</p> <p><b>Internal Affairs Disposition:</b> Insufficient Evidence to Investigate</p> <p><b>Discipline:</b> None</p> <p><b>Investigator:</b> Lieutenant Brian O'Reilly</p>	<p>Approved.</p> <p>(See video @ 6:02 p.m.)</p>

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<b>MANDATORY REVIEW BY BOARD</b>		
15.	<p><b>Case No. Admin 2019-001*</b>  <b>*Continued Case from the March 10, 2020 Meeting; Voted for Full Review on September 10, 2019</b></p> <p><b>Policies Related to Complaint:</b>            (a.) 9.1 General Rules of Conduct Section VI Police/Community Relations (E): Overreacting            (b.) 9.1 General Rules of Conduct Section II (A) (21): Conduct Toward the Public</p> <p><b>Complainant:</b> Blanca Briones</p> <p><b>Officers:</b> Officer Jimmy Hernandez            (a.)(b.)</p> <p><b>Internal Affairs Disposition:</b>            (a.) Exonerated            (b.) Unfounded</p> <p><b>Discipline:</b> (a.) None (b.) None</p> <p><b>Investigator:</b> Lieutenant Brian O'Reilly</p>	<p><b>MOTION:</b> A recommendation to the Chief of Police to modify or amend the Internal Affairs Disposition that Officer Jimmy Hernandez receive;            Other: Retraining on effective communication with civilians.</p> <p>Approved.            (See video @ 6:13 p.m.)</p>

<b>NON-MANDATORY REVIEW BY BOARD</b>		
16.	<p><b>Case No. Admin 2019-022</b></p> <p><b>Policies Related to Complaint:</b>            (a.) 9.1 General Rules of Conduct Section II (8) Performance of Duty            (b.) 25.3 Mobile Video/Audio Recording Equipment Section IV (A)</p> <p><b>Complainant:</b> Joseph Barros            Sergeant Dan Losapio</p> <p><b>Officers:</b> Officer John Kuhl</p> <p><b>Internal Affairs Disposition:</b>            (a.) Sustained            (b.) Sustained</p> <p><b>Discipline:</b>            (a.) Counseling            (b.) Counseling</p> <p><b>Investigator:</b> Sergeant Dan Losapio</p>	<p>Approved.            (See video @ 6:36 p.m.)</p>

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<b>NON-MANDATORY REVIEW BY BOARD (Continued)</b>		
17.	<p><b>Case No. Admin 2019-023</b></p> <p><b>Policies Related to Complaint:</b></p> <p>(a.) 9.1 General Rules of Conduct Section VI (L) Harassment</p> <p>(b.) 9.1 General Rules of Conduct Section II (21) Conduct Toward the Public</p> <p><b>Complainant:</b> Daniel Perez</p> <p><b>Officer:</b> Officer Martin Davila</p> <p><b>Internal Affairs Disposition:</b></p> <p>(a.) Unfounded</p> <p>(b.) Exonerated</p> <p><b>Discipline:</b></p> <p>(a.) None</p> <p>(b.) None</p> <p><b>Investigator:</b> Sergeant Dan Losapio</p>	<p>Approved.</p> <p>(See video @ 6:38 p.m.)</p>
18.	<p><b>Case No. Admin 2019-024</b></p> <p><b>Policies Related to Complaint:</b> 25.2 Police Vehicle Management &amp; Assignments Section II Proper Use and Care (A1)</p> <p><b>Complainant:</b> David Cunningham</p> <p><b>Officers:</b> Sergeant Albert Antonini</p> <p><b>Internal Affairs Disposition:</b> Not Sustained</p> <p><b>Discipline:</b> None</p> <p><b>Investigator:</b> Lieutenant Brian O'Reilly</p>	<p>Approved.</p> <p>(See video @ 6:42 p.m.)</p>
19.	<p><b>Case No. Admin 2019-026</b></p> <p><b>Policies Related to Complaint:</b> 9.1 General Rules of Conduct Section II (21) Conduct Toward the Public</p> <p><b>Complainant:</b> Lauran VanMeter</p> <p><b>Officer:</b> Officer Kendall Schaefer</p> <p><b>Internal Affairs Disposition:</b> Not Sustained</p> <p><b>Discipline:</b> None</p> <p><b>Investigator:</b> Captain Joshua Steinman</p>	<p>Approved.</p> <p>(See video @ 6:45 p.m.)</p>

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<b>NON-MANDATORY REVIEW BY BOARD (Continued)</b>		
20.	<p><b>Case No. Admin 2019-027</b></p> <p><b>Policies Related to Complaint:</b></p> <p>(a.) 24.2 Bias Based Policing/Discriminatory Profiling Section I (A) Bias-Based/Racial Profiling</p> <p>(b.) 25.3 Mobile Video/Audio Recording Equipment Section IV (A) Body Worn MVR Operating Procedures</p> <p><b>Complainant:</b> Marc Alan Wright</p> <p><b>Officer:</b> Officer William Schettino</p> <p><b>Internal Affairs Disposition:</b></p> <p>(a.) Unfounded</p> <p>(b.) Sustained</p> <p><b>Discipline:</b></p> <p>(a.) None</p> <p>(b.) Retraining</p> <p><b>Investigator:</b> Sergeant Dan Losapio</p>	<p>Approved.</p> <p>(See video @ 6:48 p.m.)</p>
21.	<p><b>Case No. Admin 2019-029</b></p> <p><b>Policies Related to Complaint:</b></p> <p>(a.) 9.1 General Rules of Conduct Section II (A) (21): Conduct Toward the Public</p> <p>(b.) 25.3 Mobile Video/Audio Recording Equipment Section IV Body Worn MVR Operating Procedures</p> <p><b>Complainant:</b> Stephanie Jukes</p> <p><b>Officers:</b> Officer Laura Marchena</p> <p><b>Internal Affairs Disposition:</b></p> <p>(a.) Sustained</p> <p>(b.) Exonerated</p> <p><b>Discipline:</b></p> <p>(a.) Counseling</p> <p>(b.) None</p> <p><b>Investigator:</b> Lieutenant Brian O'Reilly</p>	<p>Approved to hear a full review of the case.</p> <p>(See video @ 7:01 p.m.)</p>

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<b>NON-MANDATORY REVIEW BY BOARD (CONTINUED)</b>		
22.	<p><b>Case No. Admin 2019-030</b></p> <p><b>Policies Related to Complaint:</b>                      (a.)9.1 General Rules of Conduct Section VI (E): Overreacting                      (b.)9.1 General Rules of Conduct Section II (A) (23): Department Credentials</p> <p><b>Complainant:</b> Sean Ambrioso  <b>Officer:</b> Officer Kendall Schaefer</p> <p><b>Internal Affairs Disposition:</b>                      (a.) Exonerated                      (b.) Sustained</p> <p><b>Discipline:</b>                      (a.) None                      (b.) Counseling</p> <p><b>Investigator:</b> Captain Joshua Steinman</p>	<p>Approved to hear a full review of the case.</p> <p>(See video @ 7:04 p.m.)</p>
<b>OTHER BUSINESS</b>		
	<ul style="list-style-type: none"> <li>Recording Specialist White stated that nominations and voting for the position of Chair and Vice Chair will take place at the beginning of the next meeting on August 11, 2020.</li> </ul>	(See video @ 7:18 p.m.)
23.	Announce next meeting will be held on August 11, 2020.	A motion was not made. See video @ 7:19 p.m.)

**Adjourned: 7:20 p.m.**

If a person decides to appeal any decision made by the Citizens Police Review Board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, 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.