

INDEPENDENT REVIEW PANEL MINUTES

April 28, 2009

LOCATION: 140 West Flagler Street, Conference Room 908
Miami, Florida 33130

PANEL MEMBERS PRESENT

Julia Dawson, Chairperson
Jean-Robert Lafortune, 1st Vice Chairperson
Tangier Scott, 2nd Vice Chairperson
Doris Shellow, Substitute Member
Julie Ferguson, Esq.
Moiez Tapia
Michael Band, Esq.

MEMBERS EXCUSED

Glenn P. Falk, Esq.
Josie Perez Velis, Esq.

MEMBER ABSENT

Jorge Reynardus, Esq.

PANEL STAFF PRESENT

Eduardo I. Diaz, Ph.D., Executive Director
Carol Boersma, Executive Assistant to the Director
Kristin Anderson, Conflict Resolution Specialist
Anna Sidan, Conflict Resolution Specialist

MDPD: William Monahan, Police Legal Advisor II

Civilian Investigative Panel: Carol Abia, Interim Director; Don March, Research Analyst; Shewanda Hall, Investigator

City of Miami Community Relations Board: Ada Rojas, Coordinator; Natasha Colebrook-Williams, Outreach Specialist;

Miami-Dade County Commission Office District 7: Homer Whittaker

Public Defender's Office: Guy Robinson, Chief Assistant, Assistant General Counsel

Miami Herald: Jennifer Lebovich

Agenda Item #1) Call to order Ms. Dawson called the meeting to order at 2:06 p.m. and asked staff to call roll.

Agenda Item #2) Adoptions of the minutes held on March 24, 2009 Ms. Dawson and Dr. Tapia made grammatical corrections.

Ms. Dawson reported that she asked Major Shimminger who makes the final decision as to whether a complaint will be a Formal Complaint or a Contact Report, and he finally said that the complainant made the final decision. She asked that this be reflected in the minutes on page 3, next to the last paragraph. In addition, Ms. Dawson stated that she asked Major Shimminger directly if, in a Contact Report, it would be a violation of policy if the involved officer was not contacted during the investigation. She stated that she recalled that Major Shimminger replied, "Yes." Ms. Dawson reported that she would like this to be reflected in the minutes as well.

Dr. Diaz stated that staff would review the recording of the meeting.

Motion

Dr. Tapia moved to adopt the minutes as amended. Ms. Dawson seconded. It was passed unanimously.

Agenda Item # 3) Police Oversight Update 2009 Presentation- Dr. Diaz Dr. Diaz gave a PowerPoint presentation on Police Oversight Update: An introductory briefing on national and international developments.

Agenda Items # 4) and # 5 Review of Effective Prison Oversight paper by Michele Deitch and IRP Structure Review and Sustainability Plan Discussion Workshop

Dr. Diaz stated that the Panel agreed to have staff be part of the initiative of the Vera Institute of Justice addressing jail and prison oversight. He reported that the first meeting was held a couple of months ago and that is where the oversight paper was presented. Dr. Diaz believes that the oversight process presented by Ms. Deitch would be constructive. It would increase the value of IRP to the community. That is why he decided to bring the oversight paper to the Panel. If the Panel determines it would like to take on a monitoring role, he can begin negotiations with Corrections Director Ryan.

Ms. Dawson inquired if the monitoring will be specifically related to the Corrections Department. Dr. Diaz stated Corrections would be the first step, however if it works with one department, it could work with others as well.

Dr. Diaz reported that the emphasis is on transparency and accountability from a preventive perspective, as opposed to a post-complaint perspective. The monitoring would be proactive and the Panel would have unfettered access for inspections. Ms. Ferguson stated that she believes this would be an important role for the IRP to assume and she would like to see the Panel consider how it can be done. Mr. Band inquired if there would be an additional cost to take on this function. He added that he is not sure the Panel is in a position to do the monitoring because he is unclear as to what this function actually would be. Dr. Diaz provided further explanation. Mr. Lafortune stated that, in order for the system to work well, it would require cultural changes from Corrections.

Motion

Ms. Ferguson made a motion that the Panel authorize staff to initiate discussion with the Department of Corrections on the possibility of the IRP providing the type of system monitoring described in the oversight paper for Miami-Dade Corrections Department. Doris Shellow seconded. It passed 6-1.

Agenda Item# 5) Executive Director's Report Dr. Diaz advised the Panel that he plans to retire from the IRP in February 2012. He stated that he would like the Panel to think about how they would go about making a selection of three names for submission to the Board of County Commissioners (BCC). The BCC would then select one of the three. He mentioned that Ms. Boersma will be retiring in September of 2009, and given the budgetary restraints that are causing layoffs, her replacement will probably come from the County's pipeline committee.

Agenda Item # 6) Adjourn Dr. Tapia made a motion to adjourn. Ms. Shellow seconded. It was passed unanimously.