

INDEPENDENT REVIEW PANEL MINUTES

May 24, 2007

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

PANEL MEMBERS PRESENT

Julia Dawson, Esq., 1st Vice Chairperson
Moiez Tapia, Ph.D., 2nd Vice Chairperson
Michael Band, Esq.
Jean Robert Lafortune
Glen P. Falk, Esq.
Josefa Velis, Esq.
Doris Shellow

MEMBERS ABSENT WITH NOTIFICATION

Jorge Reynardus, Esq.
Julie C. Ferguson, Esq.

MEMBERS ABSENT WITHOUT NOTIFICATION

Arcie Ewell

PANEL STAFF PRESENT

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

AUDIENCE: Miami Coalition of Christians and Jews (MCCJ): Jim Howe and Ira Horowitz
CIP: Don March

MDPD: Bobby Parker, Director; Naim Erched, Assistant Director Police Services; Larry Buck, Acting Division Chief; Sgt. Orlando Reyes and Sgt. Javier Ruiz; Robert Diers, Legal Bureau

Agenda Item #1) Call to Order. Julia Dawson called the meeting to order at 2:00 p.m. and asked staff to call roll.

Agenda Item #2) Approval and adoption of the minutes. Ms. Dawson made a motion to adopt the minutes from the meeting held on April 26, 2007. Dr. Tapia seconded the motion and it was passed unanimously.

Agenda Item #3) IRP Complaint A2005.100 NAACP v. MDPD. Carol Boersma introduced the complaint and Michael Band gave comments regarding the NAACP's allegations of disparate treatment between White and Black children who are arrested. Dr. Diaz informed the Panel that the investigation of this case was initiated by the Police Department in response to media videos of the arrest, not by the complaint of the NAACP. After reviewing the case, the Panel concluded there was no evidence of wrongdoing on the part of the MDPD.

Agenda Item #4) Presentation by Director Robert Parker, MDPD. Director Parker addressed the concerns of the IRP in regards to MDPD's lack of response to IRP's recommendations. Director Parker stated that he personally does not have the time to review

every document received by his office, however he will make an effort to give more attention to what the IRP sends him. Director Parker stated that he would certainly give consideration to a personal review of the recommendations coming from the IRP.

Director Parker focused on the complaint of Ken Edgecombe, reviewed by the Panel in February 2007. Director Parker disagreed with the IRP finding that there was an excessive amount of law enforcement resources used. The complainant drove off while the officer was writing him as ticket and that required further police action. Director Parker stated that refusing to allow the complainant to get a shirt or shoes before transporting him to jail may not have been compassionate, however, the officer violated no policy or procedure when he arrested the complainant.

Mr. Band stated that the officer may not have violated a policy; however, the arrest of Mr. Edgecombe was a classic case of “contempt of cop.” MDPD’s response appeared to be an indifferent “shrug,” and this impacts community perception of police officers.

Mr. Falk stated that Mr. Edgecombe participated in the IRP review of his complaint, and he is an articulate, respectable man who acknowledged that he made a mistake. It was not necessary to take him to jail.

Director Parker said the officer had the discretion to do what he did. Ms. Dawson said that he as the Director should have a talk with the officer. Director Parker advised that there are good reasons for him not to do that, but that conversation may be held at other supervisory levels. Ms. Dawson said feedback to the IRP that MDPD has taken such action is important.

In response to the Panel’s desire to have feedback regarding counseling from MDPD, Don March suggested that MDPD notify the IRP that the findings of the Panel have been shared with the employee by a supervisor. Director Parker agreed to the suggestion.

Director Parker stated he valued the opportunity to dialogue with the Panel members and he would return as often as needed.

Agenda Item #5) Executive Director’s Report. Dr. Diaz reported on his meeting with the County Manager concerning the budget. Dr. Diaz informed the Panel that the county’s situation cannot be defined until the state legislature decides what it is going to do in regards to tax reform. The County Manager did make it clear that severe cuts will make it difficult for him to recommend that “certain functions,” such as the IRP, be continued. Dr. Diaz advised the County Manager of the importance of the civilian oversight of Law Enforcement function of the IRP.

Agenda Item #6) Robert Diers Presentation. Mr. Robert Diers spoke about the county ordinance in regards to vendors. He estimated that the ordinance revisions would be done by this time next month; however, he stressed that the changes may not be approved.

Agenda Item # 7) Adjourn. Dr. Tapia made a motion to adjourn. Michael Band seconded. The motion passed unanimously.

