

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#: 18-037 IA#: 17-137
Complainant: Ralph Alston
Involved Officers: Shane Tardieu, 41905
Ryan Michel, 41535
Date of Incident: August 28, 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 for failure to turn on his body camera.

Procedural History: On August 28, 2017 Internal Affairs received a complaint from Sergeant Robert Mallon against Officer Tardieu alleging Abusive Treatment. Sergeant Keler Filet was assigned to investigate the complaint. On January 17, 2018 the allegation of Abusive Treatment against Officer Tardieu was closed as not sustained, and the allegation of Improper Procedure against both Officers Tardieu and Michel were closed as sustained. The IA Report was received by the CIP on March 15, 2018

Complaint: Mr. Alston stated Officer Tardieu pushed his face, then grabbed him by both shoulders and pushed him back against the rear seat of the police vehicle. He also alleged that Officer Michel was in the front passenger seat and never left the vehicle.

Policies Considered: Departmental Order 4, Chapter 6, Body Worn Camera: Any officers utilizing BWC equipment shall ensure the device is in working order prior to starting their tour of duty and shall activate the BWC at all times when they become involved in enforcement action or engage in any self-initiated interactions with citizens.

Investigation: Attempts were made unsuccessfully to contact Officers Tardieu and Michel, and Mr. Alston. MPD records show that Officers Tardieu and Michel were issued their body worn camera on March 2, 2017. Miami Dade Clerk of Court records show Mr. Alston was charged with Trespass Property/After Warning.

CIP Resolution of the Complaint: The CIP voted to close Mr. Alston's case as no finding, since the complainant was not available to clarify his complaint. The Panel voted to sustain the allegation of improper procedure, because there was no use of the Body Worn Camera during this incident.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Cristina Beamud', written in black ink.

Cristina Beamud
Executive Director

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

City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

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

JUL 16 2018

RE: Civilian Investigative Panel Complaint Review
Internal Affairs Case #C17-137
Civilian Investigative Panel Case #18-037

RECEIVED

JUL 20 2018

C.I.P.

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 Shane Tardieu and Officer Ryan Michel alleging Improper Procedure.
- The CIP reviewed the complaint on June 19, 2018, and voted to Sustain the allegation of Improper Procedure against Officer Shane Tardieu and Officer Ryan Michel.
- A review of the Internal Affairs case file revealed that Internal Affairs found the allegations of Improper Procedure to be Unsupported; however, Officer Tardieu and Officer Michel were issued discipline to address Body Worn Camera (B.W.C.) violations.

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.

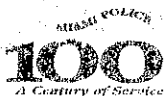
Thank you for bringing this matter to our attention.

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

