
FORT LAUDERDALE POLICE DEPARTMENT

DATE: April 11, 2019
TO: Rick Maglione / Chief of Police
FROM: Douglas MacDougall / Assistant Chief – Operations Bureau *DM*
SUBJECT: Internal Affairs Case No. 19-001
Police Officer Christopher Gustafsson (CCN 1824)

After careful review of the evidence and testimony in the above captioned investigation, I concur with the findings of Major Victor London that the allegation Officer Christopher Gustafsson violated the following Fort Lauderdale Police Department policies are **sustained**:

118 E 13 (e) "*Unnecessary use of force.*"

118 E 13 (f) "*Failure to file a police report promptly.*"

118 E 13 (g) "*Failure to conduct a complete or proper police investigation.*"

The following Fort Lauderdale Police Department policy is **not sustained**:

118 E 12 (j) "*Conduct prejudicial disruptive to the good order of the Department.*"

It is my recommendation that a five day (40 hours) suspension be issued to Officer Christopher Gustafsson for the aforementioned sustained Department policy violations. It is also my recommendation that Officer Christopher Gustafsson attend an appropriate response to resistance training course.

DM/ne

*Concur
RM
5/6/19*

MAY 7 2019 PM 1:38 IA

FORT LAUDERDALE POLICE DEPARTMENT

DATE: April 8, 2019
TO: Chief Rick Maglione/Office of the Chief
FROM: Major Victor London/Office of Internal Affairs *me 1292*
SUBJECT: Internal Affairs Case No. 19-001
Officer Christopher Gustafsson (1824)

After careful review of the evidence and testimony in the captioned investigation, I have determined the charges against Officer Christopher Gustafsson for violation of Fort Lauderdale Police Department policies are as follows:

118 E 12 (j): "Conduct prejudicial disruptive to the good order of the Department" is Not Sustained;

118 E 13 (f): "Failure to file a police report promptly" is Sustained;

118 E 13 (g): "Failure to conduct a complete or proper police investigation" is Sustained; and,

118 E 15 (e): "Unnecessary use of force" is Sustained.

On January 2, 2019, the Office of Internal Affairs was notified of a video posted on Facebook which depicted Officer Christopher Gustafsson using force against a compliant subject. Various attempts to identify the involved subject and witnesses were unsuccessful. Nevertheless, the Office of Internal Affairs proactively initiated an administrative investigation of Officer Gustafsson's actions.

On January 1, 2019, at approximately 0400 hours, Officer Gustafsson was working a traffic control post in the Downtown Special Entertainment District for the New Year's Eve event. A physical altercation occurred near his post which involved an unidentified black female and an unidentified white female. Officer Gustafsson intervened and forcefully pulled the subjects apart, which caused the white female to fall backwards to the ground. When she stood up, a recruit officer stood in front of her to prevent the fracas from re-starting. The subject held her hands up in a surrender posture while facing the recruit. Officer Gustafsson surmised the subject was a threat due to her close proximity to the recruit, so he forcefully pushed her, which caused her to fall to the ground again. Officer Gustafsson then lifted the subject from the ground while she was holding her hands up in a surrender posture. Without provocation, Officer Gustafsson forcefully pushed the subject from behind which caused her to collide with the person who was video recording the incident. Officer Gustafsson's explanation that the final shove was done to

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Officer Christopher Gustafsson (1824)

induce the subject to leave the area did not justify his use of force against the subject since she was not resisting or posing an immediate threat to anyone.

Officer Gustafsson failed to obtain the involved subjects' and witnesses' identifying information. He did not conduct interviews to establish the primary aggressor in the physical altercation. He did not determine if the incident met the domestic violence criteria, which would have mandated an arrest per policy and state statute. Contrary to policy and without supervisory approval, Officer Gustafsson failed to generate an offense report documenting the subjects' physical altercation and his use of force prior to the end of his shift. Officer Gustafsson did not generate the required report until after he was informed his actions were under investigation by the Office of Internal Affairs on January 2, 2019.

Multiple subjects posted comments on Facebook indicating their disdain for Officer Gustafsson's actions depicted in the video. However, the negative comments ceased when a subject posted a comment that indicated Officer Gustafsson's actions were justified because the subject he pushed was the aggressor in the initial physical altercation. No one responded to our Facebook post requesting information that could help us identify the subjects in the video. The subject Officer Gustafsson pushed did not contact the Office of Internal Affairs, nor did any of the witnesses. The lack of credible testimony from the subject or witnesses prevented the investigation from establishing whether or not Officer Gustafsson's actions caused the Fort Lauderdale Police Department to be viewed negatively.

The details of this investigation were shared with the Broward State Attorney's Office's Special Prosecutions Unit (SPU). Assistant State Attorney-in-Charge Timothy Donnelly declined to review Officer Gustafsson's actions because the unidentified subject failed to file a formal complaint.

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Complainant: Chief of Police Rick Maglione Telephone: 954-828-5700
Address: 1300 West Broward Boulevard, Fort Lauderdale, FL. 33312
Location of Occurrence: 100 block of Southwest 2 Street Fort Lauderdale, FL. 33301
Date of Occurrence: January 1, 2019 Date Reported: January 2, 2019
Personnel: Officer Christopher Gustafsson CCN: 1824 Assignment: OPS/District 3/ Shift 3
Personnel: N/A CCN: N/A Assignment: N/A
Report Number(s): 34-1901-001139 Case Category: 1-Force

Allegation(s):

Officer : Christopher Gustafsson

Alleged violation of Fort Lauderdale Police Department Policy:

1. Policy 118 E 12 (j) "Conduct prejudicial disruptive to the good order of the Department."

Sustained Not Sustained Exonerated Unfounded Policy Failure

2. Policy 118 E 13 (f) "Failure to file a police report promptly."

Sustained Not Sustained Exonerated Unfounded Policy Failure

3. Policy 118 E 13 (g) "Failure to conduct a complete or proper police investigation."

Sustained Not Sustained Exonerated Unfounded Policy Failure

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4. Policy 118 E 15 (e) "Unnecessary use of Force."

Sustained Not Sustained _____ Exonerated _____ Unfounded _____ Policy Failure _____

Luan Malushi 4/5/19
Investigated by:

SERGEANT Luan Malushi (CCN 1568)

Victor London 1292 4-8-19
Reviewed by:

MAJOR Victor London (CCN 1292)

STAFF REVIEW: I concur with the Internal Affairs finding:

Police Chief *R. M. [Signature]* Date 4/11/19

Assistant Chief *[Signature]* Date 4/10/19

I **do not concur** with the Internal Affairs finding. Attached is a separate memo with my recommendation(s)

Date _____

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SUMMARY OF COMPLAINT

On January 2, 2019, the Fort Lauderdale Police Department (FLPD) Office of the Chief was notified of a Facebook video post. The video was posted by the Facebook account user name "Amiesha Monroe". The incident appeared to take place on January 1, 2019, at approximately 0405 hours in the 100 Block of Southwest 2 Street, located in the City of Fort Lauderdale. The video showed an FLPD officer in full uniform intervening in a physical altercation between two unknown subjects. The video captured the FLPD officer using physical force three times against one of the unknown subjects.

FACTS OF THE INVESTIGATION

On December 31, 2018, the City of Fort Lauderdale hosted its annual New Year's Eve event in the Himarshee Business District. The business district spans the entire length of Southwest 2 Street from Andrews Avenue to Southwest 7 Avenue. The event is attended by thousands of spectators with the majority of the festivities taking place amongst the entertainment venues in the area. The FLPD staffs the event with dozens of additional officers for security and traffic control.

The video posted by "Amiesha Monroe" captured the fight on Southwest 2 Street as patrons were leaving the area. The video showed a fight between a white female and black female, and Officer Gustafsson's response. Officer Gustafsson yanked the white female wearing a dark colored shirt and white pants from behind, causing her to fall to the ground. Officer Gustafsson next addressed the other female involved in the fight.

A male in a traffic vest, later identified as FLPD Police Recruit Ciro Sciortino, spoke to the white female after she stood up. The white female had her hands held up in the air as if signaling surrender. Officer Gustafsson walked around Recruit Sciortino and forcefully pushed the white female backwards, causing her to fall down to the ground. Officer Gustafsson walked behind the white female, lifted her to her feet and forcefully pushed her from behind. The white female was pushed into the person who recorded the incident, which caused the recording to abruptly stop. Officer Gustafsson allowed both females to walk away from the incident, and he did not conduct an investigation to determine what criminal offenses may have occurred. He also did not identify any potential victims or witnesses in this incident.

Officer Gustafsson returned to his traffic post and subsequently observed a second disturbance forming on SW 2 Street, just west of South Andrews Avenue. He went back and observed the same white female from the first fight, attempting to fight a different unknown female, but he dispersed the crowd before any crimes were committed. During the second disturbance Officer Gustafsson allowed the white female to leave the area without obtaining her information.

Internal Affairs attempted to locate "Amiesha Monroe" using various searches, but was unsuccessful. The FLPD Public Information Office (PIO) attempted to contact "Amiesha Monroe" via Facebook with negative results. The FLPD PIO also posted a request via Facebook for potential victims or witnesses to contact Internal Affairs about this incident, but no one responded. The subject who was pushed by Officer Gustafsson never contacted Internal Affairs and her identity was never established.

Internal Affairs obtained surveillance video from the Auto Nation building located at 200 Southwest 1 Avenue, and the Broward County building located at 115 South Andrews Avenue. Internal Affairs reviewed the video from the Auto Nation building. The video captured the incident from a distance, but proved to be of no value. Internal Affairs also reviewed the video from the Broward County building.

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Several recorded angles were provided, but the views were obstructed by foliage or too far away to be of any value.

The videos from both the Auto Nation building and the Broward County building captured additional FLPD personnel who responded to the fight with Officer Gustafsson. These officers were identified as Benjamin Leadbetter, Jesus Fernandez, Dwayne Blackwood, and FLPD Academy Cadets Lauren Liptak, Nicholas Herring and Christopher Plante.

On January 2, 2019, Internal Affairs attempted to locate an offense report for this incident using the FLPD Records Management System (RMS), but was unsuccessful. Internal Affairs also reviewed Officer Gustafsson's Broward Sheriff's Office (BSO) Incident Summary Form dated January 1, 2019. The summary form did not show a case number assigned for the use of force incident by Officer Gustafsson for the New Year's Eve event.

On January 2, 2019, Internal Affairs met with Officer Gustafsson and Lieutenant N. Coffin after the midnight shift briefing. Officer Gustafsson was advised of the investigation and was placed on restricted duty. During that meeting Internal Affairs advised Officer Gustafsson to complete any outstanding reports. On January 3, 2019 Internal Affairs located FLPD Offense Report 34-1901-001139, authored by Officer Gustafsson on January 2, 2019 at 21:47 hours. Officer Gustafsson's report did not include any personal information for any victims or witnesses involved in this incident.

Statements

Witness: Police Recruit Ciro Sciortino

On January 15, 2019, a sworn recorded statement was taken from FLPD Police Recruit Ciro Sciortino. Recruit Sciortino stated he was assigned to work a traffic post for the New Year's Eve event at the corner of Southwest 2 Street and Southwest 1 Avenue. He was assigned to Officer Gustafsson while he worked his traffic post. He was wearing dark clothing and a reflective traffic vest during this event.

He was shown the Facebook video post by "Amiesha Monroe". He identified himself and Officer Gustafsson in the recording with the unidentified white female. He stated at the time of the incident he believed the subject was a male.

He observed the subject walk past him eastbound on Southwest 2 Street and engage in a fight with a black female. Officer Gustafsson ran up to the subject, who at the time was fighting with the black female. He observed Officer Gustafsson pull the subject away from the black female, and the subject fell backward onto the ground.

As soon as the subject stood up, Recruit Sciortino stepped in front of the subject to stop the subject from reengaging in the fight. He told the subject to calm down, back up, and the subject complied. He stated the subject's hands were up in the air in a surrender position. The subject did not do or say anything indicating a desire to continue to fight. Recruit Sciortino did not feel the subject was a threat to him.

While he spoke with the subject, Officer Gustafsson stepped around him and pushed the subject to the ground. Officer Gustafsson got behind the subject, lifted the subject from behind and pushed the subject again. The subject did not offer any resistance during each push by Officer Gustafsson. The subject then walked off into the crowd and headed towards Andrews Avenue.

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Recruit Sciortino walked back to his traffic post and observed a crowd start to form on Southwest 2 Street just west of Andrews Avenue. He observed the same subject involved in the first fight attempting to fight unknown individuals. He observed Officers Gustafsson and Jesus Fernandez respond to the second fight, but the fight quickly broke up as the officers arrived. He did not see Officer Gustafsson attempt to obtain any of the involved individuals' information during the first altercation. *This is a summary of the total statement and is not verbatim. Refer to the transcript for details.*

Witness: Police Officer Benjamin Ledbetter

On January 15, 2019, a sworn recorded statement was taken from FLPD Officer Ledbetter. He confirmed on New Year's Eve 2018, he worked a traffic post at Southwest 1 Avenue and Southwest 2 Street. He recalled sometime around 0400 hours he observed Officer Gustafsson and several cadets respond to a disturbance near the Auto Nation parking structure. He stated by the time he arrived in the area the disturbance had broken up, and he did not see anyone fighting while on scene. He spoke with Officer Gustafsson about the incident and learned Officer Gustafsson had disrupted a fight.

Officer Ledbetter saw the Facebook video of this incident prior to coming to Internal Affairs. During his statement he was shown the video and positively identified Officer Gustafsson as the officer involved in this incident. Officer Ledbetter did not respond to the first altercation recorded by "Amiesha Monroe", but responded to the second altercation with Officer Gustafsson. When he arrived he observed several people about to fight, but he and Officer Gustafsson separated the parties without using any force. He did not recall Officer Gustafsson attempting to get any of the involved parties' information in reference to the second disturbance. *This is a summary of the total statement and is not verbatim. Refer to the transcript for details.*

Witness: Police Cadet Lauren Liptak

On January 16, 2019, a sworn recorded statement was taken from FLPD Cadet Lauren Liptak. She stated on New Year's Eve 2018, she was assigned a traffic post at Southwest 1 Ave and Southwest 2 Street. During her shift she was assigned to Officer J. Fernandez. Sometime around 0400 hours she observed a fight on Southwest 2 Street and observed three FLPD officers run over to intervene. She was shown the Facebook screen shot posted by "Amiesha Monroe" of the incident, and she positively identified Officer Gustafsson as the involved officer.

She observed two females fighting and Officer Gustafsson break up the initial fight by pushing one of the females to the ground. She stated shortly thereafter, Officer Gustafsson was standing over the same white female he pushed, but she wasn't sure how the white female ended up on her back. While Officer Gustafsson handled the incident, she went back to her traffic post. *This is a summary of the total statement and is not verbatim. Refer to the transcript for details.*

Witness: Police Cadet Christopher Plante

On January 16, 2019, a sworn recorded statement was taken from FLPD Cadet Christopher Plante. Cadet Plante stated on New Year's Eve 2018 he was assigned a traffic post on Southwest 2 Street and Southwest 1 Avenue and he was assigned to Officer J. Fernandez. He stated sometime around 0400 hours he observed a fight on Southwest 2 Street just east of Southwest 1 Avenue. He stated an officer went over to address the fight and he went with him, but he did not know the officer's name. He was

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shown the Facebook post by "Amiesha Monroe" and he did not know the involved officer or subject by name, but confirmed the officer in the post was one of the officers he responded with.

Cadet Plante stated as he approached the disturbance he observed a subject strike a black female on the head, while standing over her. He observed the officer push the white female subject off of the black female. He stated after the subject stood up from the ground after the first push, he observed the officer push the same subject down again. He stated after the officer broke up the fight, he returned to his traffic post. *This is a summary of the total statement and is not verbatim. Refer to the transcript for details.*

Witness: Police Cadet Nicholas Herring

On January 16, 2019, a sworn recorded statement was taken from FLPD Cadet Nicholas Herring. He stated on New Year's Eve 2018, he was assigned a traffic post at the intersection of Southwest 1 Avenue and Southwest 2 Street. He was assigned to Officer Ledbetter for the event.

Around 0400 hours Cadet Herring observed a group forming on Southwest 2 Street just east of Southwest 1 Avenue. He stated he heard the crowd yelling "fight." He informed one of the officers working the intersection of the fight. Several officers went over to the crowd along with several cadets. He decided to remain behind and monitor the intersection.

Cadet Herring had a clear vantage point of the disturbance. He observed one of the responding officers run up to the people who were fighting and the officer pulled one of them off of the other. He did not know the officer's name. He was shown the Facebook screen shot post by "Amiesha Monroe" from the incident, and he confirmed the officer in the screen shot was the involved officer. He stated after the officer initially pulled the subject off of the other person, he observed the officer push the same subject a second time. After the subject stood up, he saw the officer push the subject a third time.

He stated the subject the officer pushed several times during the fight was at his assigned intersection just before the first fight started. Cadet Herring believed the subject was intoxicated. He had no direct contact with the subject. *This is a summary of the total statement and is not verbatim. Refer to the transcript for details.*

Witness: Police Officer Jesus Fernandez

On January 25, 2019, a sworn recorded statement was taken from FLPD Officer Fernandez. He stated on the night of New Year's Eve 2018, he was assigned a traffic post at Southwest 1 Avenue and Southwest 2 Street. FLPD Cadets Christopher Plante and Lauren Liptak were assigned to work the intersection with him. Near the end of his shift he was alerted to a situation by one of the cadets. He left his post to assist another FLPD officer with a disturbance near the entrance to the Auto Nation parking structure.

When he arrived at the disturbance he observed Officer Gustafsson standing over a white subject. He recalled Officer Gustafsson telling the subject to leave the area. Officer Fernandez stated he walked back to his traffic post, but the crowd formed again. Officer Fernandez stated he went back to the crowd with Officer Gustafsson and dispersed them a second time.

He stated he did not observe Officer Gustafsson attempt to get the subject's information during either incident. He did not recall if Officer Gustafsson obtained a case number or closed out either incident

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with dispatch using the proper close out disposition code. *This is a summary of the total statement and is not verbatim. Refer to the transcript for details.*

Witness: Police Officer Dwayne Blackwood

On January 30, 2019, a sworn recorded statement was taken from Officer Blackwood. Officer Blackwood stated he worked on New Year's Eve 2018, and was assigned a traffic post at the railroad tracks on Southwest 2 Street. Around 0400 hours he observed a crowd form and several officers ran towards the crowd. Officer Blackwood stated an unknown officer alerted personnel of a fight in progress via radio.

Officer Blackwood stated by the time he arrived at the disturbance the crowd had dispersed. He left the area, but later returned because the group formed again. He observed an officer speaking to a female, but he could not recall who the officer was. The crowd again dispersed and he returned to his traffic post. *This is a summary of the total statement and is not verbatim. Refer to the transcript for details.*

Accused: Officer Christopher Gustafsson

On February 13, 2019, a sworn recorded statement was taken from Officer Gustafsson. Officer Gustafsson stated on December 31, 2018, he worked a traffic post assignment for the City New Year's Eve event. He was assigned the intersection of Southwest 1 Avenue and Southwest 2 Street. FLPD Police Recruit Chiro Sciortino was assigned at the intersection with him for the entire shift.

He stated around 0400 hours he observed a fight occurring on Southwest 2 Street in front of the entrance to the Auto Nation parking garage, located in the 100 block of SW 2 Street. Two subjects were grabbing each other's hair. He advised dispatch of the disturbance and walked over to address the fight. He observed a white male; who he later learned was a female, fighting with a black female. The white female was standing, but the black female was in a crouched position. The females pulled on each other's hair, and Officer Gustafsson attempted to get them both to release their grip for about ten seconds. When they both released their grip, he was able to pull the white female away and she fell backwards to the ground.

Prior to the disturbance involving the females, Officer Gustafsson instructed Recruit Sciortino not to get involved in any altercations during their shift. When he saw Recruit Sciortino and the white female standing face-to-face he believed the female was being aggressive with Recruit Sciortino. Officer Gustafsson stepped around Recruit Sciortino with the intention to push the female away from Recruit Sciortino. The white female's hands were raised in a surrender pose, but according to Officer Gustafsson, he didn't really process it. Officer Gustafsson was focused on the subject's shoulders and chest area where he could push her away from Recruit Sciortino. Officer Gustafsson proceeded to forcefully push the white female down to the ground.

"Okay. So, I'm able to separate both parties. I pulled the white female away. She falls down on the ground. I briefly look over at the black female to make sure she's fine. She looks like she's fine. As soon as I turn around, I notice that Cadet Sciortino is stepping in between myself and the female. He's partially blocking my view. So, from my point of view, it looks like their standing face-to-face. Both their hands are up. So, I take that as since he's facing-the white female is facing the direction of the other party involved in the fight, I took it as a sign that there's a potentiality of her trying to re-instigate hostilities. As I've experienced multiple times, working downtown. So, as soon as I saw her

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standing face-to-face with Cadet Sciortino, I made the immediate decision to create as much distance between the two as possible. So, at that point I decided I need to push her away.” (Officer Gustafsson’s statement Pg. 10, lines 192-201)

After the white female fell down on her back; he walked up to her and gave her directions to leave the area eastbound.

“I told her to get out of here. She kind of looked at me and gave me a little smirk. So, she didn’t make any indication that she was planning on getting up. So I pick her up by the arm, to get her up and she sits back down immediately. And then I decided to get her back up again by pulling the back of her shirt up.” (Officer Gustafsson’s statement Page 22, lines 448-451)

Officer Gustafsson continued;

“Because she had basically—I made the decision when I picked her up and she sat back down again, I thought she was playing games with me. So, I decided to pick her up and give her a shove just to encourage her to start walking rather than standing around in the area.” (Officer Gustafsson’s statement Page 23, lines 464-467)

He was confident that the hostilities between the two females had ceased, and the crowd dispersed. He walked back over to his traffic post. Shortly thereafter he observed a crowd on SW 2 Street next to the parking lot of the Township Bar located at 219 South Andrews Avenue. He determined it was the same white female from the first disturbance, but she was attempting to fight a different female. He was able to disperse the second disturbance before it became physical.

He had a brief conversation with the white female. She pointed to a group of people that were following and harassing her. He walked over to address the group, but they got into their cars and left the area. He went back to make contact with the white female, but she had left the area.

Officer Gustafsson admitted he did not obtain any information from the involved parties during the first or second disturbance to document the incident. It was not done due to the volatility of the crowds watching the disturbances. Officer Gustafsson could not explain why the crowd’s actions prevented him from conducting a thorough investigation.

After both incidents concluded, Sergeant M. Ferrer alerted staff via radio to go off duty for the event. Officer Gustafsson admitted he did not ask for a case number for either of the incidents and did not close out either disturbance with a proper disposition code via dispatch. He stated his intention was to document the incident when he got back to his regular duty shift during the week.

The BSO Calls for Service Summary dated January 1, 2019, beginning at 2100 hours was Officer Gustafsson’s first regular duty shift following his New Year’s Eve assignment. During this shift he did not request a case number or complete a report detailing the incident from his New Year’s Eve assignment. When asked why he did not properly document this incident, Officer Gustafsson stated he had “no excuse.” He did not complete a report for this incident until January 2, 2019, after he was notified by Internal Affairs he was being placed on restricted duty. *This is a summary of the total statement and is not verbatim. Refer to the transcript for details.*

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EXHIBITS/EVIDENCE

Facebook Post: Facebook post by user name “Amiesha Monroe” with comments and the FLPD PIO response.

Fort Lauderdale Police Department New Year’s Eve Roster: FLPD Personnel Roster for December 31, 2018.

Broward Sheriff’s Office Incident Summary Form: Calls for service form for Officer Gustafsson dated January 1, 2019.

Fort Lauderdale Offense Report 34-1901-001139: Offense report authored by Officer Christopher Gustafsson dated January 2, 2019, detailing his involvement.

Fort Lauderdale Police Department Memorandum 19-01: Officer Gustafsson restricted duty memorandum dated January 2, 2019.

Fort Lauderdale Police Department Charging Document: Officer Gustafsson Internal Affairs charging document dated February 8, 2019.

Statement Waiver: Email from Officer Gustafsson concerning his accused statement to Internal Affairs dated February 8, 2019.

Fort Lauderdale Police Department Memorandum 19-03-02: Officer Gustafsson reinstatement to full duty memorandum dated March 14, 2019.

Fort Lauderdale Police Department Policies:

- **Policy 118 E 12 (j)** “Conduct prejudicial disruptive to the good order of the Department.”
- **Policy 118 E 13 (f)** “Failure to file a police report promptly.”
- **Policy 118 E 13 (g)** “Failure to conduct a complete or proper police investigation.”
- **Policy 118 E 15 (e)** “Unnecessary use of Force.”

Audio/Video Evidence:

- Facebook video posted by “Amiesha Monroe”
- Surveillance video from The Broward County Building
- Surveillance video from The Auto Nation Building
- Broward County Sheriff’s Office 911 dispatch audio of the incident

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Conclusion

- On January 1, 2019, Officer Gustafsson was recorded on video breaking up a fight between two females. Officer Gustafsson used force against one of the unidentified females on three separate occasions. He did not conduct an investigation to determine what criminal offenses may have occurred.
- Officer Gustafsson did not request a case number via dispatch and he did not gather any information from the involved persons to complete an offense report. He did not close out the incident with a proper disposition code via dispatch. Officer Gustafsson did not complete an offense report for this incident before the end of his shift. Officer Gustafsson did not get approval from a supervisor to not turn in the report.
- On January 1, 2019 Officer Gustafsson did not request a case number or document the incident on an offense report his first night back to his normal duty assignment.
- On January 2, 2019, Internal Affairs placed Officer Gustafsson on restricted duty. Afterwards, Officer Gustafsson requested a case number and completed an offense report for this incident.
- Internal Affairs contacted the Broward County State Attorney's Office Special Prosecutions Unit. Assistant State Attorney In-Charge Tim Donnelly was briefed with the facts of this case. Mr. Donnelly declined to review the case due to the lack of an identified victim filing a complaint.

Under the penalties of perjury, I declare that I have read the foregoing document and that the information contained within it is accurate to the best of my knowledge and belief.

Furthermore I, the undersigned, do hereby swear, under penalty of perjury, that to the best of my personal knowledge, information and belief, I have not knowingly or willfully deprived, or allowed another to deprive the subject of the investigation of any of the rights contained in SS. 112.532 and 112.533 Florida Statutes.

INVESTIGATOR'S SIGNATURE:



CCN:

1568

4/5/19