



**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 6:09 p.m. on this 29th day of November 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

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: Aquil, Collins, Reyes, Valdes and Tamayo. Members, Banks, Guy, Ingandela and Irvin being absent at roll call.

IV. Approval of the Minutes

Chair Aquil requested a motion for approval of the Minutes from the October 25, 2022, meeting. A motion was made by Tamayo, seconded by Reyes. Motion carried 5-0, with Banks, Guy, Ingandela and Irvin being absent.

V. Public Comment

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

The following public speakers appeared:

1. Simon Roe - approached and spoke with reference to being able to review the Citizens Review Board's annual reports for 2019-2022, the agendas being posted before each meeting, so the public is aware of the cases that are being presented during the meetings. Ms. Roe expressed her support for the Citizens Review Board to have independent counsel, and citizens should be allowed to vote for independent counsel in the March 2023 election.
2. Abdel Hader – approached and spoke in support of the Citizens Review Board having independent counsel, and that citizens should be allowed to vote in the March 2023 election.
3. Sandra Zickry – approached and spoke with reference to an ongoing concern regarding a case with the Tampa Police Department.

There were no written public comments.

Chair Aquil concluded the public comment portion of the meeting.

VI. Staff and Board Response to Public Comments

Discussion took place amongst members and Captain Messmer regarding public speaker, Simon Roe's request with reference to being able to obtain the agenda and case that's being presented to the Citizens Review Board prior to the meeting. Captain Messmer addressed Ms. Roe's concern, stating the agenda is available on the City's website prior to the meeting; however, the case can be obtained by submitting a public records request.

Discussion took place amongst members and Captain Messmer regarding public speaker, Sandra Zickry's case. The board wanted to know the type of case and if it was open or closed. Captain Messmer provided clarity, stating that the case was a complaint and not an internal affairs case.

Discussion took place amongst members and Captain Messmer regarding public speaker, Simon Roe's concerns about the Citizen Review Board's Annual Report being posted on the City's website for 2019; however, 2020 and 2021 are not posted. Captain Messmer stated, there had been some issues with posting on the website; however, he will work with TPD's Public Information Office to figure out why the reports are not visible.

VII. Items to be Reviewed

- 1. 21F-007: MOR 1204.05 – Attentiveness to Duty, sustained: MOR 1807 Failure to Comply with Departmental Policies, to wit; IDP 500 Functions of the Special Operations Division, sustained; SOP 609.9 Body Worn Camera Equipment, Sustained. An officer failed to investigate a subject suspected of driving under the influence. The officer received a letter of counseling.**

Captain Jason Dillaha with the Special Operations Bureau approached and presented the case concerning a master police officer who failed to investigate a DWI suspect, which was a possible violation of policy. Patrol officers were dispatched to investigate a male subject who was passed out behind the wheel of a vehicle. The officers arrived on scene, body worn cameras were activated prior to them arriving and clearly visible was a male passed out in the driver's seat. During the officers' interactions with the individual, it appeared that the subject was impaired. The Master Police Officer was dispatched to conduct a DUI investigation. As he was responding to the incident, he was notified by dispatch that the computer system was going down. The Master Police Officer contacted dispatch to find out which systems were going down, and he later learned that all systems were going down. When he arrived on the scene, his body worn camera was not activated. One of the officers asked if he could remove a vehicle to assist with the investigation. At that time, it could be heard on the assisting officer's, body cam that he was not going to arrest the individual no matter how intoxicated he was, due to the system being down and it would be a complete cluster. The assisting officer suggested that the arrest could be written on forms as the forms are in his possession. The Master Police Officer indicated that he was in possession of the forms as well, but it's too much to hand write the CRA, citation and report. He then proceeded to inform the other patrol officers that he was not going to do an investigation, because the system had gone down. After the reviews and investigation processes, it appears all the patrol officers' statements were consistent with their body cams. The Master Police Officer did not deny any of the allegations.

Captain Jason Dillaha reviewed the case and found that the Master Police Officer failed to activate the body worn camera, did not conduct a field sobriety on the individual, and was not attentive to his duties by denying to investigate the offense. Captain Jason Dillaha recommended that the following violations be sustained: MOR 1204.05 – Attentiveness to Duty, sustained: MOR 1807 Failure to Comply with Departmental Policies, to wit; IDP 500 Functions of the Special Operations Division, sustained; SOP 609.9 Body Worn Camera Equipment, Sustained. An officer failed to investigate a subject suspected of driving under the influence. The officer received a letter of counseling.

Discussion took place amongst members and Jason Dillaha recapping the DWI incident.

Discussion took place amongst members and Captain Jason Dillaha regarding the disposition and consequences which were imposed on the officer.

Discussion took place amongst members and Captain Jason Dillaha regarding the Master Police Officer's report of the incident and why he was not able to conduct the investigation without having access to the computer system.

Discussion took place amongst members, Captain Jason Dillaha and Captain Meesmer regarding how a field sobriety test could be conducted if the intoxicated individual was passed out.

Discussion took place amongst members, Captain Jason Dillaha regarding the Master Police Officer's lenient discipline.

Discussion took place amongst members and Captain Jason Dillaha regarding the computer systems going down and what exactly happens during a scheduled system shutdown.

Discussion took place amongst members and Captain Jason Dillaha regarding the Body Worn Cameras and how they are activated.

Chair Aquil requested a motion. A motion was made by Collins, seconded by Valdes, concurring with findings in sustaining the violations; however, there was a disagreement with the disposition for punishment. Motion carried 5-0, with Banks, Guy, Ingandela and Irvin being absent.

VIII. Community and Tampa Police Department Matters

Captain Jason Dillaha provided an overview regarding the Reserve Officer Program.

IX. CRB Staff Reports and Business

Board member Valdes provided clarification as to a comment, which his name was mentioned during a City Council meeting held on November 1, 2022.

Board member Valdes asked for clarification regarding the motions, which were made regarding placing subpoena powers and independent counsel on the voting ballot.

Assistant City Attorney Camaria Pettis-Mackle approached and provided clarification regarding subpoena powers and independent counsel motions. Assistant City Attorney

Captain Jason Dillaha provided an overview regarding the Reserve Officer Program.

IX. CRB Staff Reports and Business

Board member Valdes provided clarification as to a comment, which his name was mentioned during a City Council meeting held on November 1, 2022.

Board member Valdes asked for clarification regarding the motions, which were made regarding placing subpoena powers and independent counsel on the voting ballot.

Assistant City Attorney Camaria Pettis-Mackle approached and provided clarification regarding subpoena powers and independent counsel motions. Assistant City Attorney Camaria Pettis-Mackle stated that the subpoena powers motion did not pass; therefore, it is no longer before city council; Additionally, the independent counsel motion is scheduled to be heard before city council on December 1, 2022.

Board member Collins asked if a response had been received from the Interim State Attorney to appear at one of the Citizens Review Board meetings to explain the Examination of Racial Disparity and Bicycle Stops and Citations program.

Assistant City Attorney Camaria Pettis-Mackle approached and stated that there had not been a response.

X. Items Continued

No Items to be continued.

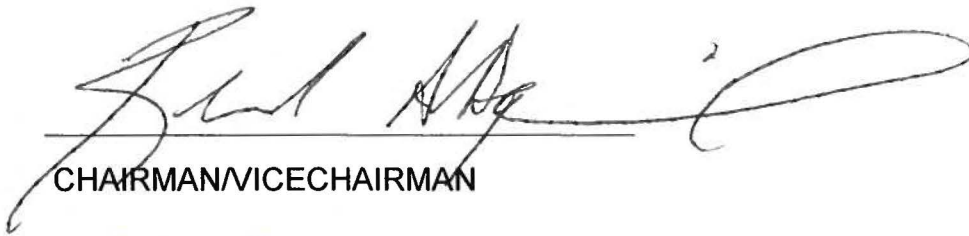
XI. Announcements/New Business

Discussion took place amongst members and Assistant City Attorney Camaria Pettis-Mackle regarding locations for Councilman Gudes' district to host the next, CRB meeting.

A motion was made by Valdes, seconded by Reyes, selecting Middleton High School as the location for District 5, Citizen Review Board community meeting. Motion carried 5-0, with Banks, Guy, Ingandela and Irvin being absent.

Discussion took place amongst members regarding sending notifications out to Middleton High School and the community informing them of the meeting.

Chair Aquil announced the next meeting will be held **January 24, 2023 at 6:00pm**, Old City Hall, 315 E. Kennedy Blvd, 3rd Floor.



CHAIRMAN/VICECHAIRMAN



RECORDING SECRETARY



CITY CLERK/DEPUTY CITY CLERK

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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/UCLzohJmEqvfJOEd4YJNlHbg>