



**CITY OF FORT MYERS
CITIZENS POLICE REVIEW BOARD
SEPTEMBER 17, 2020
5:30 PM**

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

AGENDA

*Danielle L.
O'Halloran.
Chair*

*Shawn T. Walker
Vice Chair*

Michele Parker

Forrest H. Banks

Erma Boyd-Dorsey

Robert Votaw, Jr.

Vacant

Vacant

Vacant

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC INPUT (Three (3) minute time limit)

OLD BUSINESS - None

NEW BUSINESS/PRESENTATIONS

1. Role and responsibilities for the FMPD Office of Inspector General (OIG)
Donald Oswald, Inspector General
2. Minutes of Citizen's Police Review Board held on August 11, 2020

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)

3. **Case No.:** Prelim 2020-015
Policy Related to Complaint: Alleged Complaint: Harassment
Complainant: Gervaris Leaphart
Officer: Officer Miguel Hernandez
Chief of Police Disposition: Insufficient Evidence to Investigate
Discipline: None
Investigator: Lieutenant Jesus Ramos
4. **Case No.:** Prelim 2020-019
Policy Related to Complaint: Alleged Complaint: Performance of Duty
Complainant: Shakelia Jones
Officer: Officer Kendall Schaefer
Chief of Police Disposition: No Policy violation
Discipline: None
Investigator: Sergeant Daniel Morency

Citizens Police Review Board

September 17, 2020

2 | Page

5. **Case No.:** Prelim 2020-024
Policy Related to Complaint: Alleged Complaint: General Conduct on Duty
Complainant: Dora Redmon
Officers: Sergeant David Conticelli
Officer Callen Walsh
Chief of Police Disposition: No Policy Violation
Discipline: None
Investigator: Lieutenant Jesus Ramos

6. **Case No.:** Prelim 2020-025
Policy Related to Complaint: Alleged Complaint: Harassment
Complainant: Dora Redmon
Officer: Officer Miguel Hernandez
Chief of Police Disposition: No Policy Violation
Discipline: None
Investigator: Lieutenant Jesus Ramos

7. **Case No.:** Prelim 2020-026
Policy Related to Complaint: Alleged Complaint: Harassment
Complainant: Detrice Duncan
Officer: Officer Miguel Hernandez
Chief of Police Disposition: No Policy Violation
Discipline: None
Investigator: Sergeant Dan Losapio

8. **Case No.:** Prelim 2020-031
Policy Related to Complaint: Alleged Complaint: Harassment
Complainant: Doris Henry
Officers: Officer Andrew Barlow
Officer Frederick Hink
Chief of Police Disposition: No Policy Violation
Discipline: None
Investigator: Sergeant Daniel Morency

9. **Case No.:** Prelim 2020-033
Policy Related to Complaint: Alleged Complaint: Standard of Conduct
Complainant: Councilperson Teresa Watkins Brown
Officer: Officer Edgar Nieves
Chief of Police Disposition: No Policy Violation
Discipline: None
Investigator: Sergeant Daniel Morency

10. **Case No.:** Prelim 2020-036
Policy Related to Complaint: Alleged Complaint: Rudeness
Complainant: Jacquelin Franklin
Officer: Unknown
Chief of Police Disposition: Insufficient Evidence to Investigate
Discipline: None
Investigator: Sergeant Dan Losapio

11. **Case No.:** Prelim 2020-037
Policy Related to Complaint: Alleged Complaint: Citation/Notice to Appear
Complainant: Gideon Amofa
Officer: N/A
Chief of Police Disposition: No Policy Violation
Discipline: None
Investigator: Lieutenant Brian O'Reilly

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)*

12. **Case No.:** *IA 2019-004
Officer: Officer Tori Johnson
Investigator: Lieutenant Brian O'Reilly
- (a) **Complainant:** Ian Mann, Esq.
Policy Related to Complaint: General Order 9.1 General Rules of Conduct Section II General Rules of Conduct (A) (37) Untruthfulness in an official proceeding (perjury)
Chief of Police Disposition: Not Sustained
Discipline: N/A
- (b) **Complainant:** Chief Derrick Diggs
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
- (c) **Complainant:** Lieutenant Brian O'Reilly
Policy Related to Complaint: General Order 25.3 Mobile Video/Audio Recording Equipment Section IV (A)
Chief of Police Disposition: Sustained
Discipline: Counseling/Policy Review
13. **Case No.:** *Admin 2019-030
Officer: Officer Kendall Schaefer
Investigator: Captain Joshua Steinman
Complainant: Sean Ambrioso
- (a) **Policy Related to Complaint:** 9.1 General Rules of Conduct Section VI (E): Overreacting
Chief of Police Disposition: Exonerated
Discipline: None
- (b) **Policy Related to Complaint:** 9.1 General Rules of Conduct Section II (A) (23): Department Credentials
Chief of Police Disposition: Sustained
Discipline: Counseling

NON-MANDATORY REVIEW BY BOARD

14. **Case No.:** Admin 2019-031
Officer: Officer Joseph Vidal
Investigator: Sergeant Dan Losapio
- (a) **Complainant:** Carrie Poulin
Policy Related to Complaint: 9.1 General Rules of Conduct Section II (A) (9) Standard of Conduct
Chief of Police Disposition: Sustained
Discipline: Counseling/Policy Review

- (b) **Complainant:** Sergeant Dan Losapio
Policy Related to Complaint: 25.3 Mobil Video/Audio Recording Equipment Section IV (A) Body-Worn MVR Operating Procedures
Chief of Police Disposition: Sustained
Discipline: Counseling

- 15. **Case No.:** Admin 2019-033
Officer: Officer Kyle Martins
Investigator: Lieutenant Brian O'Reilly
Complainant: Dietrich Boston
 - (a) **Policy Related to Complaint:** 9.1 General Rules of Conduct Section II (A) (21) Conduct Toward the Public
Chief of Police Disposition: Exonerated
Discipline: None
 - (b) **Policy Related to Complaint:** 9.1 General Rules of Conduct Section VI Police/Community Relations: Overreacting (E)
Chief of Police Disposition: Sustained
Discipline: Counseling

- 16. **Case No.:** Admin 2019-038
Officer: Officer Luckenson Remy
Investigator: Captain Joshua Steinman
Complainant: James Carroll
 - (a) **Policy Related to Complaint:** 9.1 General Rules of Conduct Section II (A) (23) Department Credentials
Chief of Police Disposition: Sustained
Discipline: Policy Review
 - (b) **Policy Related to Complaint:** 9.1 General Rules of Conduct Section II (A) (2) Obedience to laws, rules, ordinances, and department directives As Related to F.S.S. 316.123 (2) (a)
Chief of Police Disposition: Sustained
Discipline: Counseling

- 17. **Case No.:** Admin 2019-039
Complainant: Jessica Collins
Officer: Office Brett Rice
Chief of Police Disposition: Sustained
Discipline: Counseling
Investigator: Captain Joshua Steinman
Policy Related to Complaint: 24.5 Traffic Crash Investigation Section IV (B) (1): Crash scene information collection

- 18. **Case No.:** Admin 2019-040
Investigator: Captain Joshua Steinman
 - (a) **Complainant:** Dora Redmon
Officer: Officer Robin Vazquez
 - (1) **Policy Related to Complaint:** 20.9 Preliminary Investigations Section I (C)
Chief of Police Disposition: Exonerated
Discipline: None
 - (2) **Policy Related to Complaint:** 25.3 Mobil Video/Audio Recording Equipment Section IV (A) Body-Worn MVR Operating Procedures
Chief of Police Disposition: Sustained
Discipline: Counseling/Policy Review

- (b) **Complainant:** Captain Joshua Steinman
Officer: Officer Edgar Nieves
Policy Related to Complaint: 25.1 Police Vehicle Operation & Pursuits Section II (C):
Emergency Response Operation
Chief of Police Disposition: Sustained
Discipline: Policy Review

OTHER BUSINESS

NEXT MEETING ANNOUNCEMENT – The next meeting will be held on October 13, 2020

ADJOURNMENT

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.