



**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 315 E. Kennedy Blvd, Tampa Florida, 33602 at 6:00 p.m. on this 23rd day of May 2023.

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

The meeting was called to order by Chair Aquil.

II. Pledge of Allegiance

III. Roll Call

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

Chair Aquil requested a motion. A motion was made by Guy, seconded by Tamayo, to have item #8 moved up on the agenda. Motion carried 7-0, with Collins being absent.

VIII. Community and Tampa Police Department Matters

State Attorney Susan S. Lopez appeared and provided feedback to the Citizens Review Board regarding their concerns about the possibility of reinstituting the "Examination of Racial Disparity in Bicycle Stops Program". Susan S. Lopez, State Attorney, stated that the State Attorney Office is not implementing the "Examination of Racial Disparity in Bicycle Stops Program". The State Attorney Office's role in limited situations is to assist the Tampa Police Department whenever a stop was conducted by TPD and a crime has occurred, then the State Attorney Office will investigate and potentially file a decision. Susan S. Lopez, State Attorney, also talked about some ideas, perspectives, and implementations, which her office is involved in to help make the communities a safer place to live.

Discussion took place amongst members and Susan S. Lopez, State Attorney regarding the Veteran's Treatment Court Program, and how it has helped so many veterans who may get into trouble with the law.

Discussion took place amongst members and Susan S. Lopez, State Attorney regarding other trust initiative programs to build trust in the African American, and Hispanic communities. Susan S. Lopez stated that she is listening and learning. She meets with individuals in person, because the connection is important, and she believes community engagement is key.

Discussion took place amongst members and Susan S. Lopez, State Attorney regarding the State Attorney Office engaging in the community meetings with groups such as: Tampa Organization of Black Affairs, Churches, National Association for the Advancement of Colored People and The Devine Nine. Susan S. Lopez stated that she is in constant communication with Ms. Yvette Lewis NAACP, President and mentioned that her door is always open to her.

Discussion took place amongst members and Susan S. Lopez, State Attorney, regarding the "Examination of Racial Disparity in Bicycle Stops Program". Susan S. Lopez stated that she can assure the board that there is no reinstitution of the "Examination of Racial Disparity in Bicycle Stops Program".

V. Public Comment

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

The following public speakers appeared:

1. Filip Freund with the Tampa Bay Community Action Committee - approached and spoke with reference to case #2020-CF-000291, Kelsey Storemski. Mr. Freund requested that the case be reviewed much sooner than October 24, 2023, as he feels 6 months is too long to investigate the case and Ms. Storemski has waited long enough for justice.
2. Talibuddine Abdullah approached with a complaint concerning an auto mechanic shop who is using mechanics liens to steal cars from individuals. Mr. Abdullah is a victim of this scheme and thought it would be beneficial to make the Citizens Review Board aware of what's going on in the community.
3. Laura Rodriguez with the Tampa Bay Community Action Committee - approached and spoke with reference to case #2020-CF-000291, Kelsey Storemski. Ms. Rodriguez is requested that the case be reviewed much sooner than October 24, 2023, as she feels 6 months is too long to investigate the case and Ms. Storemski has waited long enough for justice. Also, Ms. Rodriguez mentioned that she has tried contacting the State Attorney's Office to have several charges dropped against her while she attended a protest on the USF campus and has yet to hear back from the State Attorney's Office.
4. Sandra Zikry approached and spoke with reference to an ongoing concern regarding a case with the Tampa Police Department.

There were no written public comments.

There were no voice messages for public comments.

IV. Staff and Board Response to Public Comments

Discussion took place amongst members and Senior Assistant City Attorney, Michael Schmid regarding why the Kelsey Storemski case cannot be heard until October 24, 2023. Senior Assistant City Attorney, Michael Schmid, stated that the reason the case can't be heard sooner than October 24, 2023, is because the time had lapsed to file a complaint, and TPD did not have any authority to open a complaint. At this point, TPD does not believe that there is a reason to bring the matter before the board, because it could potentially put the city in a liable situation.

Discussion took place amongst members regarding the type of board the Citizens Review Board is. It was explained that the CRB is not an investigative board, and it only reviews cases that are closed.

Discussion took place amongst members and Mr. Abdullah regarding the complaint he filed with Tampa Police Department against the mechanic shop, as well as the outcome of the court case.

Discussion took place amongst members, Mr. Abdullah, and Assistant City Attorney Camaria Pettis- Mackle regarding how Mr. Abdullah's case should be filed; whether it should be filed through the CRB or the State Attorney's Office. Assistant City Attorney Camaria Pettis- Mackle stated, if Mr. Abdullah has information regarding current or continued crimes, he should follow up with the State Attorney's Office, and report those crimes to the district where the business is located.

IV. Approval of Minutes

Chair Aquil requested a motion for approval of the Minutes from the April 25, 2023, meeting. The motion was made by Guy, seconded by Valdes. Motion carried 8-0.

VII. Items to be Reviewed

- 1. 22F-015: MOR 1005 – City Personnel Manual B1.2 Discriminatory Conduct, Sustained - SOP 536 Professional Responsibility, Sustained – MOR 1005 Standard of Conduct, Sustained - MOR 1210 Courtesy to the Public, Sustained – SOP 609.9 Body Worn Camera Equipment, Sustained. While investigating a call for service, an officer was discourteous, used a “sexual orientation” slur, and powered off his body worn camera against policy. The Officer resigned.**

Detective Jason Degagne with the Tampa Police Department Internal Affairs Bureau approached and presented the case against a former police officer who was discourteous, used a “sexual orientation” slur, and powered off his body worn camera. On November 26, 2022, two officers responded to a domestic call for service. While the officers were conducting the investigation the male subject argued with the officers about being on his property. Once the officers determined that the domestic issue was civil, one officer continued to argue with the intoxicated male subject. The male subject asked several times to speak with the officer's supervisor, which the officer declined. During the argument the officer was unprofessional, used explicit language by calling the male subject a derogatory slur referring to his “sexual orientation”. The male subject asked several more times to speak with the officer's supervisor, which the officer still declined. It was only when the officer's partner said that he would call his supervisor, then the officer decided to call the supervisor himself. After the conversation with the officer's supervisor,

the officer turned off his body worn camera and apologized to the male subject. The apology exchange was captured through the other officer's body worn camera. Thereafter, the officer's supervisors arrived on scene, took the complaint, notified their chain of command and the incident was deemed as an informal investigation. Ultimately, the officer was placed on administrative leave during the investigation. The officer surrendered his badge, firearm, and police vehicle. In summary, all the allegations were sustained. The officer retired April 22, 2023, before any disciplinary actions could take place.

Chair Aquil opened the floor for discussion.

Discussion took place amongst members and Detective Jason Degagne regarding policy and procedure for a policeman who is experiencing a personal or family crisis. Will the chain of command explore and evaluate to see if the officer is fit for continued duty. Detective Jason Degagne stated that the Tampa Police Department offers the Employee Assistance Program for the officers to utilize if they are experiencing any issues in their lives.

Discussion took place amongst members and Detective Jason Degagne regarding when officers are answering to calls of service, and there may be a potential explosive situation and indicators, are there any policies and procedures in place to mitigate the situation smoothly and without incident. Detective Jason Degagne stated there are mechanisms in place for the officers to protect their mental health and wellbeing.

Discussion took place amongst members and Detective Jason Degagne regarding how many years the officer had been with the department. Detective Jason Degagne stated the officer had been with the department for 10 years.

Discussion took place amongst members and Detective Jason Degagne regarding any similar complaints against the officer. Detective Jason Degagne stated that there had not been any similar complaints; however, he did run his employment history with the department and the only other complaints were attentiveness to duty and at fault traffic crashes.

Discussion took place amongst members and Detective Jason Degagne regarding how the initial complaint was submitted. Detective Jason Degagne stated that, due to the gentleman who initially made the complaint to the officer's supervisor, then the Chief got involved and became the complainant. At that time, the complaint was escalated up the chain of command.

Discussion took place amongst members and Detective Jason Degagne regarding if an officer with this type of behavior, such as the officer who is mentioned in the complaint, would be eligible for rehire. Detective Jason Degagne stated, an officer would not be eligible for rehire.

Discussion took place amongst members and Detective Jason Degagne regarding the Employee Assistance Program, and if the program is accessible on a volunteer basis by the officer. Detective Jason Degagne stated that the program is accessible on a volunteer basis by the officer.

Discussion took place amongst members and Detective Jason Degagne regarding if there is a standard policy or routine evaluation that an officer must go through if they are experiencing challenges with their physical and mental wellbeing. Detective Jason Degagne stated that the routine evaluation is based on what a supervisor observes, and if the officer shows indicators whether he or she needs EAP or mental health assistance.

Discussion took place amongst members and Detective Jason Degagne regarding more details as to what the Employee Assistance Program. Detective Jason Degagne stated there are mental health counselors available for the officers, which the city provides at no cost if the officer is experiencing any personal issues.

Discussion took place amongst members and Detective Jason Degagne regarding whether an officer takes advantage of the Employee Assistance Program. Is the officer's information kept private or is it shared in the employee's file. Detective Jason Degagne stated it depends on the issue and if it violates policy or the law.

Discussion took place amongst members and Detective Jason Degagne regarding the exact date the officer resigned. Detective Jason Degagne stated that the officer resigned April 22, 2023.

Discussion took place amongst members and Detective Jason Degagne regarding the timeline of the investigation and a case of this magnitude and questioned, why did it take so long to decide? Detective Jason Degagne stated statutorily the department has 180 days to investigate, and when you are investigating someone who's potentially going to be fired you want to make sure that things are being completed thoroughly.

Discussion took place amongst members and Detective Jason Degagne regarding the data and statistics involving officers who resign before termination, and vice versus termination before resigning. Detective Jason Degagne stated that data can be provided relating to how many officers resigned who were under investigation.

A motion was made by Valdes, seconded by Collins, for TPD to present to the board data with reference to officers resigning before disciplinary action. Ingandela requested to amend the motion for TPD to present to the board with data regarding after the resignation of the officers if the officers are employed as law enforcement officers elsewhere. Valdes did not accept Ingandela's amended motion, and Valdes' original motion stood. Motion carried 6-2, with Guy and Tamayo voting no.

Discussion took place amongst members and Detective Jason Degagne concerning cases that the Chair have been selecting referencing a trend that the Body Worn Camera is being manipulated. What BWC model is being used, how long has TPD been using this model, and will TPD upgrade the BWC? Additionally, will TPD reinforce the discipline of some actions of importance if the equipment is being used as a deterrent method. Detective Jason Degagne stated that TPD uses the Axon BWC. He also stated that for the additional information that is being requested, he'd report back with the data as he did not currently have the information.

Chair requested a motion. A motion was made by Guy, seconded by Collins, concurring with all four disciplinary actions being sustained for case 22F-015. Motion carried 8-0.

IX. CRB Staff Reports and Business

Assistant City Attorney Camaria Pettis-Mackle provided a presentation to the board as to how citizens can access the CRB's website as well as how CRB complaints are submitted.

Discussion took place amongst members and Assistant City Attorney Camaria Pettis-Mackle regarding the receiving and filing of the attestation of the 2022 CRB Annual Report.

A motion was made by Collins, seconded by Reyes, to receive and file the attestation of the 2022 CRB Annual Report. Motion carried 8-0.

X. Items Continued

Chair Aquil confirmed the date of October 24, 2023, for the Kelsey Storemski case to be heard at the CRB meeting,

XI. Announcements/New Business

Chair Aquil announced the next meeting will be held on **June 27, 2023 at 6:00pm**, Old City Hall, 315 E. Kennedy Blvd, 3rd Floor, and if anyone is not able to attend the meeting to please notify the Clerk at least 48 hours in advance.

Discussion took place amongst members and Assistant City Attorney Camaria Pettis-Mackle regarding the conclusion of the CRB community meetings and due to the low community turnout and moving forward with the community meetings. What would be the

best way to attract larger crowds, transport camera equipment and properly engage the community in this effort. Assistant City Attorney Camaria Pettis-Mackle stated that the community meetings must take place each year according to the ordinance in which the board operates.

Discussion took place amongst members and Assistant City Attorney Camaria Pettis-Mackle regarding the Community Survey, and perhaps using it as a tool for the community to engage in dialogue and discussion as we move forward.

Discussion took place amongst members regarding the low participation of City Council Members engaging in the community meetings.

For the record Dr. Collins was absent; however, is now present. Board member Collins' arrival time was 6:09 p.m.

XII. Adjournment

There being no further business to come before the Citizens Review Board at this time, said meeting was adjourned at 7:33p.m. this 23rd day of May 2023.



CHAIRMAN/VICE CHAIRMAN

RECORDING SECRETARY

CITY CLERK/DEPUTY CITY CLERK

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