



**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 6:02 p.m. on this 27th day of February 2024.

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: Tamayo, Aquil, Ingandela, Guy, Cooke, and Valdes. Members Banks, Collins and March were absent at roll call,

IV. Approval of the Minutes

Chair Aquil requested a motion for approval of the Minutes from the January 23, 2024, meeting. The motion was made by Tamayo, seconded by Ingandela. Motion carried 6-0, with Banks, Collins and March being absent.

V. Public Comment

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

There were no public comments.

Chair Aquil asked if there were any voicemails for public comments.

There were no voicemails for public comments.

Chair Aquil asked if there were any written public comments.

There were no written public comments.

VI. Staff and Board Response to Public Comments

There were no board responses to public comments.

VII. Items to be Reviewed

1. **22F-007. A reserved officer was involved in a traffic crash while off duty. During the traffic crash investigation, the Reserved officer displayed obvious signs of impairment and was placed under arrest by the Hillsborough County Sheriff's Office. A subsequent breath alcohol test was administered and showed the Reserved officer's breath alcohol content was .234 and .240. The Reserved officer was subsequently terminated from the reserve force. Manual of Regulations #1001.02 – alcohol consumption and drug use are Sustained. Manual of Regulations #1005 – Standard of Conduct is Sustained. Manual of Regulations #1007 – Conformance to Laws is Sustained.**

Detective Jason Degagne with the Tampa Police Department approached and presented the case. Detective Jason Degagne provided the CRB with detailed information involving an off-duty officer who was involved in a traffic crash that occurred on June 1, 2022. The officer showed signs of impairment and subsequently was arrested for driving under the influence. After the officer was released from jail, his chain of command with the Tampa Police Department met with the officer, served him with an Administrative Duty Notice, removing his credentials, gun, and badge. An investigation occurred against the officer,

it was determined that he had compromised his professionalism, and due to his actions, the officer was terminated from the Reserve Force on August 5, 2022.

Discussion took place amongst members and Detective Degagne, regarding whether it is standard operating procedure to administer two breathalyzer samples during a DUI stop. Detective Degagne stated yes, it is standard operating procedure to administer two breathalyzer samples.

Discussion took place amongst members and Detective Degagne, regarding the reserve officer whether the officer had full authority as a regular police officer. Detective Degagne stated that there are different requirements and levels of reserve officers. The Reserve Officer I is required to have been trained in the Police Academy along with four years of law enforcement experience. Whereas a Reserve Officer II, must be accompanied by a reserve officer one or be a certified police officer to administer any police functions.

Discussion took place amongst members and Detective Degagne, regarding whether the reprimand would have been the same if it had been a regular police officer. Detective Degagne stated that reprimands are done case by case basis. For example, a formal investigation typically takes place when a regular police officer is involved, opposed to whenever a Reserve Officer I is involved, he or she can be terminated without just cause.

Chair Aquil requested a motion. A motion was made by Guy, seconded by Valdes, to concur with the disposition and findings of case, 22F-007. Motion carried 6-0, with Banks, Collins and March being absent.

VIII. Community and Tampa Police Department Matters

Nilda Otero, Program Director for the Community Violence Initiative with the Tampa Police Department approached and provided a presentation regarding the Community Prevention and Intervention Grant. The grant provides services to youth who have been arrested with a firearm; further, the grant offers funding and partners with community organizations who are currently doing work within the community.

Discussion took place amongst members and Nilda Otero, regarding how the community members can take advantage of the Community Violence Initiative services. Ms. Otero stated that the Tampa Police Department has partnered with Safe and Sound, who will be launching an application portal soon on their website, which will allow community members to apply for partnership. Additionally, community partners have already been preselected being that they are doing existing work in the community.

Discussion took place amongst members and Nilda Otero, regarding the funding for the Citizen Review Board Survey, and if the funding is coming from the CVI funds dedicated

for University of South Florida funding. Ms. Otero stated no, USF has their own separate funding as well as the CRB for their surveys.

Discussion took place amongst members and Nilda Otero, regarding how the youth are referred into the program. Ms. Otero stated that the youth are referred by the court system.

Discussion took place amongst members and Nilda Otero, regarding how long the grant is good for. Ms. Otero stated that the grant is good for three years, from October 2022-September 2025, with a possible extension to 2026.

IX. CRB Staff Reports and New Business

Discussion took place amongst members and Assistant City Attorney Camaria Pettis-Mackle, regarding review of the CRB 2023 Annual Report. Assistant City Attorney Camaria Pettis- Mackle stated there is no one present to review the report at this CRB meeting; however, she encourages the board to review the proposed Annual Report before the meeting in March to discuss at the next CRB meeting.

Discussion took place amongst members and Assistant City Attorney Camaria Pettis-Mackle, regarding the date to present the 2023 CRB Annual Report to City Council. Assistant City Attorney Camaria Pettis- Mackle stated that there is currently no date set; however, once the CRB adopts the Annual Report, within 60 days the report must be presented to City Council to be in compliance with the Ordinance.

Discussion took place amongst members and Assistant City Attorney Camaria Pettis-Mackle, regarding updates for House Bills 601 and 576, both concerning Citizens Oversight Boards for Law Enforcement. Assistant City Attorney Camaria Pettis- Mackle stated yes, the Bills passed, and they have both moved to the Senate. After the Legislature ends on March 8, 2024, at that point we will know which bill survived, how it is tracked, and whether it will be sent to the governor for signature.

Discussion took place amongst members and Assistant City Attorney Camaria Pettis-Mackle, regarding temporarily suspending the independent counsel interviewing process, until the CRB has a more definitive answer as to whether the House Bills are approved by the Legislature. The reason for making this decision to suspend the interview process temporarily is due to how the bills could potentially impact the way the board could make future decisions.

Discussion took place amongst members and Assistant City Attorney Camaria Pettis-Mackle, regarding a motion to table the independent counsel candidate interviews from March 2024 meeting to a later date, contingent upon the outcome of House Bills 601 and 576 passing.

Chair Aquil requested a motion. A motion was made by Valdes, seconded by Tamayo to table the interviewing of the legal advisory applicants for the March 27, 2024, meeting with a new date to be announced later. Motion carried 6-0, with Banks, Collins and March being absent.

Discussion took place amongst members and Assistant City Attorney Camaria Pettis-Mackle, regarding whether re-advertisement of the independent counsel position had been re-posted, so that other interested candidates may apply. Assistant City Attorney Camaria Pettis-Mackle stated that the re-advertisement did not happen due to the pending House Bills 601 and 576.

X. Items Continued

Assistant City Attorney Michael Schmid provided updates regarding the CRB Community Survey. Assistant City Attorney Michael Schmid stated that TPD is progressing with the survey. He had planned to bring the company who will create the survey to conduct a presentation at the Citizens Review Board, February 26, 2024 meeting; however, due to House Bills 601 and 576, being in limbo with the Legislature he would like to table the survey presentation to a future CRB meeting date.

Discussion took place amongst members and Assistant City Attorney Michael Schmid, regarding the possibility of the Legislature making changes to the Citizen Review Board and how the board should conduct business until the final bill has passed. Assistant City Attorney Michael Schmid stated that the board should continue business as usual, with the exception of the hiring of independent counsel and distributing the community survey. Attorney Schmid is recommending that these two items be addressed after the Legislature closes.

XI. Announcements/New Business

Chair Aquil announced the next meeting will be held on **March 26, 2024 at 6:00pm**, Old City Hall, 315 E. Kennedy Blvd, 3rd Floor, and if anyone is not able to attend the meeting please notify the Clerk at least 48 hours in advance.

XII. Adjournment

There being no further business to come before the Citizens Review Board at this time, said meeting was adjourned at 6:43p.m. this 27th day of February 2024.



CHAIRMAN/VICECHAIRMAN



RECORDING SECRETARY



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