

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

NOVEMBER 14, 2019

The Regular Meeting of the Cocoa Police Community Relations Advisory Committee was held on November 14, 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.

Chairman Edmond provided the invocation and Committee Member Wash led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL:

Alton Edmond	Chairperson
Kevin McCann	Vice Chairperson
Al Boettjer	Committee Member
Aldon Bookhardt	Committee Member
Marsha Dyal	Committee Member
Michael Klug	Committee Member
Jarvis Wash	Committee Member
Anthony Garganese	City Attorney

PRESENT:

Alton Edmond	Chairperson
Kevin McCann	Vice Chairperson
Al Boettjer	Committee Member
✓ Aldon Bookhardt	Committee Member
Marsha Dyal	Committee Member
Michael Klug	Committee Member
Jarvis Wash	Committee Member

ABSENT:

Anthony Garganese	City Attorney
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STAFF PRESENT:

Lt. Pat Dovale, Cocoa Police Department, Lorraine Koss, Council Member, Alex Goins, Deputy Mayor, and Courtney Jackson, Recording Secretary.

II. APPROVAL OF AGENDA & MINUTES

1. AGENDA: REGULAR MEETING OF NOVEMBER 14, 2019

- * **MOTION by Committee Member Boettjer; SECONDED by Committee Member Klug, to approve the agenda for the November 14, 2019 meeting as written.**

AYES: EDMOND, MCCANN, BOETTJER, ~~BOOKHARDT~~, DYAL, WASH

MOTION PASSED UNANIMOUSLY (6-0)

2. MINUTES: REGULAR MEETING OF AUGUST 22, 2019

- * **MOTION by Committee Member Boettjer; SECONDED by Committee Member Dyal to approve the minutes from the regular meeting of August 22, 2019 with amendments.**

AYES: EDMOND, MCCANN, BOETTJER, BOOKHARDT, DYAL, WASH

MOTION PASSED UNAMIOUSLY (6-0)

III. COMMITTEE DISCUSSION OF CLOSED CITIZEN COMPLAINT CASES

- **19-14-cc Unprofessional Conduct – Not Sustained.**

No discussion.

- **19-16-cc Unprofessional Conduct/Illegal Search – Sustained/Exonerated.**

Chair Edmond he believes that the suggested reprimand was absolutely appropriate and asked if Officer Gray has completed his recommended training.

Chief Cantaloupe replied that currently he does not have that information available but can add it to the March 2020 agenda.

- **19-17-cc Speeding- Not Sustained.**

Dissection between Committee Member Klug and Chief Cantaloupe regarding putting body cams on Code Enforcement Officers.

- **19-19-cc Wrongful Trespass – Exonerated**

No discussion.

- **19-25-cc Harassment/Targeting – Unfounded**

No discussion.

- **19-26-cc Fail to Investigate- Exonerated.**

No discussion.

- **19-27-cc Unprofessional Conduct/Use of Force – Unfounded.**

Chairman Edmond shared that he appreciates the work Cocoa PD did on this case. He shared that it is important to have open discussions and pointed out the instances in the complaints where everything was done above and beyond expectations. He felt there were no negative comments or recommendations regarding the complaints in preparation for tonight's meeting.

Committee Member Boettjer commended Lt. Dovale's service, due diligence, and willingness to keep an open mind to determine the actual facts instead of having a bias conclusion.

- **19-29-cc Unprofessional Conduct – Unfounded.**

No discussion.

IV. CITIZEN PARTICIPATION

Rita Lynar, a Cocoa citizen, discussed her previous alleged mistreatment from Cocoa PD and shared the concerns that she has regarding Cocoa PD taking sides. She stated that she came before the committee in hopes to get feedback regarding her suggested policy changes¹ she provided at the May 2019 meeting.

Chief Cantaloupe rebutted Ms. Lynar's allegations and explained that he cannot divulge information regarding an open case, even if she is involved.

Chairman Edmond then provided feedback regarding Ms. Lynar's Cocoa PD Policy change suggestions.

He went through recommendations #1² and #2³ where he explained the complications regarding obtaining video surveillance.

Ms. Lynar stated that the officer did not request the video and they just went with the affidavits given.

¹ Exhibit A: Rita Lynar's Proposed Recommended Policies for the Cocoa Police Department.

² Rita Lynar's First Policy Recommendation as shown in Exhibit A.

³ Rita Lynar's Second Policy Recommendation as shown in Exhibit A.

Chairman Edmond did not want to come off as insensitive, but explained that when officers arrive to a scene, there is usually something in the dispatch to investigate a specific allegation.

Ms. Lynar complained that the police never asked her for her side of the story.

Committee Member Boettjer asked for clarification on the issue she is discussing as this is the third time she has come before the committee regarding the same issues.

Ms. Lynar clarified that her issue lies with the Cocoa PD siding with a particular group who will target individuals and "silence" them if they do not take a liking to that individual and hopes with the suggested policy changes that will not happen again.

Committee Member Boettjer explained that there are differences regarding investigations with a complainant and a defendant. He concluded by relaying that if she was arrested and later felt there needed to be video evidence, then that needs to be taken up with a defense attorney.

Ms. Lynar stated she tried to get the video herself, but the business will not release to her and expressed her frustrations as she feels the video would exonerate her.

Chairman Edmond reverted the conversation back to the feedback on her suggestions.

Chairman Edmond commented on recommendation #3⁴ and Chief Cantaloupe discussed shift policy as it pertained to the suggestion.

Discussion was held between Committee Member Klug regarding how many calls Cocoa PD gets within a day.

Chief Cantaloupe briefly explained that sworn affidavits puts his officers in a position where they have to act and that is where the defense attorney comes in to dispute the charges. Lastly, he explained why they have due-process and the complications that can occur if officers do not act on a sworn affidavit.

Committee Member Boettjer explained that the police department is not the final decision maker in a case, it is the State Attorney's Office. Changing police policies to make the Cocoa PD officers to be defense investigators is a bad idea because that is not their scope nor their responsibility.

Discussion was held between Ms. Lynar and Chairman Edmond regarding the officers possibly having enough probable cause to make the arrest.

Chairman Edmond shared there are routes for her to take within the courts if she feels the court's decision was wrong.

⁴ Rita Lynar's Third Policy Recommendation as shown in Exhibit A.

Vice Chairman McCann noted that he felt the issue lies in all of Cocoa PD's actions not being to her level or idea of satisfaction. After reviewing all of the complaints he's received, he does not think that the Cocoa PD did anything wrong within the investigations and thought they were handled very well. He explained that while he appreciates her coming forth and sharing her concerns, he thinks this is a personal matter. Lastly, he shared that it is not the committee's place to ask to have the policies changed to her recommendations since they do not have a problem with the policies to begin with.

Ms. Lynar explained she is trying to show a pattern within Cocoa PD.

Chairman Edmond moved on to commenting on suggestion #4⁵ where he explained due-process and relative constitutional rights of the accused and with law enforcement officers.

Ms. Lynar explained that she just wants to make sure that Cocoa PD does the best they can before they send everything to the State Attorney's Office.

Chairman Edmond expressed that "satisfactory" is subjective and he is also beginning to suspect that is the issue at hand.

Discussion was held between Ms. Lynar and Chief Cantaloupe regarding Cocoa PD's policy for investigations when speaking to defendants.

Chairman Edmond added that as a defense attorney, 99% of the time, he advises his clients to not give statements. It is not in the defendant's best interest to give more evidence to an agency who is arresting you.

Chairman Edmond commented on recommendation #5⁶.

Chief Cantaloupe explained supplemental reports in investigations.

Chairman Edmond commented on recommendation #6⁷.

Committee Member Boettjer add that the Cocoa PD already has the wordage in the policies covered.

Chairman Edmond commented on recommendation #7⁸.

Chairman Edmond asked for a productive conversation and requested for Ms. Lynar to focus on new issues.

Discussion was held between Council Member Koss and Chief Cantaloupe regarding Asbury Arms.

⁵ Rita Lynar's Fourth Policy Recommendation as shown in Exhibit A.

⁶ Rita Lynar's Fifth Policy Recommendation as shown in Exhibit A.

⁷ Rita Lynar's Sixth Policy Recommendation as shown in Exhibit A.

⁸ Rita Lynar's Seventh Policy Recommendation as shown in Exhibit A.

Committee Member Boettjer thanked those who attended tonight's meeting, the committee, and the Cocoa PD for their willingness to hear issues regarding their agency.

Chairman Edmond introduced 3 of his students and a friend of his who attended the committee's meeting.

Discussion was held between Deputy Mayor Goins and Chief Cantaloupe regarding more insight on the victim affidavits and the procedures that are associated as well as the process once it goes to the State Attorney's Office.

Deputy Mayor Goins felt that there are a lot of people who do not understand the law or the process in the criminal justice system. Because of those reasons, he suggested to have a Criminal Law Summit to educate the community on the law and highlight the Police Advisory Committee.

Chief Cantaloupe added he would love to see more people come to the PAC meetings because it gives the community an educational opportunity to learn about what they do as he feels there is a lot of misinformation.

Committee Member Boettjer shared that there are certain crimes and situations that the PD has no choice in making an arrest such as domestic violence.

Deputy Mayor Goins expressed that a lot of people are afraid of coming to City Hall and feels that the summit should be open forum style and emphasized that we all need uncomfortable conversations as that is the only way we all grow.

Chairman Edmond suggested hosting the Summit at the new Joe Lee Smith Center during its opening month as that would give plenty of time for preparation.

Vice Chairman McCann hopes that gap of lack of transparency is starting to close. He asked if Chief Cantaloupe could add a section to the next agenda that highlights the good deeds, promotions, retirements, etc. their agency does as he feels it is unfair to only discuss the negative.

Chairman Edmond disagreed as he feels the committee is not the proper venue to discuss such topics as he does not feel it would help mend the bridge between citizens and the PD. Lastly, he pointed out the other venues that highlight those topics and they should tailor their time focusing on the complaints.

Vice Chairman McCann rebutted Chairman Edmond's response as he feels that only tailoring their time to complaints would be a disservice in the long-run.

Further discussion was held between Chairman Edmond and Vice Chairman McCann regarding whether or not to implement an accomplishment highlight and why Rev. Johnny Dennis pushed for the committee to begin with.

- * **MOTION by Vice Chairman McCann; SECONDED by Committee Member Boettjer to add to future agendas a section highlighting heroic acts, awards, promotions, and retirements from the Cocoa Police Department.**

AYES: MCCANN, BOETTJER, BOOKHARDT, DYAL, WASH

OPPOSED: EDMOND

MOTION PASSES (5-1)

Committee Member Boettjer added that it is in the community's best interest to hear when a police officer has committed a heroic act because it shows the community that the officers are doing good things. He felt that if you want to have a good community relations, you need the community to be aware of the hard work, dedications and good deeds officers do on a daily basis and feels this is the correct venue to discuss such topics.

Committee Member Klug pointed out that the police are only as good as the community allows them to be and it takes reviewing complaints and showcasing their good deeds as he felt it was important to share the two. He added that the police deserve to be recognized and that these officers are not just here to make arrests, they are there to diffuse situations and are ultimately there to help. He concluded by adding this is the committee that discusses both the good and the bad.

Committee Member Wash commended the Cocoa PD and requested to have the section be strategically put together and it should be placed at the end so that the meetings end with a high note.

V. NEXT MEETING DATE

The Police Community Relations Advisory Board meets quarterly. The next regularly scheduled meeting will be held on March 26, 2020.

VI. ADJOURNMENT:

With no further business to discuss, the Police Advisory Committee Meeting of November 14, 2019 was adjourned.

- * **MOTION by Committee Member Boettjer; SECONDED by Committee Member Dyal to adjourn the Regular Meeting of November 14, 2019.**

AYES: EDMOND, MCCANN, BOETTJER, BOOKHARDT, DYAL, WASH

MOTION CARRIED UNANIMOUSLY (6-0)

THE MEETING ADJOURNED AT 7:24 p.m.

November 14, 2019



Alton Edmond, Chairperson

Respectfully submitted:



Courtney Jackson, Recording Secretary

Kadi Carver