



**Citizens Review Board  
Tampa, Florida  
Meeting Minutes**

The Citizens Review Board of the City of Tampa, Florida convened in a regular session in the City Council Chambers at 6:00 p.m. on this 26th day of July 2022.

The Legal Department was represented by Assistant City Attorney Camaria Pettis-Mackle.

The Recording Secretary was Tonia Wilcox, Sr. City Council/City Clerk Support Technician.

**I. Call to Order**

Meeting was called to order by Chair Aquil.

**II. Roll call**

Tonia Wilcox conducted a roll call. The following members were present upon roll call: Tamayo, Aquil, Valdes, Ingandela, Reyes Banks and Collins. Member Irvin being absent at roll call.

**III. Approval of the Minutes**

Chair Aquil requested a motion for approval of the Minutes from the June 28, 2022, meeting. A motion was made by Guy, seconded by Reyes. Motion carried with Irvin being absent.

**IV. Public Comment**

Chair Aquil asked if there was anyone signed up for public comment.

The following public speakers appeared:

1. James Shaw - approached and spoke with reference to the Crime Free Multi Housing Program, and policy proposals regarding the City Charter.
2. David Sumanoff – approached and spoke with reference to the powers he thinks the Citizens Review Board should have as a board.
3. Noah Meyers - approached and had no public comment.
4. Jaidan Sherman - approached and spoke with reference to the proposed raise for TPD and how he's opposed to the officer's receiving an increase.
5. Peyton Hoey - approached and spoke with reference to the Crime Free Multi Housing Program.
6. Sean O'Loughlin - approached and spoke with reference to being homeless, support for the police and those who protect and serve.
7. Simon Rowe – approached and spoke with reference to being supportive of the Citizens Review Board having subpoena power and the Crime Free Multi Housing Program.
8. David Jones - approached and spoke with reference to the Crime Free Multi Housing Program and support for the Citizens Review Board having subpoena powers.
9. Ali Abdel-Qader - approached and spoke with reference to the Crime Free Multi Housing Program relating it to and Israeli apartheid.

Chair Aquil asked if there were any voicemails.

Senior Assistant City Attorney, Michael Schmid approached and provided a transcribed voicemail from Christina Beaman, with the Civilian Investigative Panel, City of Miami. Christina is advocating for the Citizens Review Board to have independent counsel and subpoena powers.

There were no written public comments.

## **V. Staff and Board Response to Public Comments**

Discussion took place amongst members and James Shaw regarding the benchmark for validated signatures to be placed on the ballot for a voter's referendum.

Further discussion took place amongst members and James Shaw regarding a survey that Mr. Shaw presented to the Citizens Review Board with reference to having subpoena powers, independent counsel, and Crime Free Housing Program.

## **VI. Item to be Reviewed**

- 1. #18R-001. SOP 537 Deadly Force – no violation. A suspect armed himself with a machete and threatened family members, who called TPD. He refused officer's commands to drop the weapon and charged at the officers. One officer deployed his taser, but it had no effect on the suspect. The second officer utilized his firearm, struck the suspect, and the suspect died because of his injuries.**

Discussion took place amongst members and Assistant City Attorney Camaria Pettis-Mackle regarding previous public comments regarding #18R-001, SOP 537 Deadly Force case, which was presented.

Captain Patrick Messmer with the Tampa Police Department approached and presented the case concerning a group of officers who responded to a 911 call about a suspect who was in possession of a machete and threatened family members. The officers who responded to the scene tried to diffuse the situation by using a taser; however, the taser was not effective. The suspect became more combative, which lead to one of the officers having to use his firearm to gain control of the situation. Unfortunately, the suspect was struck and as a result died from his injuries. Thereafter, a joint investigation was performed by the Tampa Police Department detectives and the State Attorney's Office. The State Attorney's Office cleared the officers, no criminal charges were filed and found that their actions were justified under the relevant facts of the law.

Discussion took place amongst members and Captain Patrick Messmer regarding the suspects prior arrest history and his mental capacity.

Discussion took place amongst members and Captain Patrick Messmer with reference to when a "Baker Act" is warranted and what type of training does Tampa Police Department receives when it comes to dealing with people who have mental health issues.

Further discussion took place amongst members and Captain Patrick Messmer regarding the incident and if the officers had adequate lighting and a clear view of what they had encountered.

Chair Aquil asked for the record to reflect that member Irvin was absent; however, is now present.

## **VII. Community and Tampa Police Department Matters**

Captain Patrick Messmer approached and provided feedback with reference to the precautionary measures and protocols, Tampa Police Department is taking to ensure children are safe this school year.

Discussion took place amongst members, Captain Patrick Messmer regarding the type of training and safeguards that are being provided to the schools by the Tampa Police Department.

## **VIII. CRB Staff Reports and Business**

### **1. Discussion on pending City Council motion regarding independent counsel and ability to issue subpoenas.**

Chief Assistant City Attorney, Ursula Richardson approached to discuss with the board the benefits of the Citizens Review Board of having their own independent counsel and the ability to issue subpoenas. She also, discussed the differences between the Citizens Review Board and the other functioning boards with the City of Tampa.

Discussion took place amongst members and Chief Assistant City Attorney, Ursula Richardson regarding the Citizens Review Board's authority to issue subpoenas.

Further discussion took place amongst members and Chief Assistant City Attorney, Ursula Richardson regarding the process for the Citizens Review Board to select an independent counsel.

Discussion took place amongst members and Captain Patrick Messmer regarding when and how the Tampa Police Department issues criminal investigate subpoenas.

**Chair Aquil requested a motion: A motion was made by Valdes, seconded by Collins, recommending that City Council place the Subpoena Powers item on the City of Tampa's voting ballot for the upcoming November election, to grant the citizens an opportunity to vote on whether or not the Citizens Review Board should have Subpoena Powers. Motion carried by 6-3, with Guy, Irvin and Tamayo voting no.**

## **2. Discussion if needed regarding Tampa Crime Free Multi Housing Program**

Discussion took place amongst members, Captain Patrick Messmer and Senior Assistant Attorney, Michael Schmid regarding the abolishment of the Crime Free Multi Housing Program and the implementation of the new Safe Housing Program.

Senior Assistant City Attorney, Michael Schmid approached and provided direction as where the Safe Multi Housing Program information can be located, which is on the Tampa Police Department's website.

Further discussion took place amongst members and Senior Assistant City Attorney Michael Schmid regarding the board's opinion as to whether they are in support of independent counsel.

**Chair Aquil requested a motion. A motion was made by Valdes, seconded by Guy to present the new Safe Multi Housing Program at the next community meeting to be held, September 2022. Motion carried 8-1, with Irvin abstaining.**

## **IX. Items Continued**

### **21F-001 (discussion regarding MOR 1204)**

Captain Patrick Messmer provided to the board feedback as to why 21F-001, MOR 1204 was not sustained. Captain Messmer stated that he did not sustain the violations, because there was not any evidence that the officer's productivity was lacking and that they were not able to get their jobs completed as supervisors of the DUI squad.

## **X. Announcements/New Business**

No new business

Chair Aquil announced the next meeting will be held at the Old City Hall, 315 E. Kennedy Blvd, 3<sup>rd</sup> Floor. **Next Meeting August 23, 2022**

Chair Aquil announced that if anyone could not make the next meeting to please notify the Clerk at least 48 hours in advance. The next meeting would be held August 23, 2022, at 6:00 p.m.

**XII. Adjournment**

There being no further business to come before the Citizens Review Board at this time, said meeting was adjourned at 8:41 p.m. this 26<sup>th</sup> day of July 2022.



CHAIRMAN/VICECHAIRMAN



RECORDING SECRETARY



CITY CLERK/DEPUTY CITY CLERK

**DISCLAIMER**

*The Office of the City Clerk does not prepare verbatim transcripts of the proceedings of the Citizen Review Board.*

*Upon request, an audio CD recording of this proceeding is available from the Office of the City Clerk for a fee. Our telephone number is (813) 274-8131. Upon request, a DVD of the actual proceeding is available from the Office of Digital Media Productions for a fee. Their telephone number is (813) 274-8127.*

Meetings on Demand can be viewed on the City of Tampa Meeting – YouTube Channel website at <https://www.youtube.com/channel/UCLzohJmEgvfJOEd4YJNlHbg>