

city of miami



EILEEN DAMASO
Chairperson

civilian investigative panel

CRISTINA BEAMUD
Executive Director

June 25, 2018

Chief Jorge Colina
Miami Police Department
400 NW 2nd Ave
Miami, FL 33128

RE: CIP#: 18-008 IA#: 17-161
Complainant: Alejandro Quintas
Involved Officer: John Romero, 42629
Date of Incident: September 13, 2017

Dear Chief Colina:

The Civilian Investigative Panel ("CIP") considered the above case at its meeting on June 19, 2018. The Panel voted to sustain the allegation of Improper Procedure.

Procedural History: This complaint was filed with Internal Affairs on October 10, 2017. This complaint was assigned to detective Alexis Caraballo of Internal Affairs. On December 14, 2017, this complaint was closed as exonerated. The CIP received this complaint on January 17, 2018.

Complaint: Mr. Quintas stated that he called the police to his home and requested a report in reference to a child custody dispute with his ex-wife. When he received the copy of the incident report, he was not satisfied with how the officer wrote the report, which described him as "resentful and displayed an attitude"

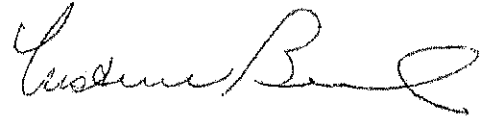
Policies Considered: Departmental Order 11, Chapter 8, Reporting Procedures: 8.4.1 When to Make a Field Report: It is the policy of this department that when a police unit is dispatched on a call for police service a field report shall normally be completed. Field reports must contain only facts. Conclusions or opinions of the police officer, unsubstantiated by facts, are improper and should not be included in field reports.

Investigation: The complainant's ex-wife called 911 regarding a custody dispute. Officers Romero and Rincon arrived and Officer Romero asked him to speak to him about what his ex-wife told the officers. The complainant advised Officer Romero that his ex-wife has no right to be on the property. His ex-wife was escorted out of the building and he requested a case number. He didn't agree with the way the report was written and asked if it could be amended, due to the use of "opinion" based information within the

report. CIP staff reviewed the report and on page two, in the narrative section it says, "Units met with Mr. Quintas, who seemed very resentful towards Ms. Smith. Mr. Quintas displayed an attitude when the matter was brought up" (child custody).

CIP Resolution of the Complaint: The CIP voted to sustain an allegation of improper procedure, because Officer Romero's report does say the complainant was "resentful" and "displayed an attitude" and these descriptions are opinion based.

Sincerely,

A handwritten signature in black ink, appearing to read "Cristina Beamud". The signature is fluid and cursive, with a large, stylized "C" at the beginning and a long, sweeping tail that extends to the right.

Cristina Beamud
Executive Director

cc: Emilio Gonzalez, City Manager
Joseph Napoli, Deputy City Manager

City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

JUL 16 2018

Ms. Cristina Beamud
Civilian Investigative Panel
970 SW 1st Street #305
Miami, Florida 33130

RECEIVED

JUL 20 2018

C.I.P.

RE: Civilian Investigative Panel Complaint Review
Internal Affairs Case #C17-161
Civilian Investigative Panel Case #18-008

Dear Ms. Beamud:

This letter is written in response to your letter regarding the findings and conclusions of the Civilian Investigative Panel (CIP) at its meeting on June 19, 2018, pertaining to the above-referenced case. Your letter was thereafter brought to the attention of the Internal Affairs Section for appropriate review and response. The outcome of their review is as follows.

- The complaint was filed with the Internal Affairs Section against Officer John Romero alleging Improper Procedure.
- The CIP reviewed the complaint on January 17, 2018, and voted to Sustain the allegation of Improper Procedure against Officer Romero.
- The City of Miami Police Department has established Departmental Orders which prohibit an officer from using conclusions or opinions in a report. Due to the circumstances surrounding this case and considering that parents involved in child custody issues and/or ongoing divorce proceedings can be emotionally charged and outright distraught, a reasonable person, or in this specific case, the officer investigating this incident, would have to rely on observations to describe this incident in order for the reader of this information report to completely understand the volatility of the situation. The officer was illustrating one of the involved party's demeanor, mood, and intent by documenting his observations, which were rational based on his experience, knowledge, and training.
- There is no new or additional information available that would require us to re-open this case. Therefore, no further action will be taken.

If you should have any further questions, please contact Major Jesus Ibalmea at (305) 835-2000, Monday through Friday 8:00 am to 5:00 pm. If Major Ibalmea is unavailable when you call, please leave a contact number where you can be reached.

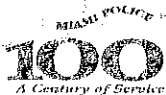
Thank you for bringing this matter to our attention.

Sincerely,

Major Jesus Ibalmea
Commander
Internal Affairs Section
for Jorge R. Colina
Chief of Police

JRC:JI:ac

cc: George Wysong, Legal Advisor
Emilio T. Gonzalez, City Manager



MIAMI POLICE DEPARTMENT/P.O. BOX 016777 / Miami, Florida 33101 / (305) 603-6100
E-Mail Address: chief@police@miami-police.org

