

**MINUTES
CITY OF COCOA
COCOA POLICE COMMUNITY RELATIONS
ADVISORY COMMITTEE**

MAY 23, 2019

The First Meeting of the Cocoa Police Community Relations Advisory Committee was held on May 23, 2019 at City Hall, 65 Stone Street, Cocoa, FL, as publicly noticed.

I. CALL TO ORDER:

Police Chief Cantaloupe called the meeting to order at 6:00 p.m.

Committee Member Wash provided the invocation and Chief Cantaloupe led the assembly in the Pledge of Allegiance.

<u>PRESENT:</u>	Aldon Bookhardt	Committee Member
	Marsha Dyal	Committee Member
	Michael Klug	Committee Member
	Kevin McCann	Committee Member
	Jarvis Wash	Committee Member
	Anthony Garganese	City Attorney
	John A. Titkanich, Jr.	City Manager
	Courtney Jackson	Recording Secretary
<u>ABSENT:</u>	Al Boettjer	Committee Member (arrived at 6:08 p.m.)
	Alton Edmond	Committee Member (arrived at 6:02 p.m.)

STAFF PRESENT:

Monica Arsenault, Assistant City Clerk, Michael Cantaloupe, Police Chief, Matt Fuhrer, Assistant City Manager, John Titkanich, City Manager, Brenda Warner, Deputy Mayor, Lorraine Koss, Councilmember, Yvonne Martinez, Public Information Officer, Lt. Pat Dovale, Cocoa Police Officer, Lt. Mike Dellatorre, Cocoa Police Officer (arrived at 6:19 p.m.).

II. WELCOME AND INTRODUCTIONS- Chief of Police

Chief Cantaloupe introduced himself and thanked the members of the Committee for attending as well as for joining the new Committee. He hoped to work towards developing new plans and developing input on different ideas for Cocoa Police.

III. OPERATIONAL STANDARDS & LEGAL TRAINING

City Attorney Garganese provided training regarding the role of the Police Advisory Committee, Sunshine Law, Public Records Act, and Committee Member code of ethics.

City Attorney Garganese briefly reviewed Resolution No. 2018-097¹; and read Section 3 of Resolution 2018-097 into the record for training purposes.

Committee Member Boettjer clarified that social media also applies to the Sunshine Law. City Attorney Garganese and Chief Cantaloupe agreed and urged each member to be cautious when responding to social media comments and posts.

IV. ELECTION OF CHAIRPERSON AND DEPUTY CHAIRPERSON

Each Member of the committee introduced themselves, and Committee Member Boettjer suggested that the Members who are attorneys should be nominated for chair positions.

Committee Member Klug nominated Committee Member McCann as Chairperson.

Committee Member McCann nominated Committee Member Edmond as Chairperson and Committee Member McCann nominated himself as Deputy Chairperson.

- * **MOTION by Committee Member McCann; Seconded by Committee Member Edmond, to elect Committee Member Edmond as Chairperson and to elect himself as Deputy Chairperson.**

AYES: Edmond, McCann, Boettjer, Bookhardt, Dyal, Klug, and Wash

THE MOTION CARRIED UNIMOUSLY (7-0)

V. CITIZEN PARTICIPATION

Chairperson Edmond opened the meeting up to the citizens.

Rev. Johnny Dennis, thanked each Member before expressing his concern over the Committee meeting only quarterly. Rev. Dennis asked if meetings could be held at-will as he feels that too much will fall through the cracks by not meeting more frequently.

Chairperson Edmond responded that the City requires the Committee to, at minimum, meet once per quarter. He further pointed out that it is a possibility to meet more than quarterly and asked if the meetings had to take place in Council Chambers. In response, City Attorney Garganese noted that the meeting location can change as long as it is in the geographical bounds allotted by City Ordinance.

¹ Exhibit A: Resolution No. 2018-097

Rita Lenar, Cocoa resident, shared with the Committee her past experiences regarding her complaints with the Cocoa Police Department, which she feels have never been handled properly. She would like to see a positive change within the Police Department. Ms. Lenar hopes for a positive integration between the community and the police, but fears it is not a realistic goal based on how she has been treated in the past by police. She suggested that the Committee address how Chief Cantaloupe, along with the Cocoa Police Department, handles complaints.

Committee Member Boettjer asked if she wrote down her concerns and if there were any written complaints. She responded that she had filed written complaints but was ignored for three years. It was not until she wrote to Police Chief Cantaloupe and involved City Manager Titkanich in her dispute that she felt she was responded to.

Committee Member Klug asked what her complaints were in reference to. In response, Ms. Lenar further discussed her past experiences involving former Officer George Menendez and other Cocoa Police Officers in which her complaints were about.

Deputy Chairperson McCann thanked her for coming forward and hoped that her story will inspire others to share their stories. He clarified that her grievance with the Cocoa Police Department was about the complaint process being fair and maybe having an appeal process. Ms. Lenar agreed.

Chairperson Edmond asked if Chief had comments regarding Ms. Lenar's concerns. Chief Cantaloupe confirmed that he had received three complaints by Ms. Lenar and stated he will provide copies of the closed complaints.

Discussion was held regarding the idea of bringing in other closed complaints for the Committee to review and see the complaint process as a whole.

Chief Cantaloupe wanted to clarify that all complaints, no matter how they are received, are thoroughly investigated and taken seriously.

Additionally, City Manager Titkanich assured Ms. Lenar that he personally investigated her complaint as well and will bring copies of his findings for the Committee to see how it was handled from start to finish. Ms. Lenar added that even though the Police Department went through the motions, she felt her complaints were not taken seriously. Ms. Lenar thanked the Committee.

Chairperson Edmond asked if there was any further input from the community.

City Attorney Garganese announced that former Officer George Menendez, who is mentioned in Ms. Lenar's complaint, has three separate pending legal investigations against him and advised that discussion of him needs to be taken with caution.

Committee Member Wash wanted to confirm that moving forward, they will be provided a copy of a closed complaint from the Police Department for review. Chief Cantaloupe confirmed and advised that he will provide copies of closed complaints beginning from January of this year to now. He hopes that this will help provide transparency in understanding the whole complaint process.

Chairperson Edmond asked if going over the complaints could potentially violate the Sunshine Law. City Attorney Garganese stated the discussion of the complaints did not violate Sunshine Law.

Chairperson Edmond further asked if review of the complaints will become part of the agenda moving forward. Chief Cantaloupe commented that the complaints will be part of the agenda packet with a booklet that has the complaint summary to serve as backup material to discuss and will be provided when the agenda is sent out.

Committee Member Boettjer clarified that the complaints that will be given are closed since there is a public records exemption for open investigations including the officers involved which limits the Chief of Police from disclosing that information to the public.

Deputy Chairperson McCann asked what would the Committee's responsibility would be after review of the closed complaints.

Chief Cantaloupe mentioned that since they are closed investigations, the Committee is open to discussing how a complaint was handled and all concerns including questions can be addressed.

Committee Member Boettjer inquired if the Committee would need to carry out any further action if they are closed investigations. Chief Cantaloupe stated that since they are closed investigations all disciplinary actions (if any) would have already been carried out, which would be shown in the complaint; however, he would welcome the Committee's input on the situations.

City Manager Titkanich stated it would be helpful if Chief Cantaloupe could provide an overview of the entire complaint process at the next meeting.

Committee Member Boettjer asked if City Attorney Garganese would be able to let the Committee know in advance if there would be a potential conflict before discussion of the complaints. Chief Cantaloupe stated there should not be any conflicts of interest since all copies of complaints given will be completely closed and if there is a conflict, he will not present it. He also mentioned that he would work closely with City Attorney Garganese to ensure there are no conflicts of interest prior to discussion.

Deputy Chairperson McCann previously asked if the Committee has a duty to scrutinize each complaint that comes to the Committee.

Chairperson Edmond responded by saying it is not the Committee's duty and pointed out Section 2 of the Resolution. He emphasized that just scrutinizing the complaints would defeat the purpose of the Committee because by scrutinizing the complaints, there would be no constructive reasoning behind it and would offer no solutions. He feels the Committee was brought together to address policing issues in a positive and constructive manner, and in a way that benefits the City of Cocoa, the Cocoa Police Department, Cocoa citizens, and its visitors.

VI. REVIEW OF RESOLUTION NO. 2018-097

1. Committee Expectations
2. Meeting Schedule

VII. NEXT MEETING DATE

The Police Community Relations Advisory Committee meets quarterly. Chairperson Edmond discussed the possibility of having a meeting sooner, but until further notice, the next meeting will be August.

Committee Member Bookhardt asked why the Committee would make recommendations on closed complaints when they are just reviewing them and asked for clarification of the purpose of doing so. In response, City Manager Titkanich stated that the idea is to help Cocoa citizen's change their perception on how the Police Department handles complaints. He feels this provides an opportunity to publically air the complaints and show the complaint process as a whole. He hoped that by doing so, it inspires the possibility to address patterns or common complaints on certain issues and to be able to come together to work on a resolution and provide constructive feedback on how to resolve them.

City Manager Titkanich also emphasized that the discussion of the closed complaints would show accountability and transparency. City Attorney Garganese added that the Committee is there to promote positive change between the citizens and the Police Department and feels that the discussions the Committee will have will help mend rifts between the Cocoa community and the Cocoa Police Department.

Committee Member Klug asked Chief Cantaloupe how long the Police Department keeps their dispatch logs. Chief Cantaloupe replied that they keep the logs "essentially forever", but changed systems 8-10 years ago. He further explained that the logs contain what time an officer was called, when they arrived on scene, when they were cleared, and when a report was written.

Chairperson Edmond asked for any further comments from either the Committee or citizens.

Rev. Johnny Dennis was granted two minutes to ask the Committee his question. He believed that only going over closed complaints from the Police Department would be pointless because he feels the only way to promote accountability and transparency would be by going over open complaints and making recommendations from those instead.

Chairperson Edmond explained that they can legally only discuss closed complaints due to certain protections for officers and information provided in open investigations, but assured Rev. Dennis that going over closed cases would still show the complaint process in its entirety, including showing accountability and transparency.

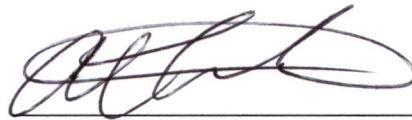
VIII. ADJOURNMENT:

- * **MOTION by Committee Member Boettjer; SECONDED by Committee Member Dyal, to adjourn the first meeting of May 23, 2019.**

AYES: Edmond, McCann, Boettjer, Bookhardt, Dyal, Klug, and Wash

MOTION CARRIED UNANIMOUSLY (7-0)

THE MEETING ADJOURNED AT 7:14 p.m.



Alton Edmond, Chairperson

Respectfully submitted:



Courtney Jackson, Recording Secretary