

CITIZENS LAW ENFORCEMENT ADVISORY BOARD MEETING

May 6, 2015

MINUTES

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PERSONS WITH A DISABILITY, SUCH AS A VISION, HEARING OR SPEECH IMPAIRMENT, OR PERSONS NEEDING OTHER TYPES OF ASSISTANCE, AND WHO WISH TO ATTEND CITY COMMISSION MEETINGS OR ANY OTHER BOARD OR COMMITTEE MEETING MAY CONTACT THE CITY CLERK IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES.

Call to Order: by Kevin Tilley

Time: 7:10 PM

Roll call:

- | | | | |
|---|--|---|--|
| <input checked="" type="checkbox"/> Jeremy Buckmaster | <input type="checkbox"/> Matthew Pittman | <input checked="" type="checkbox"/> Ed Shumaker | <input checked="" type="checkbox"/> Kevin Tilley |
| <input checked="" type="checkbox"/> Chief Osterkamp | <input checked="" type="checkbox"/> Cpt. Godfrey | <input type="checkbox"/> Cpt. Crimins | |
| <input checked="" type="checkbox"/> Rec. Sec. Beatty | | | |

Visitors: Carol McDowell, SR 15-004

Approval of Minutes: November 12, 2014

Motion: Jeremy Buckmaster

Seconded: Ed Shumaker

Approved: Yes

File Review:

Review of Files:

Pending:

IA # 14-005; 006; 15-001; 002

PSI# 15-002; 003

SR# 15-002; 003; 004; 007; 008

UF# 15-001; 002; 003; 004; 005; 006; 007; 008; 009; 010; 011; 012; 013; 014; 015; 016

VP# NONE

SECTION 1: PENDING FILES

IA 14-005 - Has not been finalized yet and will have to be reviewed at a later meeting.

SECTION 2: INTERNAL AFFAIRS INVESTIGATIONS

IA 14-005 On three separate occasions the Explorer Advisor was found to be neglectful in reporting incidents that happened within the Explorer program. Allegations regarding these incidents were sustained. The Officer/Advisor was suspended for a period of 3 days (36 hours)

IA 14-006 An officer was alleged to have mishandled evidence in his possession and was untruthful during an official inquiry. Findings were sustained and the officer resigned before investigation was finished.

IA 15-001 A Corporal/Advisor of the Explorers was found to have failed to investigate fully the incidents as reported in IA 14-005. As a Corporal/Supervisor it was his responsibility to oversee the reported allegations and further investigate. These allegations were sustained. In a fourth incident it was alleged that he was not truthful with his Sergeant regarding these allegations. This was not sustained. The Corporal was demoted to Patrol Officer. J Buckmaster inquired about the severity of one of the incidents involved in IA 14-005 (photos) and was advised by Chief Osterkamp that the photos were not at the level of criminal offense.

IA 15-002 A Traffic Unit Officer reportedly used a non-calibrated speedometer and a non-calibrated radar speed measuring device to stop motorists and issue citations. He also documented his equipment was properly calibrated and went to court knowing it was not. He agreed to pre-hearing arrangements with attorneys without telling them of the status of his equipment. All allegations were sustained and the Officer was suspended for two weeks and taken out of the Traffic Unit and returned to Patrol Division. Stationary stops were OK and Moving stops were invalid. Letter was sent to the courts.

SECTION 3: PROFESSIONAL STANDARDS INQUIRY

PSI 15-002 A citizen reported that a firearm was improperly shown by one of our Police Chaplains during a conversation they were having. The citizen pressed charges. The Chaplain was removed from his duties until the investigation was done. The Chaplain resigned and moved away. Criminal

charges have not been resolved. Our inquiry was closed and the citizen was sent a letter telling him of the situation.

PSI 15-003 A citizen alleged that she was taken into custody under the Baker Act where she was claiming to be the victim. She also complained that the Officer transporting her was texting and typing on his computer while driving. The complaint was made well after the 30 day time limit and was classified as Not Sustained.

SECTION 4: SUPERVISORY INQUIRIES

SR 15-002 An officer handled a three-vehicle crash where the at-fault driver said his brakes failed. He was found at fault however the officer let him drive away from the scene. Within 30 minutes another crash occurred and the same driver had crashed into a brick wall. A different officer investigating the second crash found the driver to be impaired from something and arrested the driver. He reported the incident to his supervisor. Investigation showed the first officer failed to recognize the impairment and allowed him to drive off. Allegations were sustained and the officer received a written reprimand.

SR 15-003 A Baker Acted citizen felt that she was mistreated verbally and physically. She also felt the Department did not properly look into earlier reports of stalking. An investigation had been conducted and further investigation showed that the complainant didn't want to press charges in the stalking issue. Case was unfounded.

SR 15-004 Ms. McDowell was present to hear the discussion with reference to her case. She said her son who was a drug addict and had been clean for a while had gone off the wagon and was out of control and that her other son called PD. Said they tried to explain everything was OK. Both on scene firefighters and officers felt Ms. McDowell was having a panic attack to which Ms. McDowell said she had no intentions of harming herself or anyone else and indicated that the PD was the cause of the attack. She feels she was wrongfully Baker Acted and wanted an apology and wants her dignity back. She referenced her husbands arrest and E. Shumaker requested time to further review reports and that the board would get back to her. Overall original investigation was unfounded

SR 15-007 Citizen complained about her and her husbands treatment reference a traffic citation they received which she felt was because they were handicapped. She felt the Officer was rude but never stated what caused her to believe that. Case was unfounded

SECTION 5: USE OF FORCE

All Use of Force cases were individually reviewed and accepted as justified

SECTION 6: VEHICLE PURSUITS

There were no vehicle pursuits this quarter.

OPEN DISCUSSION:

Chief Osterkamp requested that copies of reports with reference to SR15-004 be pulled for review by the board and then contact be made with Ms. McDowell with the outcome of their decision. (The requested files were pulled and sent to all board members. Contact was made by Board Chairman Kevin Tilley with Ms. McDowell as to their findings. Ms. McDowell requested a transcribed copy of the the board meeting. An audio copy/CD was prepared for Ms. McDowell instead)


NEXT MEETING: Wednesday, August 19, 2015.

National Night Out – August 4, 2015

ADJOURNMENT:

Motion J. Buckmaster Seconded: E. Shumaker Adjourned at: 8:37 PM

MINUTES APPROVED: _____


~~Board Chairman Tilley~~
VICE CHAIRMAN BUCKMASTER

5/6/15
Date