

**MINUTES  
CITY OF FORT MYERS  
CITIZENS POLICE REVIEW BOARD  
FEBRUARY 9, 2021**

The Citizens Police Review Board of the City of Fort Myers, Florida, met in regular session at Oscar M. Corbin, Jr. City Hall, 2200 Second Street, its regular meeting place in Fort Myers, Florida, on Tuesday, February 9, 2021, at 4:30 p.m. Present were Danielle L. O'Halloran, Chair, presiding; Erma Boyd-Dorsey; Forrest H. Banks; Robert W. Votaw, Jr.; Steven Brown-Cestero, Amanda L. Dennis; and Nzingha Gaines, Board Members. Also present were Grant W. Alley, City Attorney, Gwen Carlisle, City Clerk and Lily Baker, Recording Specialist. Absent: Shawn T. Walker, Vice Chair, Board Member

**PLEDGE OF ALLEGIANCE**

Chair O'Halloran led the Pledge of Allegiance to the Flag of the United States of America.

**OATH OF OFFICE**

1. Erma Boyd-Dorsey, Ward 2 reappointment (Gwen Carlisle, City Clerk)

Gwen Carlisle, City Clerk, administered the Oath of Office for Erma Boyd-Dorsey, Ward 2 reappointment to the Citizens Police Review Board.

2. Forrest H. Banks, At-large reappointment (Gwen Carlisle, City Clerk)

Gwen Carlisle, City Clerk, administered the Oath of Office for Forrest H. Banks, At-large reappointment to the Citizens Police Review Board.

**ROLL CALL**

Roll call was taken by Lily Baker, Recording Specialist.

**PUBLIC INPUT** – None

**OLD BUSINESS**

3. Discussion of the Citizens Police Review Board Annual Report that will be presented to City Council (Chair O'Halloran)

Chair O'Halloran explained that the purpose of this item is to discuss the annual report that will be presented to City Council in a public forum, as well as discuss recommendations or revisions to policy and procedures to the Fort Myers Police Department. She opened up the floor for discussion amongst the Board Members to present any recommendations or suggestions. Discussion ensued regarding a draft spreadsheet to include the cases that have come before the Board for 2019-2020 and to commence keeping a running tally of this spreadsheet moving forward to distribute to the Board Members on a quarterly basis that will include: the name of the officer; how many cases they have been involved in that have come before the Board; the alleged policy violation and disposition.

***MOTION: Board Member Banks moved to direct the City Clerk's Office to compile a draft spreadsheet to include the cases that have come before the Board for 2019-2020 and to commence keeping a running tally of this spreadsheet moving forward to distribute to the Board Members on a quarterly basis that will include: the name of the officer; how many cases they have been involved in that have come before the***

**Board; the alleged policy violation and disposition; seconded by Board Member Votaw.**

**A roll call vote was taken as follows:**

**Boyd-Dorsey – Aye**

**Gaines – Aye**

**Votaw – Aye**

**Brown – Aye**

**Banks – Aye**

**Dennis – Aye**

**Parker – Aye**

**O’Halloran – Aye**

**Motion carried unanimously.**

**MOTION: Board Member Brown moved to have the Citizens Police Review Board Annual Report to include the following: the number of cases heard for 2019-2020, board member vacancies that exist on the Board, inquire on any issues that the Council would like the Board to focus on; compliment the funding of the Inspector General position and praise his monthly presence at each meeting, a spreadsheet with the cases that have been heard, statistics on the Boards recommendation regarding the Police Chief’s disposition; the number of cases requested to be a full review; seconded by Board Member Boyd-Dorsey.**

**A roll call vote was taken as follows:**

**Boyd-Dorsey – Aye**

**Gaines – Aye**

**Votaw – Aye**

**Brown – Aye**

**Banks – Aye**

**Dennis – Aye**

**Parker – Aye**

**O’Halloran – Aye**

**Motion carried unanimously.**

4. Recommendation regarding the Board Report (Grant Alley, City Attorney and Gwen Carlisle, City Clerk)

City Attorney Alley stated that pursuant to City Code, Chapter 2, Article III, Division 3.5, Sec 2-128 Board Policies and Procedures for Cases, following the review process, the board shall submit a written report to the Mayor, City Council, City Manager and Chief of Police. Said written report may contain any or all of the following: (1) A recommendation for approval (2) A recommendation for disapproval (3) A recommendation for modification or amendment (4) A recommendation for additional information, additional investigation, or re-investigation in accordance with Law Enforcement Bill of Rights, Chapter 112, Florida Statutes. The report shall state with specificity the grounds for such recommendation. The report shall be signed by the Chair and be reflective of the majority of the board; written dissenting opinions/recommendations shall be signed and forwarded with the majority report.

City Clerk Carlisle made a recommendation of a report that will resemble a set of minutes with the actions taken and a verbatim for the fact of findings on the cases wherein the Board did not agree with the Police Chief's recommendation; cases pulled from consent or cases that a full review was requested. The report will be submitted to the Chair for signature and provided to the Board at the following meeting for their review.

***MOTION: Board Member Brown moved to approve the City Clerk's recommendation regarding the Board Report process: a report that will resemble a set of minutes with the actions taken and a verbatim for the fact of findings on the cases wherein the Board did not agree with the Police Chief's recommendation; cases pulled from consent or cases that a full review was requested, the report will be submitted to the Chair for signature and provided to the Board at the following meeting for their review; seconded by Chair O'Halloran.***

***A roll call vote was taken as follows:***

***Boyd-Dorsey – Aye***

***Gaines – Aye***

***Votaw – Aye***

***Brown – Aye***

***Banks – Aye***

***Dennis – Aye***

***Parker – Aye***

***O'Halloran – Aye***

***Motion carried unanimously.***

#### **NEW BUSINESS/PRESENTATIONS**

5. Minutes of Citizens Police Review Board held on January 12, 2021

***MOTION: It was moved by Board Member Boyd-Dorsey and seconded by Board Member Brown to approve the minutes of the meeting held on January 12, 2021.***

***A roll call vote was taken as follows:***

***Boyd-Dorsey – Aye***

***Gaines – Aye***

***Votaw – Aye***

***Brown – Aye***

***Banks – Aye***

***Dennis – Aye***

***Parker – Aye***

***O'Halloran – Aye***

***Motion carried unanimously.***

#### **CONSENT AGENDA**

6. **Case No.:** Prelim 2020-064

**Investigator:** Sergeant Daniel Morency

**Complainant:** Chad Svoboda

- (a) **Officer:** Officer Robin Vazquez  
**Policy Related to Complaint:** Alleged Complaint:  
Performance of Duty  
**Chief of Police Disposition:** No Policy Violation  
**Discipline:** None

7. **Case No.:** Prelim 2020-068  
**Investigator:** Lieutenant Jesus Ramos  
**Complainant:** Jenese Williams

- (a) **Officer:** Officer Robin Vazquez  
**Policy Related to Complaint:** Alleged Complaint:  
Harassment  
**Chief of Police Disposition:** No Policy Violation  
**Discipline:** None
- (b) **Officer:** Officer Ryan Amador  
**Policy Related to Complaint:** Alleged Complaint:  
Harassment  
**Chief of Police Disposition:** No Policy Violation  
**Discipline:** None
- (c) **Officer:** Officer Harrison Williams  
**Policy Related to Complaint:** Alleged Complaint:  
Harassment  
**Chief of Police Disposition:** No Policy Violation  
**Discipline:** None
- (d) **Officer:** Officer Gregory Reddington  
**Policy Related to Complaint:** Alleged Complaint:  
Harassment  
**Chief of Police Disposition:** No Policy Violation  
**Discipline:** None

8. **Case No.:** Prelim 2020-072  
**Investigator:** Sergeant Daniel Morency  
**Complainant:** Terrance Clay

- (a) **Officer:** Officer Martin Davila  
**Policy Related to Complaint:** Alleged Complaint:  
Performance of Duty  
**Chief of Police Disposition:** No Policy Violation  
**Discipline:** None

9. **Case No.:** Prelim 2020-074  
**Investigator:** Sergeant Daniel Morency  
**Complainant:** Gary Fulkner

- (a) **Officer:** unknown  
**Policy Related to Complaint:** Alleged Complaint:  
Performance of Duty

**Chief of Police Disposition:** Insufficient Evidence to Investigate

**Discipline:** None

10. **Case No.:** Prelim 2020-075

**Investigator:** Lieutenant Jesus Ramos

**Complainant:** Jhshod Thornton

(a) **Officer:** Detective Miguel Hernandez

**Policy Related to Complaint:** Alleged Complaint: Harassment

**Chief of Police Disposition:** No Policy Violation

**Discipline:** None

11. **Case No.:** Prelim 2020-076

**Investigator:** Lieutenant Jesus Ramos

**Complainant:** Takiyah Perez / Darrell Niles

(a) **Officer:** Detective Miguel Hernandez

**Policy Related to Complaint:** Alleged Complaint: Performance of Duty

**Chief of Police Disposition:** No Policy Violation

**Discipline:** None

***MOTION: Chair O'Halloran moved to remove Item 6, Case No. Prelim 2020-064 from the consent agenda; seconded by Board Member Dennis.***

***A roll call vote was taken as follows:***

***Boyd-Dorsey – Aye***

***Gaines – Aye***

***Votaw – Nay***

***Brown – Nay***

***Banks – Aye***

***Dennis – Aye***

***Parker – Nay***

***O'Halloran – Aye***

***Motion carried: 5-3. Board Members Votaw, Brown and Parker opposed.***

***MOTION: It was moved by Board Member Votaw and seconded by Board Member Banks to approve the remainder of the Consent Agenda with the removal of Item 6., Case No. Prelim 2020-064.***

***A roll call vote was taken as follows:***

***Boyd-Dorsey – Aye***

***Gaines – Aye***

***Votaw – Aye***

***Brown – Aye***

***Banks – Aye***

**Dennis** – Aye

**Parker** – Aye

**O’Halloran** – Aye

**Motion was unanimously carried.**

**PULLED FROM CONSENT**

6. **Case No.:** Prelim 2020-064

**Investigator:** Sergeant Daniel Morency

**Complainant:** Chad Svoboda

(a) **Officer:** Officer Robin Vazquez

**Policy Related to Complaint:** Alleged Complaint:  
Performance of Duty

**Chief of Police Disposition:** No Policy Violation

**Discipline:** None

Sergeant Daniel Losapio, on behalf of Sergeant Daniel Morency, stated that he would answer any questions the Board may have on this case.

Chair O’Halloran stated that it appeared the complainant originally made a complaint about three different incidences; one that occurred in May and two in August. She noted that only one of the incidences were sufficiently addressed and no further information on the other two allegations. Sergeant Losapio responded that the first allegation on assault was disproved with bodycam footage and the other two allegations are pending administrative investigations and not before the Board yet.

**Board Member Gaines left the meeting at 5:35 p.m.**

**MOTION: Board Member Banks moved to accept the findings of the police department for Case No. Prelim 2020-64; seconded by Board Member Boyd-Dorsey.**

**A roll call vote was taken as follows:**

**Boyd-Dorsey** – Aye

**Gaines** – Not present for the vote.

**Votaw** – Aye

**Brown** – Aye

**Banks** – Aye

**Dennis** – Aye

**Parker** – Aye

**O’Halloran** – Aye

**Motion was unanimously carried.**

**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** (NONE)

**OTHER BUSINESS**

**NEXT MEETING ANNOUNCEMENT**

Chair O'Halloran stated that the next meeting will be held on March 9, 2021 at 5:30 p.m.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 5:39 p.m.