



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final - Final Citizen Review Board

Wednesday, December 17, 2014

6:00 PM

Old City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

Call Meeting To Order

6:00 P.M.

Roll Call

Present 7 - Mr. Behrend, Mr. Dennison, Ms. Ford, Mr. Gullate, Mr. Magby, Mr. Milone, and Mr. Pais

Pledge of Allegiance to the Flag

Approval of Agenda

Approval of Minutes

1 October 27th, 2014 (Regular)

A motion was made by Mr. Tom Milone, seconded by Mr. Joe Pais, that the Minutes be Approved. The motion passed by unanimous vote.

Action Items

2 File #14-002 (Murphy)

A motion was made by Mr. Tom Milone, seconded by Mr. Rodney Gullate, that the case be continued until the medical records can be obtained from Care Ambulance, Lower Keys Medical Center, and the air transport that took Mr. Murphy to Jackson Memorial Hospital. Further that Citizen Review Board Legal Counsel discontinue its efforts to depose Mr. M. Dunbar. The motion was Approved by unanimous vote.

3 Glenn Hanes Case

A motion was made by Mr. Tom Milone, seconded by Mr. Arthur Dennison, that

the Action Item be shown as received and filed.

The motion was Approved with 6 Yeas to 1 Nay vote by Mr. Joe Pais.

4 Bobby Mosby Case

A motion was made by Mr. Tom Milone, seconded by Mr. Rodney Gullatte, that the Action item be shown as received and filed with no other action.

The motion was Approved with 6 Yeas to 1 Nay vote by Member Joe Pais .

5 Charles Eimers Case

A motion was made by Mr. Tom Milone, seconded by Mr. Hayward Magby, that the Citizen Review Board open a Board Investigation into the Charles Eimers case.

The motion passed by the following vote:

Yeas: Members Dennison, Magby, Milone, Behrend, Pais, Gullatte, Ford

Nays: None

A motion was made by Mr. Tom Milone, seconded by Ms. Kathleen Ford, that the Citizen Review Board request the United States Department of Justice to open an investigation into the Charles Eimers case specifically with regards to the Florida Department of Law Enforcement investigation, the Monroe County Medical Examiners report, the Monroe County State Attorneys investigation and the Key West Police Departments Internal Affairs investigation.

The motion passed by Unanimous vote.

A motion was made by Mr. Tom Milone, seconded by Mr. Joe Pais, that the Citizen Review Board legal counsel request all available documentation to include all videos and recorded depositions from the Charles Eimers civil case attorneys and the City of Key West city attorneys.

The motion passed by unanimous vote.

6 Martinez Case

A motion was made by Mr. Tom Milone, seconded by Mr. Joe Pais, that the Citizen Review Board open a Board investigation into this case. The motion was denied by a vote of 5 to 2.

No: 5 - Mr. Behrend, Mr. Dennison, Mrs. Ford, Mr. Gullatte, and Mr. Magby

Yes: 2 - Mr. Milone, and Mr. Pais

7 Cartwright Case

A motion was made by Mr. Tom Milone, seconded by Mr. Joe Pais, that the Citizen Review Board open a Board investigation into this case. The motion was denied by a vote of 5 to 2.

No: 5 - Mr. Behrend, Mr. Dennison, Mrs. Ford, Mr. Gullatte, and Mr. Magby

Yes: 2 - Mr. Milone, and Mr. Pais

Discussion Items

8 Response to Resistance Incident Reports

Received and Filed

Reports

9 Tracking Chart

Received and Filed

10 Legal Counsel

Received and Filed

11 Executive Director

Received and Filed

Public Comment

Board Comment

Adjournment

9:27 P.M.