



CITY OF FORT LAUDERDALE

CITIZENS' POLICE REVIEW BOARD MEETING
CITY OF FORT LAUDERDALE
CITY HALL 8th FLOOR CONFERENCE ROOM
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA 33301
Monday, July 8, 2019 - 6:00 P.M.

Board Members	Attendance	1/2019 – 12/2019	
		P	A
Christina Currie, Chair	P	3	0
Kevin Borwick, Vice Chair	P	2	1
Paul Eichner	P	3	0
Sgt. DeAnna Greenlaw	P	2	1
Detective Matthew Guerra	P	3	0
Carol Ortman	P	3	0
Lt. Cecil Stone	P	3	0

Staff

Major Victor London, Internal Affairs, Fort Lauderdale Police Department
Bradley Weissman, Assistant City Attorney
Salatheia Marion, Internal Affairs Liaison

A. Roll Call

Chair Currie called the meeting to order at 6:00 p.m. and roll was called. It was noted that a quorum was present.

B. Review/Approve Minutes from April 8, 2019

(May 13, 2019 – cancelled, June 10, 2019 – no quorum)

Motion made by Mr. Eichner, seconded by Ms. Ortman, to make the following change in the minutes of the April 8, 2019 meeting:

- Pg. 3, 5th paragraph, change “Sgt. Malushi was aware of one” to “Sgt. Malushi was not aware of any.”

In a voice vote, the **motion** passed unanimously (7 -0).

Motion made by Ms. Ortman, seconded by Detective Guerra, to approve the minutes of the April 8, 2019, meeting as amended. In a voice vote, the **motion** passed unanimously (7 -0).

C. General Information

1. Discuss alternate date for Veterans date

After discussion of possible dates, Wednesday, November 6, 2019, at 5:30 p.m. in the Commissioner Chambers was selected.

2. Board's purpose & responsibilities refresher

Mr. Weissman provided the refresher, noting the contents are pursuant to the ordinance. He covered the composition, duties, and nature of the decisions of the board. [Attached]

Mr. Weissman clarified that in order to defer a situation for more information, it cannot be a situation where the Board feels there was something lacking that IA did not do but the Board would have liked IA to do as far as their investigation. The board can only defer if, based on the totality of the circumstances that are presented through the investigation, it cannot reach a decision.

Time limitations regarding officers imposing discipline are statutory, so time limitations are not affected. The 35 business days was put into place to allow enough time for additional information to be presented.

It was noted that IA has a new option they can use as a disposition - policy failure – and Mr. Weissman stated they are in the process of adding that to the ordinance. If a case is disposed and IA calls it “policy failure,” the Board concurs or does not concur. Mr. Weissman advised that the Board can find it is a policy failure without that being included in the ordinance.

Chair Currie asked if a new Board member is given a copy of the ordinance, attendance policy, or direction on where to find it, and if they are made aware that all policies are online. Mr. Weissman did not know the answer, but one Board member stated that when he joined, that information was provided. Chair Currie confirmed that Ms. Marion would be handling that task.

The question arose if residents' feedback forms on IA or this Board were still being received on the website, and if the Board could have copies of those. It was noted they are on the page where the agenda is posted; in the past, Ms. Cole had forwarded those comments to the Board members.

Mr. Weissman stated that anything directed to the Board through the Department should be forwarded to Chair Currie. After filtering to the appropriate department, the comments had been forwarded in the past through the webmaster. Mr. Weissman reminded the Board of the Sunshine requirements and the importance of having discussion items be part of the agenda.

It was noted that complaints for Internal Affairs can be filed online or in person.

Chair Currie asked for follow-up on the Board's recommendation for Officer Fairburn to receive additional training on communication. Major London responded he found relevant training called, "Five Steps to Verbal De-escalation Training and Certification Course." They have not received direction from the City Manager to move forward.

It was noted the entire Department is looking into virtual reality de-escalation training.

D. Review the following Internal Affairs Investigations

1. Complainant: Chief Rick Maglione
(IA Case 19-001)
Allegation: 1) Unnecessary use of force
2) Failure to file a police report promptly
3) Failure to conduct a complete or proper police investigation
4) Conduct prejudicial disruptive to the good order of the Department

Officer: **Christopher Gustafsson (1824)**

Disposition: 1) Sustained
2) Sustained
3) Sustained
4) Not Sustained

Motion made by Detective Guerra, seconded by Lt. Stone, to concur with the disposition of IA Case 19-001, Item 1, involving Christopher Gustafsson with a finding of sustained that there was unnecessary use of force. In a voice vote, the **motion** to concur with the findings of sustained for Item 1 in IA Case 19-001 passed unanimously (7 -0).

Motion made by Ms. Ortman, seconded by Detective Guerra, to concur with the disposition of IA Case 19-001, Item 2, involving Christopher Gustafsson with a finding of sustained that there was a failure to file a police report promptly. In a voice vote, the **motion** to concur with the findings of sustained for Item 2 in IA Case 19-001 passed unanimously (7 -0).

Motion made by Ms. Ortman, seconded by Lt. Stone, to concur with the disposition of IA Case 19-001, Item 3, involving Christopher Gustafsson with a finding of sustained that there was a failure to conduct a complete or proper police investigation. In a voice vote, the **motion** to concur with the findings of sustained for Item 3 in IA Case 19-001 passed unanimously (7 -0).

Motion made by Detective Guerra, seconded by Lt. Stone, to concur with the disposition of IA Case 19-001, Item 4, involving Christopher Gustafsson with a finding of not sustained that there was conduct prejudicial disruptive to the good order of the Department.

Chair Currie commented that the behavior was embarrassing and disruptive to the Police Department and reflected poorly on law enforcement. She disagreed with the findings.

In a voice vote, the **motion** to concur with the findings of not sustained for Item 4 in IA Case 19-001 passed (6-1) with Chair Currie opposed.

Motion made by Ms. Ortman, seconded by Vice Chair Borwick, to concur with the recommended discipline (40-hour suspension and additional response or resistance training) for Christopher Gustafsson.

Chair Currie confirmed that Officer Gustafsson was wearing a body camera.

In a voice vote, the **motion** to concur with the recommended discipline for Christopher Gustafsson passed unanimously (7-0).

Ms. Marion was asked to reach out to the Commissioners who need to appoint members to the Board.

Upon motion duly made and seconded, Chair Currie adjourned the meeting at 6:30 p.m.

[Minutes prepared by J. Rubin, Prototype, Inc.]