



City of Riviera Beach, Florida
1481 W. 15th Street, Suite 238
Web: www.rivieraeach.com
Office: 561-845-4000
Email: Jevans@rivierabeach.org
Twitter: @JonathanEvan's

HAND-DELIVERY
CERTIFIED MAIL RETURN RECEIPT
2862

August 13, 2021

Mr. Brian Jackson
600 West Blue Heron Blvd
Riviera Beach, FL 33404

RE: Notice of Termination

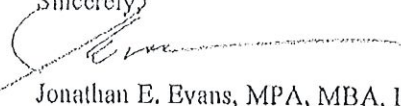
Dear Mr. Jackson:

The intent of this letter is to inform you that your employment with the City of Riviera Beach is terminated effective immediately due to multiple policy violations. I have reviewed your sworn statement. After reviewing that statement, I find that you have violated the public's trust in law enforcement, which has impugned the reputation of the agency and your peers.

As a duly certified law enforcement officer you are held to the highest moral and ethical standards. You are entrusted with protecting the health, safety and welfare of the public and more importantly, to follow and enforce the law. You failed to comply with **General Order 2018-3, 1.4 Body Worn Camera and General Order 2018-3, 1.7 Assignment, Issuance, and Operation** policies by not operating your body worn camera in compliance with the Body Worn Camera Policy. By doing so, government and policing transparency was compromised.

As a result of your statement and your conduct, you have been terminated immediately by the City of Riviera Beach.

Sincerely,


Jonathan E. Evans, MPA, MBA, ICMA-CM
City Manager, Riviera Beach

CC: E. Young, Assistant Director of Human Resources
D. Wynn, City Attorney
N. Osgood, Chief of Police
E. McBride, Deputy City Manager

"The Best Waterfront City in Which to Live, Work And Play."





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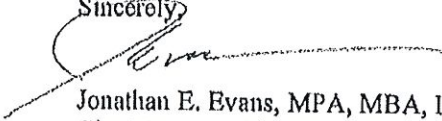
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D. Wynn, City Attorney
N. Osgood, Chief of Police
E. McBride, Deputy City Manager

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Palm Beach County Police Benevolent Association

To be filled out by PBA staff only

Grievance No: GRV-21-04-101

Lead PBA Attorney: Lawrence K. Fagan

Notice to the AGENCY: This grievance is not being submitted by the PBA unless this box has been completed by PBA staff

Written Grievance Form

Grievant: Sgt. Brian Jackson

Date: April 27, 2021

Employer: RIVIERA BEACH PD

Employment Date: 2005

Job Title: Sergeant

Division: Patrol

Article(s) Allegedly Violated

Articles: 7.22. and all others as may be related, including past practice.

Nature of Grievance: Discipline without just cause.

Remedy requested: Restoration of all lost wages, benefits and emoluments in consequence of discipline without just cause.

Submitted by: 

Signature

Date: 4/27/2021

Step I: I, Lawrence K. Fagan as PBA Legal Counsel and on behalf of Sgt. Brian Jackson as attorney in fact, presented this grievance to Chief Nathan Osgood.

CHIEF:

Disposition: _____

Palm Beach County Police Benevolent Association

To be filled out by PBA staff only

Grievance No: GRV-21-04-101

Lead PBA Attorney: Lawrence K. Fagan

Notice to the AGENCY: *This grievance is not being submitted by the PBA unless this box has been completed by PBA staff*

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Date: April 27, 2021

Employer: RIVIERA BEACH PD

Employment Date: 2005

Job Title: Sergeant

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Article(s) Allegedly Violated

Articles: 7.22. and all others as may be related, including past practice.

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Signature

Date: 4/27/2021

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CHIEF:

Disposition: _____

Shelia Robinson

From: Larry Fagan <larry@pbcpcb.org>
Sent: Friday, April 23, 2021 11:06 AM
To: Shelia Robinson
Cc: Courtney Lawrenson; Nathan Osgood; policebo; Tanzy Vassell; Katie Mendoza; Brennan Keeler
Subject: Re: Sgt. Jackson

Shelia: I had previously mentioned to Chief Osgood that from my experience with these at Riviera Beach, Pre-Disciplinary meetings/hearings have been unprotected meetings whereby the City has a chance to fire questions at us and essentially re-investigate the case with no Garrity/Miranda protection whatsoever. Another bite at the apple, if you will.

The last such meeting I had there, the Chief was present, along with Asst. Chief Madden, IA Captain Vassell, Attorneys Lynn Whitfield AND Denise Mutumba, myself and my client (another Sgt.). We all had masks and some had gloves due to the Coronavirus pandemic. It is an added difficulty to ask questions and/or field questions effectively with protective masks on. That hasn't changed yet as we all still navigate COVID. Plus, the meeting is recorded only to become a public record later.

While Sgt. Jackson is absolutely entitled to a meeting, we are not required to re-defend the allegations. It is our opportunity to present MITIGATION to the Chief in an effort to reduce the discipline and discuss his prior good conduct, etc., not be cross-examined about the case.

As such, I'm not going to expose my clients to that unless the dynamics of such a meeting will be different. Therefore, we will present any mitigation for Sgt. Jackson to the Chief in writing.

I was hopeful to resolve the matter. But, with the charges as they stand currently, regardless of any discipline, I am not optimistic to that end.

I am still discussing a possibility of that on our end here.

Lawrence K. Fagan, Esq.
Legal Counsel

Palm Beach County PBA
2100 N. Florida Mango Road
West Palm Beach, FL 33409
Phone: (561) 689-3745
Fax: (561) 687-0154

CONFIDENTIALITY NOTICE: This communication and all attachments (if any) contain confidential information intended only for its named recipient(s). This communication may contain information that is confidential and protected from disclosure by the attorney-client privilege and/or work product doctrine, or prohibited from disclosure and/or discussion without authorization pursuant to Chapter 456, Florida Statutes and other applicable State and/or federal laws, including, but not limited to, Chapter 119, Florida Statutes, the Florida Rules of Evidence, the FOIA, the Privacy Act, the Stored Communications Act and 5 USC 552. Any use, distribution, copying or other disclosure by any person not named as a recipient or otherwise lawfully authorized is strictly prohibited. If you have received this communication in error, please notify its sender immediately.

IRS CIRCULAR 230 NOTICE: To the extent this communication and/or any attachment(s) concern tax matters, it is not intended to be used, and cannot be used by any taxpayer for the purpose of avoiding penalties as may be imposed by law.


On Thu, Apr 22, 2021 at 2:11 PM Shelia Robinson <srobinson@rbpublicsafety.org> wrote:

**RECEIPT FOR HAND-DELIVERED CITY
CORRESPONDENCE**

DELIVERED TO: Brian Jackson, Sergeant of Police

DATE: March 18, 2021


SIGNATURE:

 / BRIAN JACKSON
(SIGN NAME) (PRINT NAME)

PERSON RECEIVING CORRESPONDENCE

DELIVERD BY: TANZY VASSELL/ CAPTAIN OF POLICE/ INTERNAL
AFFAIRS

SIGNATURE:

 / Tany
(SIGN NAME) (PRINT NAME)

PERSON DELIVERING CORRESPONDENCE



"The Best Waterfront City in Which to Live, Work and Play."

CITY OF RIVIERA BEACH – MEMORANDUM

TO: BRIAN JACKSON, SERGEANT OF POLICE

FROM: NATHAN OSGOOD, CHIEF OF POLICE

DATE: MARCH 17, 2021

RE: AMENDED - NOTICE OF INTENT TO ADMINISTER DISCIPLINARY ACTION- I.A. # 19-06

On June 21, 2019, you attempted to conduct a traffic stop on a suspect, who in his attempt to flee struck your marked patrol vehicle. The suspect was later apprehended behind a residence at 1516 West 36th Street, Riviera Beach, Florida.

During your sworn recorded interview, you acknowledged you struck the suspect by providing discretionary blows to distract him because you thought he was reaching for a weapon. You later discovered, what you thought was a weapon, was a cellular phone.

Based on the Body Worn Camera footage, when you arrived on scene, you had an aggressive stance, and your fists were clinched. You approached the suspect while he was sitting on the ground with his hands in the air. At that time, Captain Foster directed everyone to "Go dark". You also acknowledged you were unsure if you were the only supervisor that struck the suspect, however, you knew you punched him more than twice.

You stated you were not wearing your department issued Body Worn Camera, nor vest, during the apprehension of the suspect, and as such, your use of countermeasures was not documented.

On October 18, 2018, you signed the Department's General Order, acknowledging receipt of the policy governing the wear and usage of the Body Worn Camera.

The Body Worn Camera is utilized to capture interactions between Law Enforcement and the public by providing recorded evidence of actions, conditions and statements.

You did not adhere to the Department's standard operating procedures, policies and directives, which precluded you from faithfully executing the duties of your assigned position



Amended Notice of Intent to Administer Discipline
Brian Jackson, Sergeant of Police
I.A. # 19-06

Therefore, I conclude that SERGEANT BRIAN JACKSON has violated the following Policy and Procedures and or Rules and Regulations:

GENERAL ORDER 2018-3 – BODY WORN CAMERA

1.4– POLICY

It is the policy of the Riviera Beach Police Department to utilize a Body Worn Camera to document Law Enforcement interactions with the public by providing recorded evidence of actions, conditions, and statements. The Department has a legal right to capture and record footage during all official interactions.

1.7 ASSIGNMENT, ISSUANCE, AND OPERATION:

- B. Operation and use of the BWC by officers is mandatory while working any uniformed assignments to include but not limited to:
 - 1. Regular and overtime on-Duty Patrol.

**RIVIERA BEACH POLICE DEPARTMENT
POLICY AND PROCEDURES MANUAL;
RULES AND REGULATIONS
SECTION IV, PART IV – NEGLECT OF DUTY OFFENSES:**

4.14 -NEGLECT OF DUTY: LOAFING, INATTENTION TO DUTIES/PROCEDURES:

Riviera Beach Police Department personnel shall be attentive to job duties and shall avoid any appearance of loafing or neglecting work while on duty. Riviera Beach Police Department personnel shall adhere to standard operating procedures, policies and directives, and shall faithfully execute all the duties and responsibilities of their assigned position. (A violation is subject to reprimand, suspension, and/or demotion, or dismissal.)

SUSTAINED

F.S.S. 784.03 BATTERY


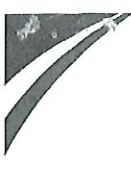
SUSTAINED

F.S.S. 838.022 OFFICIAL MISCONDUCT

SUSTAINED

Based on the foregoing, I am recommending to the City Manager the following:

- **Twenty (20) working days suspension for these violations.**



Amended Notice of Intent to Administer Discipline
Brian Jackson, Sergeant of Police
I.A. # 19-06

This information is provided in conformance with the labor contract between the City of Rivera Beach in the Palm Beach County Police Benevolent Association (PBA). Furthermore, you have the right to appeal concerning this action via the PBA union contract process, Articles 21 and 22.

cc.: Michael Madden, Assistant Chief of Police
O'Ne Dupre, Director of Human Resources

OFFICE OF THE STATE ATTORNEY



FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY



DAVID ARONBERG
STATE ATTORNEY

January 29, 2021

City of Riviera Beach Police Department
PCU Case: 19-PI000042A99
Sergeant Jerry Lamm

On or about August 5, 2019, The Public Corruption Unit were requested by Captain Vassell of the Riviera Beach Police Department to conduct an investigative review of Riviera Beach arrest case 19-50518. On August 9, 2019 a case file was received and reviewed by the Public Corruption Unit and there was no probable cause for criminal charges.

On Tuesday, March 24, 2020 Chief Osgood made contact with Attorney Fernandes requesting the Public Corruption Unit to conduct a secondary internal review of the incident. Additionally, the Riviera Beach Police Department delivered to the Public Corruption Unit a secondary case file to include several body camera videos, internal affairs recorded statements, probable cause affidavit, and other related documents.

A careful analysis of all documentation, body camera videos, and recorded statements provided of the incident were reviewed. I did not uncover any evidence showing the arrestee was struck while in handcuffs or any excessive use of force displayed at the time of the arrest.

On Friday, April 10, 2020 it was determined the arrestee, Anthony Goldwire (B/M, 02-26-1997), is scheduled for jury trial on April 27, 2020. Therefore, based on having legal representation and the case not being closed out we are unable to arrange for recorded statement with Anthony Goldwire until the case is closed.

On, Tuesday, April 14, 2020 Attorney Fernandes sent an email request offering Anthony Goldwire's legal counsel an opportunity to provide a statement regarding the arrest when taken into custody by The Riviera Beach Police Department.

On, Thursday, April 23, 2020 Attorney Fernandes sent an email request offering Anthony Goldwire's legal counsel an opportunity to provide a statement regarding the arrest when taken into custody by The Riviera Beach Police Department.

On, Tuesday, May 6, 2020, Attorney Fernandes sent an email request offering Anthony Goldwire's legal counsel an opportunity to provide a statement regarding the arrest when taken into custody by The Riviera Beach Police Department.

On Monday, December 7, 2020 contact was made with the Public Defender's Office to schedule a formal interview with Anthony Goldwire.

On Monday, January 4, 2021 I received an email copy of criminal depositions for Officer Benjamin Smith, Officer Javares Harvey, and Sergeant Jackson for further investigative review. Upon reading the transcription of Sergeant Jackson's deposition he does state he struck the subject several times in the face and head area as the subject was not complying with the commands given and trying to retrieve something from his pocket. At the time of the use of force the subject was not yet in handcuffs; however, was placed into handcuffs after the initial strikes to the head and face area.

On Tuesday, January 5, 2021 an email was sent to the Public Defender requesting a formal interview with Anthony Goldwire; which, was scheduled for Wednesday, January 20, 2021 within the Palm Beach County State Attorney's Office. However, on the day of the interview I was informed by the Public Defender's Office that Anthony Goldwire's criminal case was closed and he would not be attending the scheduled interview.

On Tuesday, January 19, 2021 I was contacted by Kevin Anderson from the Law Offices of Anderson & Welch, LLC as he was retained by Anthony Goldwire as a private attorney. As of Friday, January 29, 2021 a formal interview has yet to be conducted with Mr. Goldwire at this time.

A careful analysis of all documentation provided along with the digital surveillance videos of the incident were reviewed. Based on these accounts of the investigation I did not uncover any evidence of criminal activity that meet the elements of a crime as per Florida State Statutes. Therefore, based on the findings I am recommending termination of this investigation by the Palm Beach County Public Corruption Unit with no further investigative action at this time.

Sgt. Jerry Lamm


**Sergeant Jerry Lamm
Palm Beach County State Attorney's Office
15th Judicial Circuit
Public Corruption Task Force
401 N. Dixie Hwy.
West Palm Beach, FL 33401**

**RECEIPT FOR HAND-DELIVERED CITY
CORRESPONDENCE**

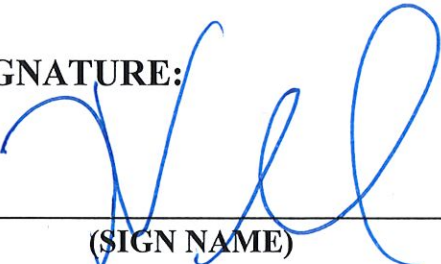
DELIVERED TO: BRIAN JACKSON, SERGEANT OF POLICE

DATE: NOVEMBER 2, 2020

SIGNATURE:

 / Brian Jackson
(SIGN NAME) (PRINT NAME)
PERSON RECEIVING CORRESPONDENCE

**DELIVERED BY: TANZY VASSELL, CAPTAIN OF POLICE/INTERNAL
AFFAIRS**

SIGNATURE:
 / Tanzy VASSELL
(SIGN NAME) (PRINT NAME)
PERSON DELIVERING CORRESPONDENCE



"The Best Waterfront City in Which to Live, Work and Play."

CITY OF RIVIERA BEACH – MEMORANDUM

TO: BRIAN JACKSON, SERGEANT OF POLICE
FROM: NATHAN OSGOOD, CHIEF OF POLICE
SUBJECT: RESTRICTED DUTY
DATE: NOVEMBER 2, 2020
RE: INTERNAL AFFAIRS # 19-06

Effective Tuesday, November 3, 2020, you will be placed on Restricted Duty. You will report to Major Steven Thomas. You will work Tuesday through Saturday during the hours of 4:00 P.M. to 12:00 A.M., in the Telephone Crime Reporting Unit.

While classified as on Restricted Duty, you are not permitted to wear your firearm in your restricted capacity. You are restricted from the following:

1. Wearing your Riviera Beach Police Department uniform - restricted duty officers are required to wear BUSINESS attire. (See Riviera Beach Police Department Uniform Standards on Power DMS).
2. Working on Off-Duty Details outside of the Agency.
3. Restricted from working any extended tours of duty without the expressed written permission of your District Commander.
4. While on Restricted Duty assignment, Police Personnel are not authorized to have assigned take home vehicles, nor are they allowed to drive a marked vehicle.
5. While on Restricted Duty assignment, you are not authorized to ride as a passenger in a ride-along capacity with another officer. Prior approval is required by the Commanding Officer.



Restricted Duty
Sergeant Brian Jackson
I.A. # 19-06

Should you have any questions or concerns, feel free to contact me.

cc. ✓ Michael B. Madden, Assistant Chief of Police
Steven Thomas, Major of Police
Eureka Young, Interim Director of Human Resources
Eugenia Francis-Cowart, Payroll



OFFICE OF
CHIEF OF POLICE

CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD.
(561) 845-4128

• RIVIERA BEACH, FLORIDA 33404
FAX (561) 845-4022

March 25, 2020

Via Certified Mail Return Receipt Requested

Ralph E. King, III
707 N. Flagler Drive
West Palm Beach, FL 33401

RE: Request Pursuant to s. 112.532(4) (b), Florida Statutes
Sergeant Brian Jackson – I.A. # 19-06

Dear Attorney King:

Pursuant to your request dated March 20, 2020, attached please find the entire investigative file as it pertains to the above referenced.

Upon receipt, please contact Ms. Robinson @ 561-845-4174, to schedule the Pre-Disciplinary Determination Meeting.

Respectfully,


Nathan Osgood
Chief of Police

CITY OF RIVIERA BEACH P.O. BOX 10682 RIVIERA BEACH, FLORIDA 33419

POLICE DEPARTMENT INTER-DEPARTMENT COMMUNICATION

TO: BRIAN JACKSON, SERGEANT OF POLICE
FROM: NATHAN OSGOOD, CHIEF OF POLICE
DATE: MARCH 19, 2020
RE: RELIEVED OF DUTY: INTERNAL AFFAIRS CASE # 19-06

Effective immediately, you are hereby relieved of duty with pay.

NO/sar

POLICE DEPARTMENT

INTER-DEPARTMENTAL COMMUNICATION

TO: BRIAN JACKSON, SERGEANT OF POLICE
FROM: NATHAN OSGOOD, CHIEF OF POLICE
DATE: MARCH 19, 2020
RE: AMENDED - NOTICE OF INTENT TO ADMINISTER DISCIPLINARY ACTION –
I.A. #19-06

On June 21, 2019, you attempted to conduct a traffic stop on a suspect, who in his attempt to flee struck your marked patrol vehicle. The suspect was later apprehended behind a residence at 1516 West 36th Street, Riviera Beach, Florida.

During your sworn recorded interview, you acknowledged you struck the suspect by providing discretionary blows to distract him because you thought he was reaching for a weapon. Based on the Body Worn Camera footage, when you arrived on scene, you had an aggressive stance, and your fists were clinched. You approached the suspect while he was sitting on the ground with his hands up. At that time, Captain Foster directed everyone to "Go dark". You later discovered, what you thought was a weapon, was a cellular phone.

You also acknowledged you were unsure if you were the only supervisor that struck the suspect, however, you knew you punched him more than twice.

You stated you were not wearing your department issued Body Worn Camera, nor vest, during the apprehension of the suspect, therefore your use of countermeasures was not documented.

On October 18, 2018, you signed the Department's General Order, acknowledging receipt of the policy governing the wear and usage of the Body Worn Camera.

The Body Worn Camera is utilized to capture interactions between Law Enforcement and the public by providing recorded evidence of actions, conditions and statements.

You did not adhere to the Department's standard operating procedures, policies and directives, which precluded you from faithfully executing the duties of your assigned position.

Therefore, I conclude that SERGEANT BRIAN JACKSON has violated the following Policy and Procedures and or Rules and Regulations:

GENERAL ORDER 2018-3 – BODY WORN CAMERA

1.4– POLICY

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Amended - Notice of Intent to Administer Disciplinary Action
Brian Jackson
I.A. # 19-06

1.7 ASSIGNMENT, ISSUANCE, AND OPERATION:

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RIVIERA BEACH POLICE DEPARTMENT
POLICY AND PROCEDURES MANUAL;
RULES AND REGULATIONS
SECTION IV, PART IV – NEGLECT OF DUTY OFFENSES:

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SUSTAINED

F.S.S. 784.03 BATTERY

SUSTAINED

Official Misconduct

F.S.S. 838.022 OFFICIAL MISCONDUCT

SUSTAINED

Based on the foregoing, I am recommending to the City Manager the following:

- **Termination for these violations.**

cc.: Michael Madden, Assistant Chief of Police
Rosalyn Dickerson, Director of Human Resources

POLICE DEPARTMENT

INTER-DEPARTMENTAL COMMUNICATION

TO: BRIAN JACKSON, SERGEANT OF POLICE
FROM: NATHAN OSGOOD, CHIEF OF POLICE
DATE: MARCH 19, 2020
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I.A. #19-06

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Amended - Notice of Intent to Administer Disciplinary Action
Brian Jackson
I.A. # 19-06

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SUSTAINED

F.S.S. 784.03 BATTERY

SUSTAINED

Official Misconduct

F.S.S. 838.022 OFFICIAL MISCONDUCT

SUSTAINED

Based on the foregoing, I am recommending to the City Manager the following:

- **Termination for these violations.**

cc.: Michael Madden, Assistant Chief of Police
Roselyn Dickerson, Director of Human Resources



**PALM BEACH COUNTY
POLICE BENEVOLENT ASSOCIATION, INC.**

2100 N. Florida Mango Road • West Palm Beach, FL 33409-6400 • (561) 689-3745 • (561) 687-0154 Fax
www.pbcdba.org

Executive Board

John Kazanjian
PBSO
President

Ernest W. George
Retired-WPBPB
Executive Director

Richard McAfee
PBSO
Vice-President

Lou Penque
WPBPB
Treasurer

Kevin Igo
PBSO
Secretary

Greg Allen
Palm Beach Gardens PD
Sgt.-at-Arms

March 20, 2020

Sent By E- Mail: NOsgood@rbpublicsafety.org

Nate Osgood, Chief of Police Riviera Beach
Police Department
600 W. Blue Heron Blvd
Riviera Beach, FL 33404

Re: Request Pursuant to s. 112.532(4)(b), Florida Statutes
Ofc. Brian Jackson/IA 19-06

Dear Chief Osgood:

As you know, this organization is the State certified exclusive collective bargaining representative for the officer subject of Internal Affairs Case; for whom the undersigned is the Employee's attorney.

By this correspondence on the officer's behalf, request is made for a Pre-Disciplinary Determination Meeting with regard to which an appointment with you necessarily is requested, also. In advance of the Pre-Disciplinary meeting, however, and pursuant to the statute referenced above, request hereby is made for a copy of the completed investigative report and "all evidence" relating to the investigation, including but not limited to the entire investigative file, videos, and the recorded statements and/or transcripts of recorded statements in the investigation. All of said evidence is essential in advance of the officer's meeting with you prior to any disciplinary action being taken.

My Assistant, Courtney Lawrenson will contact you so that an appointment might be made with you reasonably after our receipt of the information requested. Should you have any questions or concerns, please do not hesitate to call me.

Thank you for your anticipated cooperation.

Respectfully,

Ralph E. King, III (*signed in absence to expedite delivery*)

Ralph E. King, III
Legal Counsel

/cl

Cc: John Kazanjian, President

CITY OF RIVIERA BEACH P.O. BOX 10682 RIVIERA BEACH, FLORIDA 33419

POLICE DEPARTMENT INTER-DEPARTMENT COMMUNICATION

TO: BRIAN JACKSON, SERGEANT OF POLICE
FROM: NATHAN OSGOOD, CHIEF OF POLICE
DATE: MARCH 19, 2020
RE: RELIEVED OF DUTY: INTERNAL AFFAIRS CASE # 19-06

Effective immediately, you are hereby relieved of duty with pay.

NO/sar

CITY OF RIVIERA BEACH P.O. BOX 10682 RIVIERA BEACH, FLORIDA 33419

POLICE DEPARTMENT INTER-DEPARTMENT COMMUNICATION

TO: BRIAN JACKSON, SERGEANT OF POLICE

FROM: NATHAN OSGOOD, CHIEF OF POLICE

DATE: MARCH 19, 2020

RE: RELIEVED OF DUTY: INTERNAL AFFAIRS CASE # 19-06

Effective immediately, you are hereby relieved of duty with pay.

NO/sar

**RECEIPT FOR HAND-DELIVERED CITY
CORRESPONDENCE**

DELIVERED TO: BRIAN JACKSON, SERGEANT OF POLICE

DATE: MARCH 19, 2020

SIGNATURE:

ST 5430 / Brian Jackson
(SIGN NAME) (PRINT NAME)

PERSON RECEIVING CORRESPONDENCE

DELIVERD BY: T. Vassell

SIGNATURE:

[Signature] / T. Vassell
(SIGN NAME) (PRINT NAME)

PERSON DELIVERING CORRESPONDENCE



**PALM BEACH COUNTY
POLICE BENEVOLENT ASSOCIATION, INC.**

2100 N. Florida Mango Road • West Palm Beach, FL 33409-6400 • (561) 689-3745 • (561) 687-0154 Fax
www.pbcpba.org

February 20, 2020

Sent By E- Mail: JEvans@rivierabeach.org

Jonathan Evans, City Manager
Riviera Beach Police Department
600 W. Blue Heron Blvd
Riviera Beach, FL 33404

Re: Request Pursuant to s. 112.532(4)(b), Florida Statutes
Sgt. Brian Jackson/IA 19-06

Dear Mr. Evans:

As you know, this organization is the State certified exclusive collective bargaining representative for the officer subject of Internal Affairs Case; for whom the undersigned is the Employee's attorney.

By this correspondence on the officer's behalf, request is made for a Pre-Disciplinary Determination Meeting with regard to which an appointment with you necessarily is requested, also.

My Assistant, Courtney Lawrenson will contact you so that an appointment might be made with you reasonably after our receipt of the information requested. Should you have any questions or concerns, please do not hesitate to call me.

Thank you for your anticipated cooperation.

Respectfully,

Ralph E. King, III

(signed in absence to expedite delivery)

Ralph E. King, III
Legal Counsel

/cl

Cc: John Kazanjian, President

The Voice of Palm Beach County's Law Enforcement

Executive Board

John Kazanjian
PBSO
President

Ernest W. George
Retired-WPBPB
Executive Director

Richard McAfee
PBSO
Vice-President

Lou Penque
WPBPB
Treasurer

Kevin Igo
PBSO
Secretary

Greg Allen
Palm Beach Gardens PD
Sgt.-at-Arms

POLICE DEPARTMENT

INTER-DEPARTMENTAL COMMUNICATION

TO: JONATHAN EVANS, CITY MANAGER

FROM: SPENCER L. ROZIER, INTERIM CHIEF OF POLICE *SR*

DATE: FEBRUARY 13, 2020

RE: RECOMMENDATION TO ADMINISTER DISCIPLINARY ACTION -
BRIAN JACKSON, SERGEANT OF POLICE I.A. #19-06



On June 21, 2019, Sergeant Brian Jackson attempted to conduct a traffic stop on a suspect, who in his attempt to flee, struck his marked patrol vehicle.

Sergeant Jackson pursued the suspect who was later apprehended behind a residence at 1516 West 36th Street, Riviera Beach, Florida.

Based on the video footage from Captain Foster's Body Worn Camera, the suspect is seen laying faced down with his hands behind his back, and not in handcuffs. When Sergeant Jackson arrived on scene, Captain Foster can be heard saying, "go dead." Officers who were in the immediate vicinity with the suspect, complied with his command and turned their Body Worn Cameras off.

During Sergeant Jackson's sworn recorded interview, he acknowledged he struck the suspect by providing discretionary blows to distract him because he thought he was reaching for a weapon. Sergeant Jackson later discovered the suspected weapon was the suspect's cellular phone.

Sergeant Jackson acknowledged he was unsure if he was the only supervisor that struck the suspect, however, he knew he punched him more than twice to gain compliance. However, due to Captain Foster's command and Sergeant Jackson not wearing his Body Worn Camera, this was not captured.

Sergeant Jackson was treated at St. Mary's Medical Center for injuries sustained on the knuckle of his right hand.

Sergeant Jackson acknowledged he was not wearing his department issued Body Worn Camera, which is utilized to capture interactions between Law Enforcement and the public by providing recorded evidence of actions, conditions and statements.

Sergeant Jackson did not adhere to the Department's standard operating procedures, policies and directives, which precluded him from faithfully executing the duties of his assigned position.

On October 18, 2018, Sergeant Jackson signed the Department's General Order, acknowledging receipt of the policy governing the wear and usage of the Body Worn Camera.

Therefore, I conclude that based on the facts and circumstances developed during the administrative investigative process, SERGEANT BRIAN JACKSON has violated the following Policy and Procedures and or Rules and Regulations:

Jackson, Brian
Recommendation to Administer Disciplinary Action
I.A. # 19-06

**RIVIERA BEACH POLICE DEPARTMENT
POLICY AND PROCEDURES MANUAL;
RULES AND REGULATIONS
SECTION IV, PART IV – NEGLECT OF DUTY OFFENSES:**

GENERAL ORDER 2018-3 – BODY WORN CAMERA

1.4– POLICY

It is the policy of the Riviera Beach Police Department to utilize a Body Worn Camera to document Law Enforcement interactions with the public by providing recorded evidence of actions, conditions, and statements. The Department has a legal right to capture and record footage during all official interactions.

1.7 ASSIGNMENT, ISSUANCE, AND OPERATION:

- B. Operation and use of the BWC by officers is mandatory while working any uniformed assignments to include but not limited to:
1. Regular and overtime On-Duty Patrol.

**RIVIERA BEACH POLICE DEPARTMENT
POLICY AND PROCEDURES MANUAL;
RULES AND REGULATIONS
SECTION IV, PART IV – NEGLECT OF DUTY OFFENSES:**

4.14 -NEGLECT OF DUTY: LOAFING, INATTENTION TO DUTIES/PROCEDURES:

Riviera Beach Police Department personnel shall be attentive to job duties and shall avoid any appearance of loafing or neglecting work while on duty. Riviera Beach Police Department personnel shall adhere to standard operating procedures, policies and directives, and shall faithfully execute all the duties and responsibilities of their assigned position. (A violation is subject to reprimand, suspension, and/or demotion, or dismissal.)

Based on the foregoing, I am recommending the following:

- **Twenty-Four Working Hours (3 working days) suspension without pay for these violations.**

On January 27, 2020, Sergeant Jackson was served an Amended Notice of Intent to Administer Disciplinary Action. Sergeant Jackson invoked his rights to a Pre-Disciplinary Determination Meeting within the contractual timeframe governed by the PBA contract. A Pre-Disciplinary Determination Meeting was held on February 4, 2020.

Jackson, Brian
Recommendation to Administer Disciplinary Action
I.A. # 19-06

CITY MANAGER:

_____ AGREE

_____ DISAGREE

COMMENTS: _____

SIGNATURE: _____

PRINT NAME: _____

DATE: _____

cc: **Michael Madden, Assistant Chief of Police/Operations**
Rosalyn Dickerson, Director of Human Resources
Ashley Rhodes, Payroll

SLR/tov



CITY OF RIVIERA BEACH - MEMORANDUM

TO: CHIEF OSGOOD

FROM: JONATHAN E. EVANS, CITY MANAGER *JE 3/16/2020*

SUBJECT: SGT. JACKSON – RBPD TERMINATION

DATE: MARCH 16, 2020

CC: HUMAN RESOURCES DEPARTMENT

Pursuant to the information furnished to city administration by Chief of Police Osgood, I concur with the provided recommendation. I am profoundly disappointed that Sgt. Jackson acted in such a fashion, especially considering the constant scrutiny and expectations set for law enforcement officers. As a sergeant, you are expected to be a leader in the department. Not properly using the city issued body camera is counterproductive to the direction I wish to move the organization, and it jeopardizes the public's trust—which is a critical element of law enforcement's work. As we look toward becoming an accredited public safety organization, we cannot have individuals who refuse to adhere to policies and procedures. Furthermore, any behavior that jeopardizes the integrity of the oath of office and the badge worn by city law enforcement is unacceptable and intolerable.

I understand the suspect's actions were inappropriate and very dangerous, but is it inconsistent with our law enforcement training to operate outside of good faith and to understand that violence only begets more violence. We are tactically trained to handle situations like this profoundly differently.

Again, I concur with the recommendation and move that we terminate Sgt. Brian Jackson's employment effective immediately, direct the police chief to immediately collect and retrieve all belongings of the Riviera Beach Police Department, and inform HR of the termination.

POLICE DEPARTMENT

INTER-DEPARTMENTAL COMMUNICATION

TO: JONATHAN EVANS, CITY MANAGER

FROM: NATHAN OSGOOD, CHIEF OF POLICE

DATE: MARCH 12, 2020

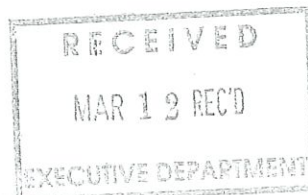
RE: RECOMMENDATION TO ADMINISTER DISCIPLINARY ACTION - I.A.
#19-06

SUBJ.: BRIAN JACKSON, SERGEANT OF POLICE

RECEIVED

MAR 19 2020

Human Resources Department



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Sergeant Jackson pursued the suspect who was later apprehended behind the residence at 1516 West 36th Street, Riviera Beach, Florida.

Based on the video footage from Captain Foster's Body Worn Camera, the suspect is seen laying faced down with his hands behind his back, and not in handcuffs. When Sergeant Jackson arrived on scene, Captain Foster can be heard saying, "go dead." Officers who were in the immediate vicinity with the suspect, complied with his command and turned their Body Worn Cameras off.

During Sergeant Jackson's sworn recorded interview, he acknowledged he struck the suspect by providing discretionary blows to distract him because he thought he was reaching for a weapon. Sergeant Jackson later discovered the suspected weapon was the suspect's cellular phone.

Sergeant Jackson acknowledged he was unsure if he was the only supervisor that struck the suspect, however, he knew he punched him more than twice to gain compliance.

Sergeant Jackson acknowledged he was not wearing his department issued Body Worn Camera, which is utilized to capture interactions between Law Enforcement and the public by providing recorded evidence of actions, conditions and statements.

Sergeant Jackson was treated at St. Mary's Medical Center for injuries sustained on the knuckle of his right hand.

Sergeant Jackson did not adhere to the Department's standard operating procedures, policies and directives, which precluded him from faithfully executing the duties of his assigned position.

On October 18, 2018, Sergeant Jackson signed the Department's General Order, acknowledging receipt of the policy governing the wear and usage of the Body Worn Camera.

Therefore, I conclude that based on the facts and circumstances developed during the administrative investigative process, SERGEANT BRIAN JACKSON has violated the following Policy and Procedures and or Rules and Regulations:

**RIVIERA BEACH POLICE DEPARTMENT
POLICY AND PROCEDURES MANUAL;
RULES AND REGULATIONS
SECTION IV, PART IV – NEGLECT OF DUTY OFFENSES:**

GENERAL ORDER 2018-3 – BODY WORN CAMERA

1.4– POLICY

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POLICY AND PROCEDURES MANUAL;
RULES AND REGULATIONS
SECTION IV, PART IV – NEGLECT OF DUTY OFFENSES:**

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Based on the foregoing, I am recommending the following:

- **Termination for these violations.**

On January 21, 2020, Sergeant Brian Jackson was served a Notice of Intent to Administer Disciplinary Action. Sergeant Jackson invoked his rights to a Pre-Disciplinary Determination Meeting within the contractual timeframe governed by the PBA contract. A Pre-Disciplinary Determination Meeting was held on Tuesday, February 4, 2020.

Recommendation to Administer Disciplinary Action
I.A. # 19-06
Jackson, Brian

CITY MANAGER:

AGREE

DISAGREE

COMMENTS:

please see attached.

SIGNATURE:



PRINT NAME:

Jonathan Evans

DATE:

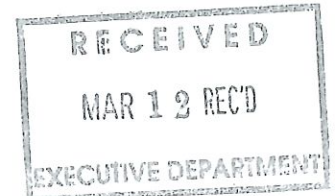
3-16-2020

cc: Michael Madden, Assistant Chief of Police
Rosalyn Dickerson, Director of Human Resources
Ashley Rhodes, Payroll

POLICE DEPARTMENT

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FROM: NATHAN OSGOOD, CHIEF OF POLICE
DATE: MARCH 12, 2020
RE: RECOMMENDATION TO ADMINISTER DISCIPLINARY ACTION - I.A.
#19-06
SUBJ.: BRIAN JACKSON, SERGEANT OF POLICE



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POLICE DEPARTMENT

INTER-DEPARTMENTAL COMMUNICATION

TO: JONATHAN EVANS, CITY MANAGER

FROM: SPENCER L. ROZIER, INTERIM CHIEF OF POLICE 

DATE: FEBRUARY 13, 2020

RE: RECOMMENDATION TO ADMINISTER DISCIPLINARY ACTION -
BRIAN JACKSON, SERGEANT OF POLICE I.A. #19-06

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Jackson, Brian
Recommendation to Administer Disciplinary Action
I.A. # 19-06

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Jackson, Brian
Recommendation to Administer Disciplinary Action
I.A. # 19-06

CITY MANAGER:

_____ **AGREE**

_____ **DISAGREE**

COMMENTS: _____

SIGNATURE: _____

PRINT NAME: _____

DATE: _____


**cc: Michael Madden, Assistant Chief of Police/Operations
Rosalyn Dickerson, Director of Human Resources
Ashley Rhodes, Payroll**

SLR/tov

POLICE DEPARTMENT

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FROM: SPENCER L. ROZIER, INTERIM CHIEF OF POLICE 

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Recommendation to Administer Disciplinary Action
I.A. # 19-06

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POLICY AND PROCEDURES MANUAL;
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Based on the foregoing, I am recommending the following:

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Jackson, Brian
Recommendation to Administer Disciplinary Action
I.A. # 19-06

CITY MANAGER:

_____ AGREE

_____ DISAGREE

COMMENTS: _____

SIGNATURE: _____

PRINT NAME: _____

DATE: _____

cc: **Michael Madden, Assistant Chief of Police/Operations**
Rosalyn Dickerson, Director of Human Resources
Ashley Rhodes, Payroll

SLR/tov



CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD.
(561) 845-4128

RIVIERA BEACH, FLORIDA 33404
FAX (561) 845-4022

OFFICE OF
CHIEF OF POLICE

February 13, 2020

Via Certified Mail Return Receipt Requested

Ralph E. King, III
Palm Beach County
Police Benevolent Association, Inc.
2100 N. Florida Mango Road
West Palm Beach, FL 33409-6400

Re: Sergeant Brian Jackson – IA # 19-06

Dear Attorney King:

On January 21, 2020, Sergeant Brian Jackson was issued a Notice of Intent to Administer Disciplinary Action – I.A. # 19-06.

On January 28, 2020, a request for review/appeal and Pre-Disciplinary Determination Meeting was requested consistent with Florida Statute 112.532 (4) (b) and Article 22 3(A) of the Labor Agreement, (City/PBA) October 1, 2016 – September 30, 2019. The Pre-Disciplinary Determination Meeting was held on Tuesday, February 4, 2020.

Assessment:

On June 21, 2019, Sergeant Jackson attempted to conduct a traffic stop on a suspect, who in his attempt to flee struck his marked patrol vehicle. Sergeant Jackson gave chase, and the suspect was apprehended behind a residence at 1516 West 36th Street, Riviera Beach, Florida.

During Sergeant Jackson’s sworn recorded interview, he acknowledged he struck the suspect by providing discretionary blows to distract him because he thought the suspect was reaching for a weapon, which turned out to be his cellular phone. Sergeant Jackson also acknowledged he punched the suspect more than twice.

During the apprehension, Sergeant Jackson was not wearing his department issued Body Worn Camera, nor vest, therefore his use of countermeasures was not documented.

Conclusion:

The Body Worn Camera is utilized to capture interactions between Law Enforcement and the public by providing recorded evidence of actions, conditions and statements. Sergeant Jackson

9489 0090 0027 6031 9359 28

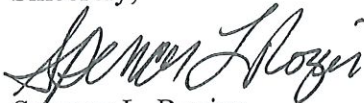
Pre-Disciplinary Determination Meeting
Sgt. Brian Jackson
I.A. # 19-06

signed the Department's General Order governing the wear and usage of the Body Worn Camera. As such, Sergeant Jackson did not adhere to the Department's standard operating procedures, policies and directives, which precluded him from faithfully executing the duties of his assigned position.

Based on the aforementioned, I am recommending to the City Manager the following:

- **Twenty-Four Working Hours (3 days) suspension WITHOUT pay.**

Sincerely,



Spencer L. Rozier
Interim Chief of Police

SLR/TOV/sr

cc: Jonathan Evans, City Manager
Michael Madden, Assistant Chief of Police/Operations
Roselyn Dickerson, Director of Human Resources

**RECEIPT FOR HAND-DELIVERED CITY
CORRESPONDENCE**

DELIVERED TO: RALPH E. KING, III, ESQ.

DATE: JANUARY 28, 2020

SIGNATURE:



(SIGN NAME)



(PRINT NAME)

PERSON RECEIVING CORRESPONDENCE

**DELIVERED BY: TANZY VASSELL, CAPTAIN OF POLICE/INTERNAL
AFFAIRS**

SIGNATURE:



(SIGN NAME)



(PRINT NAME)

PERSON DELIVERING CORRESPONDENCE



**PALM BEACH COUNTY
POLICE BENEVOLENT ASSOCIATION, INC.**

2100 N. Florida Mango Road • West Palm Beach, FL 33409-6400 • (561) 689-3745 • (561) 687-0154 Fax
www.pbcnpba.org

January 28, 2020

Executive Board

John Kazanjian
PBSO
President

Ernest W. George
Retired-WPBPD
Executive Director

Richard McAfee
PBSO
Vice-President

Lou Penque
WPBPD
Treasurer

Kevin Igo
PBSO
Secretary

Greg Allen
Palm Beach Gardens PD
Sgt.-at-Arms

Sent By E-Mail: Srozier@rbpublicsafety.org

Spencer Rozier, Interim Chief of Police
Riviera Beach Police Department
600 W. Blue Heron Blvd
Riviera Beach, FL 33404

Re: Request Pursuant to s.112.532(4)(b), Florida Statutes
Sgt. Brian Jackson/IA 19-06

Dear Chief Rozier:

As you know, this organization is the State certified exclusive collective bargaining representative for the officer subject of Internal Affairs Case; for whom the undersigned is the Employee's attorney.

By this correspondence on the officer's behalf, request is made for a Pre-Disciplinary Determination Meeting with regard to which an appointment with you necessarily is requested, also. In advance of the Pre-Disciplinary meeting, however, and pursuant to the statute referenced above, request hereby is made for a copy of the completed investigative report and "all evidence" relating to the investigation, including but not limited to the entire investigative file, videos, and the recorded statements and/or transcripts of recorded statements in the investigation. All of said evidence is essential in advance of the officer's meeting with you prior to any disciplinary action being taken.

My Assistant, Courtney Lawrenson will contact you so that an appointment might be made with you reasonably after our receipt of the information requested. Should you have any questions or concerns, please do not hesitate to call me.

Thank you for your anticipated cooperation.

Respectfully,

Ralph E. King, III

(signed in absence to expedite delivery)

Ralph E. King, III
Legal Counsel


RK/cl
Cc: John Kazanjian, President

**RECEIPT FOR HAND-DELIVERED CITY
CORRESPONDENCE**

DELIVERED TO: BRIAN JACKSON, SERGEANT OF POLICE

DATE: JANUARY 27th, 2020

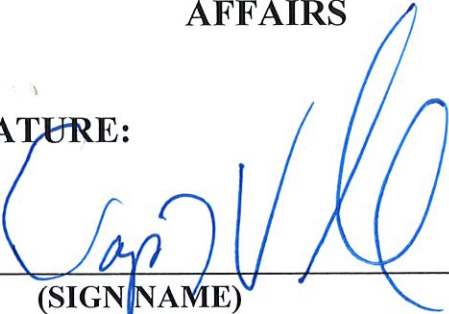
SIGNATURE:

 / BRIAN JACKSON
(SIGN NAME) (PRINT NAME)

PERSON RECEIVING CORRESPONDENCE

DELIVERED BY: TANZY VASSELL, CAPTAIN OF POLICE/INTERNAL
AFFAIRS

SIGNATURE:


 / T. VASSELL
(SIGN NAME) (PRINT NAME)

PERSON DELIVERING CORRESPONDENCE

POLICE DEPARTMENT

INTER-DEPARTMENTAL COMMUNICATION

TO: BRIAN JACKSON, SERGEANT OF POLICE

FROM: SPENCER L. ROZIER, INTERIM CHIEF OF POLICE 

DATE: JANUARY 21, 2020

RE: AMENDED - NOTICE OF INTENT TO ADMINISTER DISCIPLINARY ACTION – I.A. #19-06

On June 21, 2019, you attempted to conduct a traffic stop on a suspect, who in his attempt to flee struck your marked patrol vehicle. The suspect was later apprehended behind a residence at 1516 West 36th Street, Riviera Beach, Florida.

During your sworn recorded interview, you acknowledged you struck the suspect by providing discretionary blows to distract him because you thought he was reaching for a weapon. You later discovered the suspected weapon was the suspect’s cellular phone.

You also acknowledged you were unsure if you were the only supervisor that struck the suspect, however, you knew you punched him more than twice.

You stated you were not wearing your department issued Body Worn Camera, nor vest, during the apprehension of the suspect, therefore your use of countermeasures was not documented.

On October 18, 2018, you signed the Department’s General Order, acknowledging receipt of the policy governing the wear and usage of the Body Worn Camera.

The Body Worn Camera is utilized to capture interactions between Law Enforcement and the public by providing recorded evidence of actions, conditions and statements.

You did not adhere to the Department’s standard operating procedures, policies and directives, which precluded you from faithfully executing the duties of your assigned position.

Therefore, I conclude that SERGEANT BRIAN JACKSON has violated the following Policy and Procedures and or Rules and Regulations:

GENERAL ORDER 2018-3 – BODY WORN CAMERA

1.4– POLICY

It is the policy of the Riviera Beach Police Department to utilize a Body Worn Camera to document Law Enforcement interactions with the public by providing recorded evidence of actions, conditions, and statements. The Department has a legal right to capture and record footage during all official interactions.

1.7 ASSIGNMENT, ISSUANCE, AND OPERATION:

- B. Operation and use of the BWC by officers is mandatory while working any uniformed assignments to include but not limited to:
 - 1. Regular and overtime On-Duty Patrol.

Notice of Intent
Brian Jackson
I.A. # 19-06

**RIVIERA BEACH POLICE DEPARTMENT
POLICY AND PROCEDURES MANUAL;
RULES AND REGULATIONS
SECTION IV, PART IV – NEGLECT OF DUTY OFFENSES:**

4.14 -NEGLECT OF DUTY: LOAFING, INATTENTION TO DUTIES/PROCEDURES:

Riviera Beach Police Department personnel shall be attentive to job duties and shall avoid any appearance of loafing or neglecting work while on duty. Riviera Beach Police Department personnel shall adhere to standard operating procedures, policies and directives, and shall faithfully execute all the duties and responsibilities of their assigned position. (A violation is subject to reprimand, suspension, and/or demotion, or dismissal.)

SUSTAINED

Based on the foregoing, I am recommending to the City Manager the following:

- **Twenty-Four Working Hours (3 days) suspension without pay for these violations.**

This information is provided in conformance with the labor contract between the City of Rivera Beach in the Palm Beach County Police Benevolent Association (PBA). Furthermore, you have the right to appeal concerning this action via the PBA union contract process, Articles 21 and 22.

cc.: Michael Madden, Assistant Chief of Police/Operations
Josh Lewis, Major of Police
Roselyn Dickerson, Director of Human Resources
Ashley Rhodes, Payroll

POLICE DEPARTMENT

INTER-DEPARTMENTAL COMMUNICATION

TO: BRIAN JACKSON, SERGEANT OF POLICE

FROM: SPENCER L. ROZIER, INTERIM CHIEF OF POLICE

DATE: JANUARY 21, 2020

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You also acknowledged you were unsure if you were the only supervisor that struck the suspect, however, you knew you punched him more than twice.

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Brian Jackson
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Josh Lewis, Major of Police
Rosalyn Dickerson, Director of Human Resources
Ashley Rhodes, Payroll

POLICE DEPARTMENT

INTER-DEPARTMENT COMMUNICATION

TO: BRIAN JACKSON, SERGEANT OF POLICE
FROM: SPENCER L. ROZIER, INTERIM CHIEF OF POLICE 
DATE: JANUARY 21, 2020
RE: NOTICE OF INTENT TO ADMINISTER DISCIPLINARY ACTION – I.A. #19-08

On June 21, 2019, you attempted to conduct a traffic stop on a suspect, who in his attempt to flee struck your marked patrol vehicle. The suspect was later apprehended behind a residence at 1516 West 36th Street, Riviera Beach, Florida.

During your sworn recorded interview, you acknowledged you struck the suspect by providing discretionary blows to distract him because you thought he was reaching for a weapon. You later discovered the suspected weapon was the suspect's cellular phone.

You also acknowledged you were unsure if you were the only supervisor that struck the suspect, however, you knew you punched him more than twice.

You stated you were not wearing your department issued Body Worn Camera, nor vest, during the apprehension of the suspect, therefore your use of countermeasures was not documented.

On October 18, 2018, you signed the Department's General Order, acknowledging receipt of the policy governing the wear and usage of the Body Worn Camera.

The Body Worn Camera is utilized to capture interactions between Law Enforcement and the public by providing recorded evidence of actions, conditions and statements.

You did not adhere to the Department's standard operating procedures, policies and directives, which precluded you from faithfully executing the duties of your assigned position.

Therefore, I conclude that SERGEANT BRIAN JACKSON has violated the following Policy and Procedures and or Rules and Regulations:

GENERAL ORDER 2018-3 – BODY WORN CAMERA

1.4– POLICY

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cc.: Michael Madden, Assistant Chief of Police/Operations
Josh Lewis, Major of Police
Roselyn Dickerson, Director of Human Resources
Ashley Rhodes, Payroll

RECEIPT FOR HAND-DELIVERED CITY CORRESPONDENCE

DELIVERED TO: BRIAN JACKSON, SERGEANT OF POLICE

DATE: JANUARY 21st, 2020

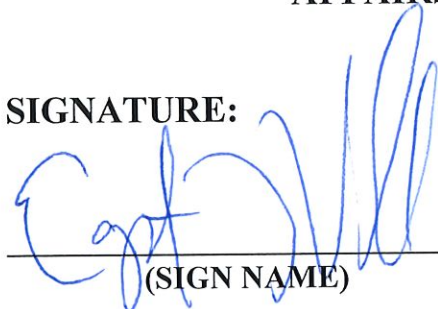
SIGNATURE:

 / Brian M. Jackson
(SIGN NAME) (PRINT NAME)


PERSON RECEIVING CORRESPONDENCE

DELIVERED BY: TANZY VASSELL, CAPTAIN OF POLICE/INTERNAL
AFFAIRS

SIGNATURE:

 / Tanzy Vassell
(SIGN NAME) (PRINT NAME)

PERSON DELIVERING CORRESPONDENCE

TO: BRIAN JACKSON, SERGEANT OF POLICE
FROM: SPENCER L. ROZIER, INTERIM CHIEF OF POLICE 
DATE: JANUARY 21, 2020
RE: NOTICE OF INTENT TO ADMINISTER DISCIPLINARY ACTION – I.A. #19-08

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During your sworn recorded interview, you acknowledged you struck the suspect by providing discretionary blows to distract him because you thought he was reaching for a weapon. You later discovered the suspected weapon was the suspect's cellular phone.

You also acknowledged you were unsure if you were the only supervisor that struck the suspect, however, you knew you punched him more than twice.

You stated you were not wearing your department issued Body Worn Camera, nor vest, during the apprehension of the suspect, therefore your use of countermeasures was not documented.

On October 18, 2018, you signed the Department's General Order, acknowledging receipt of the policy governing the wear and usage of the Body Worn Camera.

The Body Worn Camera is utilized to capture interactions between Law Enforcement and the public by providing recorded evidence of actions, conditions and statements.

You did not adhere to the Department's standard operating procedures, policies and directives, which precluded you from faithfully executing the duties of your assigned position.

Therefore, I conclude that SERGEANT BRIAN JACKSON has violated the following Policy and Procedures and or Rules and Regulations:

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cc.: Michael Madden, Assistant Chief of Police/Operations
Josh Lewis, Major of Police
Rosalyn Dickerson, Director of Human Resources
Ashley Rhodes, Payroll

INTERNAL AFFAIRS: CASE # 19-08

SUBJECTS: Sergeant Brian Jackson

SYNOPSIS OF COMPLAINT:

On June 21, 2019, Sergeant Brian Jackson attempted to conduct a traffic stop on a suspect later identified as Anthony Goldwire. Mr. Goldwire attempted to flee the scene, and struck Sergeant Jackson's marked police vehicle. Mr. Goldwire was eventually apprehended at 1516 West 36th Street, Riviera Beach. During the course of the apprehension, Captain Edgar Foster could be heard saying, "Go Dead," at which time several officers turned off their body worn cameras.

On July 17, 2019, Major Josh Lewis submitted his findings and recommendations to Assistant Chief Michael Madden. In Assistant Chief Madden's memorandum dated July 31, 2019, to Interim Chief Spencer Rozier, he concurred with Major Lewis' recommendation for further investigation. On July 31, 2019, the matter was assigned to Internal Affairs for further investigation by Interim Chief Spencer Rozier.

PERSONS INTERVIEWED AND LOCATION OF THE INTERVIEW:

Officer Everton Morgan
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Officer Javares Harvey
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Officer William Louden
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Officer Rohan Wescarth
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Officer Jennifer Jones
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Officer Brian DeSantis
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Officer Israel Roberson
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Officer Alexander Hardrick
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Officer Brian DeSantis
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Officer Orlanzo Douglas
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Officer Benjamin Smith
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Captain Edgar Foster
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Sergeant Brian Jackson
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Officer Bradley Spearow
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Officer Jonathan Nance
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

Officer Elian Rodroquez
Riviera Beach Police Department
600 West Blue Heron Blvd.
Riviera Beach, Florida 33404

DOCUMENTARY EVIDENCE:

1. Photographs of Sergeant Jackson's marked patrol vehicle.
2. Photographs of Sergeant Jackson's hand.
3. Photographs of Anthony Goldwire'
4. Memorandum with Attachments from Major Josh Lewis to Assistant Chief Michael Madden.
5. Power DMS signatures for Body Worn Camera Policy.
6. General Order for Body Worn Cameras.
7. Memorandum from Assistant Chief Michael Madden to Interim Chief Spencer L. Rozier.
8. Memorandum from Captain Tanzy Vassell to Interim Chief Spencer L. Rozier Regarding File Being Forwarded to State Attorney's Office.
9. Letter from State Attorney's Office Regarding File.
10. Email Regarding Scheduling Interview for Officer Ben Smith.
11. Email Regarding Scheduling Interview for Captain Edgar Foster.
12. Professional Standards Unit/Employee Rights Garrity Rights Form – Officer O. Douglas.
13. Witness Notification of Intent to Interview – Officer O. Douglas
14. Receipt for Hand-Delivered City Correspondence – Officer O. Douglas.
15. Professional Standards Unit/Employee Rights Garrity Rights Form – A. Hardrick.
16. Witness Notification of Intent to Interview – Officer A. Hardrick
17. Receipt for Hand-Delivered City Correspondence – Officer A. Hardrick.
18. Professional Standards Unit/Employee Rights Garrity Rights Form – Officer I. Roberson.
19. Witness Notification of Intent to Interview – Officer I. Roberson.
20. Receipt for Hand-Delivered City Correspondence – Officer I. Roberson.
21. Professional Standards Unit/Employee Rights Garrity Rights Form – Officer J. Jones.
22. Witness Notification of Intent to Interview – Officer J. Jones.
23. Receipt for Hand-Delivered City Correspondence – Officer J. Jones.
24. Professional Standards Unit/Employee Rights Garrity Rights Form – Officer R. Westcarth.
25. Witness Notification of Intent to Interview – Officer R. Westcarth.
26. Receipt for Hand-Delivered City Correspondence – Officer R. Westcarth.
27. Professional Standards Unit/Employee Rights Garrity Rights Form – Officer W. Louden.
28. Witness Notification of Intent to Interview – Officer W. Louden.

29. Receipt for Hand-Delivered City Correspondence – Officer W. Louden.
30. Professional Standards Unit/Employee Rights Garrity Rights Form – Officer B. DeSantis.
31. Witness Notification of Intent to Interview – Officer B. DeSantis.
32. Receipt for Hand-Delivered City Correspondence – Officer B. DeSantis.
33. Professional Standards Unit/Employee Rights Garrity Rights Form – Officer J. Harvey.
34. Witness Notification of Intent to Interview – Officer J. Harvey.
35. Receipt for Hand-Delivered City Correspondence – Officer J. Harvey.
36. Professional Standards Unit/Employee Rights Garrity Rights Form – Officer E. Morgan.
37. Witness Notification of Intent to Interview – Officer E. Morgan.
38. Receipt for Hand-Delivered City Correspondence – Officer E. Morgan.
39. Professional Standards Unit/Employee Rights Garrity Rights Form – Officer J. Nance.
40. Witness Notification of Intent to Interview – Officer J. Nance.
41. Receipt for Hand-Delivered City Correspondence – Officer J. Nance.
42. Professional Standards Unit/Employee Rights Garrity Rights Form – Officer B. Spearow.
43. Witness Notification of Intent to Interview – Officer B. Spearow.
44. Receipt for Hand-Delivered City Correspondence – Officer B. Spearow.
45. Professional Standards Unit/Employee Rights Garrity Rights Form – Officer E. Rodriguez.
46. Witness Notification of Intent to Interview – Officer E. Rodriguez.
47. Receipt for Hand-Delivered City Correspondence – Officer E. Rodriguez.
48. Professional Standards Unit/Employee Rights Garrity Rights Form – Officer B. Smith.
49. Witness Notification of Intent to Interview – Officer B. Smith.
50. Receipt for Hand-Delivered City Correspondence – Officer B. Smith.
51. Professional Standards Unit/Employee Rights Garrity Rights Form – Captain E. Foster.
52. Employee Notification of Intent to Interview – Captain E. Foster.
53. Receipt for Hand-Delivered City Correspondence – Captain E. Foster.
54. Professional Standards Unit/Employee Rights Garrity Rights Form – Sergeant B. Jackson.
55. Employee Notification of Intent to Interview – Sergeant B. Jackson.
56. Receipt for Hand-Delivered City Correspondence – Sergeant B. Jackson.
57. CD Copy Riviera Beach Police Department Tape Request / Radio
58. CD Copy of Body Worn Camera's.
59. CD Copy of Photographs of the following:
 - a) Sergeant Jackson's Hand
 - b) Sergeant Jackson's Marked Police Vehicle
 - c) Suspect's Face
60. CD (s) Copy of Recorded Statements by the following:
 - a) Officer O. Douglas
 - b) Officer A. Hardrick
 - c) Officer I. Roberson
 - d) Officer J. Jones
 - e) Officer R. Westcarth
 - f) Officer W. Louden

- g) Officer B. DeSantis
- h) Officer J. Harvey
- i) Officer E. Morgan
- j) Officer J. Nance
- k) Officer B. Spearow
- l) Officer E. Rodriguez
- m) Officer B. Smith
- n) Captain E. Foster
- o) Sergeant B. Jackson
- p) Anthony Goldwire, suspect
- q) William Parham, Homeowner

INVESTIGATIVE SUMMARY:

On January 21, 2019, Sergeant Brian Jackson attempted to conduct a traffic stop on a suspect later identified as Anthony Goldwire. The suspect attempted to flee in his vehicle and struck Sergeant Jackson's marked police vehicle. Sergeant Jackson notified communications of the incident and pursued the suspect. The suspect abandoned his vehicle and attempted to hide behind a residence to avoid apprehension. Additional officers responded to aid in locating the suspect and a perimeter was immediately established.

Officers J. Harvey, B. Smith, W. Loudon, E. Rodriguez and Sergeant B. Jackson were involved in the physical apprehension when the suspect was located at 1516 West 36th Street. During their sworn recorded interview, they stated the following:

Officer Harvey was working an off-duty detail on June 21, 2019, and left his detail to assist in locating the suspect.

Once the suspect was located, Officer Harvey attempted to arrest the suspect when he started resisting and other officers moved in to help with the apprehension. Officer Harvey stated he did not notice if the suspect had injuries.

Officer Harvey stated he heard when Captain Foster stated, "go dead", which meant to turn off the body worn camera. Officer Harvey stated he thought it was a lawful command and did not turn his body camera back on.

Officer Harvey acknowledged he signed the general order for the body worn camera and "go dead" is not a language that is used in the body worn camera policy. Officer Harvey stated, "go dead" means, no camera's, no video's.

Officer Loudon worked on June 21, 2019, and stated he did not remember the officers who assisted with the apprehension. Officer Loudon stated he gave the suspect verbal commands to stop resisting, however, he did not comply.

Officer Louden stated his body worn camera was on during the actual physical apprehension, however, it was turned off prior to the apprehension of the suspect when Captain Foster advised, "go dark."

Officer Louden stated, "go dark" means shut off the cameras. Officer Louden stated he did not know why the command was given, however, he complied because it was a directive that was given by a Captain.

Officer Rodriguez stated he worked on June 21, 2019, and he was familiar with the arrest of Anthony Goldwire. Officer Rodriguez stated he set up a perimeter at 37th and Avenue S.

Officer Rodriguez stated when he arrived on scene, the suspect was already on the ground. Officer Rodriguez stated he noticed his body worn camera was off, so he turned it on. Officer Rodriguez stated while he was assisting Sergeant Jackson in lifting the suspect, something hit him and his body camera fell off. Officer Rodriguez stated he went to St. Mary's hospital with the suspect until he was cleared to return to the road.

Officer Smith stated he worked on June 21, 2019, and is familiar with the arrest of Anthony Goldwire. Officer Smith stated he was not directly involved in the apprehension of the suspect. Officer Smith stated he gave the suspect orders to get on the ground, to which the suspect surrendered to him and his K-9.

Officer Smith stated his body worn camera was on. Officer Smith stated he heard Captain Foster gave an order to "go dead" and he took it as to turn off his camera. Officer Smith stated he left after the order was given by Captain Foster. Officer Smith stated he is familiar with the body worn camera policy, which states the camera is to be turned off after the completion of an incident.

Sergeant Brian Jackson stated he worked on June 21, 2019, and was familiar with the apprehension and arrest of Anthony Goldwire. Sergeant Jackson stated he was the supervisor over the Tactical Team.

Sergeant Jackson stated he was in the parking lot completing his supervisory paperwork prior to the end of his shift when he noticed a car on Avenue O going well over 40mph in a 25mph zone. Sergeant Jackson stated he got behind the car, activated his lights and sirens, and the car pulled over.

Sergeant Jackson stated the suspect exited his car and was approaching his marked police vehicle. Sergeant Jackson stated, he gave the suspect commands to get back into his car, to which he complied. Sergeant Jackson stated the driver then made a sort of three point turn in the middle of the road and headed back towards his marked police vehicle.

Sergeant Jackson stated on seeing the suspect's car approaching him, he placed his back up against the driver side back door of his marked patrol vehicle, with his hands in the air. Sergeant Jackson stated the suspect hit the driver side door which was open, causing the door to swing and hit his hand. Sergeant Jackson stated the suspect then took off in his vehicle.

Sergeant Jackson stated when the suspect was apprehended, he kept trying to get into his pockets. Sergeant Jackson stated he punched the suspect in his head several times in order to distract him. Sergeant Jackson stated he is unsure if he was the only supervisor that punched the suspect, however, he knows that he punched him more than twice.

Sergeant Jackson stated he was not wearing his ballistic vest or his body worn camera. Sergeant Jackson stated he did not hear Captain Foster say, "go dead."

Officers J. Jones, B. Spearow, O. Douglas, B. DeSantis, J. Hardrick, J. Nance and E. Morgan did not assist in the physical arrest. During their sworn recorded interview, they stated the following:

Officer Hardrick stated he was familiar with the arrest of Anthony Goldwire which occurred on June 21, 2019. Officer Hardrick stated he worked the perimeter position at 30th and S, and was not involved in the apprehension of Mr. Goldwire. Officer Hardrick did not have any body camera video of the incident.

Officer Spearow stated he was familiar with the arrest of Mr. Goldwire which occurred on June 21, 2019. Officer Spearow stated he heard the call when Sergeant Jackson stated he was struck. Officer Spearow stated he worked the perimeter at Silver Beach and President Barrack Obama Highway.

Officer Spearow stated after hearing the suspect was apprehended, he responded to the scene of the arrest. Officer Spearow stated his marked police vehicle was the closest and the suspect was placed inside and transported to the hospital.

Officer DeSantis stated he was working an off-duty detail on June 21, 2019, and thought the call was serious so he broke from the detail and responded to the area.

Officer DeSantis stated he did not assist with the physical apprehension, but assisted with setting up the perimeter. Officer DeSantis stated the suspect was apprehended in the rear of a house located in the 1500 block of west 36th street. Officer DeSantis stated when he arrived on scene, the suspect was dirty and it seemed they were still trying to place handcuffs on him.

Officer DeSantis stated his body worn camera was on the whole time, however, he turned it off. Officer DeSantis stated no one told him to turn his camera off. Officer DeSantis stated he left the scene after he turned his camera off.

Officer Morgan stated he was working an off-duty detail on June 21, 2019, and was familiar with the arrest of Anthony Goldwire. Officer Morgan stated he heard Sergeant Jackson relayed that an individual struck him with a vehicle.

Officer Morgan stated he posted himself at the intersection of President Barrack Obama and West Blue Heron Boulevard. Officer Morgan stated once he arrived on location in the backyard, he spoke to an individual trying to exit the house into the backyard.

Officer Morgan stated he observed multiple individuals trying to secure the suspect into handcuffs, while telling him to stop resisting. Officer Morgan stated that he assisted with getting

the suspect in the police car. Officer Morgan stated he was wearing his body worn camera; however, he was not sure if it was activated. Officer Morgan stated he did not hear anyone say, "go dead."

Officer Jennifer Jones stated she worked the Charlie Shift on June 21, 2019, and was familiar with the arrest of Anthony Goldwire. Officer Jones stated she was on the perimeter between the 3400 and 3600 block of President Barrack Obama Highway.

Officer Jones stated she was wearing her body camera, however, she was not in close proximity to the scene where the suspect was apprehended. Officer Jones stated when she heard the suspect was apprehended, she went back into service.

Officer Jones stated she was later given a directive to report to St. Mary's hospital because she would be handling the arrest portion of the paperwork and getting sworn statements. Officer Jones stated her body camera was on while she was in the hospital.

Officer Nance stated he worked on June 21, 2019, and was familiar with the arrest of Anthony Goldwire. Officer Nance stated he worked the perimeter from the 3400 to the 3600 block on Avenue R and Avenue S.

Officer Nance stated when he arrived at the residence where the suspect was apprehended, his main focus was to make sure the homeowner, who was in the backyard did nothing to harm the officers. Officer Nance stated his back was turned towards the officers. Officer Nance stated he did not assist in the physical apprehension of the suspect.

Officer Douglas stated he worked on June 21, 2019, and is familiar with the arrest of Anthony Goldwire. Officer Douglas stated he was a rover unit for the entire incident and was not near where the suspect was apprehended.

Officer Roberson stated he worked on June 21, 2019, and is familiar with the arrest of Anthony Goldwire.

Officer Roberson stated he was conducting a business check when he heard over the radio that an officer was struck while conducting a traffic stop. Officer Roberson stated he was located at the perimeter between the 1400 and 1500 block of Avenue R.

Officer Roberson stated he was not in the immediate area where the suspect was located. Officer Roberson stated he was approximately 10-20 feet away from the suspect. Officer Roberson stated he saw the suspect in handcuffs on the floor and other officers had to pick up and carry the suspect.

Captain Edgar Foster stated he worked on June 21, 2019, and was familiar with the arrest of Anthony Goldwire. Captain Foster stated he responded to the area and established a perimeter. Captain Foster stated he was not involved in the physical arrest of Mr. Goldwire.

Captain Foster stated when he arrived on scene, the suspect was compliant to Officer Smith's commands and getting on the ground. Captain Foster stated he informed Officer Harvey and Officer Ben Smith to "go dead" because he felt the incident was over because the suspect was

compliant. Captain Foster stated the suspect did not resist while he was on scene so he and Officer Smith proceeded to walk towards the roadway. Captain Foster stated "go dead" means turn off your cameras, and it is his terminology for turning the cameras off. Captain Foster stated that was his first time using it.

Captain Foster stated when he said, "go dead," it was meant for K-9 Officer's Ben Smith and Javares Harvey. Captain Foster stated even though Officer Harvey was standing next to Officer Smith, the command was meant for Officer Smith, because he had his K-9 and Officer Harvey did not. Captain Foster stated he did not call K-9 Officer Ben Smith by name and told him to "go dead," neither did he point at him and said, "go dead."

Captain Foster stated he later read the supplements and found out that the suspect resisted. Captain Foster stated while he was on scene, he did not hear officers telling the suspect to stop resisting. Captain Foster stated he did not complete a supplemental report.

Captain Foster stated he did not see Sergeant Jackson wearing his body worn camera. Captain Foster stated "go dead" is not a part of the Body worn camera policy.

Officer Westcart stated he was not familiar with the arrest of Anthony Goldwire on June 21, 2019, because he was not scheduled to work that day. Officer Westcaeth is assigned to the Baker Shift which is scheduled to work from 0600 hours to 1800 hours.

Officer Westcarth's assigned car that day was PD1519, however, he shared it with Officer Jennifer Jones who worked the night shift. Officer Jones responded to the scene of the arrest of Mr. Goldwire.

Mr. Parham stated he was sitting in his driveway when he saw police cars approaching from both directions. Mr. Parham stated he heard noise in his backyard so he exited his truck and went into his house. Mr. Parham stated when he went out the back door, officers had the suspect by the back door with his hands behind his back.

Mr. Parham stated he told the officers, "Ya'll need to get this out of my yard. I don't like what I'm seeing." Mr. Parham stated the officers told him to get back inside of the house. Mr. Parham stated the apprehension of the suspect did not last long.

During his sworn recorded interview, Mr. Goldwire stated he was travelling on Avenue O and saw police officer sitting in the church parking lot. Mr. Goldwire confirmed he was pulled over for a traffic stop and got out of his car with his driver's license in hand.

Mr. Goldwire also acknowledged that Sergeant Jackson order him to return to his car.

Mr. Goldwire returned to his car and left the scene. Mr. Goldwire admitted he abandoned his car, hopped a fence and hid in someone's backyard.

Mr. Goldwire acknowledged he was talking on his cellular phone while he was behind the residence. Mr. Golwire also acknowledge he was ordered not to answer his cellular phone.

Mr. Goldwire stated he no recollection of what transpired while he was being arrested. Mr. Goldwire stated he remembered waking up at St. Mary's hospital with his face swollen, knees scraped and bruises everywhere.

SUMMARY OF INTERVIEWS:

OFFICER JAVARES HARVEY

On October 11, 2019, I conducted a sworn recorded interview with K-9 Officer Javares Harvey. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Officer Javares Harvey that he is being interviewed as a potential witness in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. Officer Harvey was afforded that opportunity to review his body worn camera video. He was also given Garrity Rights and Officers Bill of Rights/112. Officer Harvey stated that he signed, read and understood them. Officer Harvey elected not to have a PBA representative.

I asked Officer Harvey if he was familiar with the arrest of Mr. Anthony Golwire on June 21, 2019, at 1516 W. 36th Street. Officer Harvey stated, "Yes." I asked Officer Harvey if he worked on that day. Officer Harvey stated, "Yes, I was working an off-duty detail that day." I asked Officer Harvey what time was the detail. Officer Harvey stated, "Don't remember. I think it started, I want to say at 6, ended at midnight or 11:00."

I asked Officer Harvey if he assisted with the apprehension of Anthony Goldwire. Officer Harvey stated, "Yes." I asked Officer Harvey how did he assist with the apprehension. Officer Harvey stated, "I responded. I assisted the K-9 Unit on the track for the suspect. I, at one point I did see the suspect run between the houses, and I let other, the units know, 'cause it was near Silver Beach. I did deploy the Taser twice but no contact was made with the suspect. And I deployed a second time to protect K-9 Vox. On the dog."

I asked Officer Harvey why did he deploy for the dog if there was another dog. Officer Harvey stated, "Yeah. There was another dog in the back yard and was going after K-9 Vox when he was in the back yard about to apprehend the suspect."

I asked Officer Harvey when he arrived on scene was Mr. Goldwire already handcuffed. Officer Harvey stated, "You mean when I got on the, on the incident in the yard? I was trying to handcuff. I was the one that hopped over the fence. While I was attempting to handcuff him he started to resist. And other officers had to help me."

I asked Officer Harvey if he issued any commands to Mr. Goldwire. Officer Harvey stated, "We were telling him to, "Stop resisting, stop resisting." I asked Officer Harvey when he said "we," who was he referring to. Officer Harvey stated, "I don't remember. I know I gave him commands and everybody else who assisted me of handcuffing me."

I asked Officer Harvey if he was injured when he was trying to handcuff him. Officer Harvey stated, "I mean, I don't -- I don't know. I was just so focused of trying to arrest him. So I don't know if he had any injuries."

I asked Officer Harvey to tell me why he turned off his camera during the apprehension. Officer Harvey stated, "I was told to turn it off." I asked Officer Harvey who told him to turn of the camera off. Officer Harvey stated, "Captain Foster told us all to turn, turn off the camera."

I asked Officer Harvey is that why he did it. Officer Harvey stated, "Yes, ma'am." I asked Officer Harvey if he thought at the time that was a lawful command. Officer Harvey stated, "Yes. Yes, ma'am."

I asked Officer Harvey after that, was he in handcuffs or was he still resisting. Officer Harvey stated, "He was resisting. It took us, it took a few officers to get him under control." I asked Officer Harvey at that point did he turn his camera back on. Officer Harvey stated, "No." I asked Officer Harvey why not. Officer Harvey stated, "Because I was, I mean, I had one handcuff, I was finally able to get one handcuff on and then he kept just resisting. It took, it took a while to get the handcuffs on him."

I asked Officer Harvey if he signed the policy or general order for the body worn camera. Officer Harvey stated, "Yes, ma'am." I stated to Officer Harvey I wanted him to look at something in the investigative file. I asked Officer Harvey what date does it reflect that he signed for that general order. Officer Harvey stated, "10/10/2018."

I asked Officer Harvey if he is familiar with that policy. Officer Harvey stated, "Yes, ma'am. I'm familiar with it." I asked Officer Harvey how familiar. Officer Harvey stated, "Every time we go to a call, we make contact with a citizen, we activate the camera, and we turn it off when we're done with the call or we're done with contact of the citizen."

I asked Officer Harvey to tell me again why he turned off the camera. Officer Harvey stated, "I was told to turn it off." I asked Officer Harvey by who. Officer Harvey stated, "Captain Foster." I asked Officer Harvey what did he say to indicate that he can turn off the camera. Officer Harvey stated, "I believe the command was, go dark." I asked Officer Harvey if that is a language that is listed in the body-worn camera policy. Officer Harvey stated, "No, ma'am." I asked Officer Harvey if that is that a universal language or is that something that the officers know to do. Officer Harvey stated, "Universal like, I mean, the terminology, "Go dark" means no cameras, no video."

I asked Officer Harvey if he remembered what Mr. Goldwire was charged with. Officer Harvey stated, "It was a Battery on a Law Enforcement Officer and I believe Fleeing to Elude with Injuries. Resisting Arrest." I asked Officer Harvey if that is what led him there, was an officer or

supervisor calling for assistance. Officer Harvey stated, "Yes." I asked Officer Harvey if that is why he responded, "Yes, ma'am."

I stated to Officer Harvey at this time I have no additional questions. I asked Officer Harvey if he had anything else he wanted to add or say. Officer Harvey stated, "No, ma'am."

The interview concluded at 10:36 a.m.

OFFICER WILLIAM LOUDEN

On October 14, 2019, I conducted a sworn recorded interview with Officer William Loudon. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Officer William Loudon he is being interviewed as a potential witness in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. Officer Loudon was afforded that opportunity to review his body worn camera video. He was also given Garrity Rights and Officers Bill of Rights/112. Officer Loudon stated that he signed, read and understood them. Officer Loudon elected not to have a PBA representative on his behalf.

I asked Officer Loudon if he remembered working that day. Officer Loudon stated, "Yes." I asked Officer Loudon if he remembered the incident. Officer Loudon stated, "I do."

I asked Officer Loudon if he assisted with the apprehension of Mr. Goldwire. Officer Loudon stated, "Yes." I asked Officer Loudon how did he assist with the apprehension. Officer Loudon stated, "I assisted with affecting the arrest and placing the individual into the custody."

I asked Officer Loudon who handcuffed Mr. Goldwire. Officer Loudon stated, "I think it was like a combination of me and I really don't remember who else was on the ground with me. I don't recall. I remember seeing, I remember seeing arms and hands but I just don't remember."

I asked if it was at least two additional officers or three. Officer Loudon stated, "I think there was like, I think there was three to four of us, I want to say, range." I asked Officer Loudon if he had to issue any commands. Officer Loudon stated, "Oh, yeah. I was giving verbal commands repeatedly." I asked Officer Loudon what were the commands. Officer Loudon stated, "Stop resisting." That's primarily I think what I was saying, if I'm not mistaken."

I asked Officer Loudon if he complied. Officer Loudon stated, "No." I asked Officer Loudon if his body camera was on during the apprehension. Officer Loudon stated, "It was." I asked officer Loudon if it was on the whole time. Officer Loudon stated, "During the actual physical apprehension it was." I asked Officer Loudon at any point did he turn it off. Officer Loudon

stated, "I did." I asked Officer Louden if it was during the apprehension. Officer Louden stated, "I shut it off prior." I stated to Officer Louden prior to the apprehension. Officer Louden stated, "Correct." I asked Officer Louden why. Officer Louden stated, "An individual advised us to go dark." I asked Officer Louden which individual advised him to go dark. Officer Louden stated, "Captain Foster."

I asked Officer Louden what does that mean, go dark. Officer Louden stated, "Offhand, I just could assume at the time what it meant which was just shut our cameras off." I asked Officer Louden why would he want you to shut your cameras off. Officer Louden stated, "I have no idea." I stated to Officer Louden if he did it because it was a directive given by the captain. Officer Louden stated, "Yes."

I stated to Officer Louden in his probable cause he stated that he struck Mr. Goldwire in the midsection to gain compliance. Officer Louden stated, "Correct." I asked Officer Louden if he was still resisting. Officer Louden stated, "Yes."

I asked Officer Louden to describe some of the things the suspect was doing that determined he was resisting arrest. Officer Louden stated, "He was not complying, keeping his hands behind his back. He continued to -- from what I remember, flailing his legs, i.e., kicking his legs. He kept on pulling his arms apart. If I'm not mistaken his arm at one point, handcuffed hand actually came up 'cause he was pulling his arms apart. And so he continued actively resisting."

I asked Officer Louden if he was the only officer that used countermeasures to gain compliance with this suspect. Officer Louden stated, "I honestly don't know. I know, I don't know. I really don't know 'cause I was, at the time, like I said, I was just, I know where I was. I know there was somebody right next to me, and I don't know if they were doing anything like that or just trying get him in custody. I just, I really can't recall. I mean, like I said, I know there's three to four of us. I know there's other guys standing around us, too, but it happened so quickly and it was so kind of chaotic but I, I can't really attest to that." I asked Officer Louden if he went to the hospital with Mr. Goldwire. Officer Louden stated, "I ended up there, yes. Basically, yeah. I mean, obviously I didn't transport but, yeah."

I asked Officer Louden what was Mr. Goldwire charged with. Officer Louden stated, "I think it was Agg. Batt on a LEO, Fleeing to Elude and Resisting Without, if I'm not mistaken. If my memory serves me correct." I asked Officer Louden if he would like to add or say anything. Officer Louden stated, "No."

The interview concluded at 12:08 p.m.

OFFICER ROHAN WESTCARTH

On October 14, 2019, I conducted a sworn recorded interview with Officer Rohan Westcarth. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Officer Rohan Westcarth he is being interviewed as a potential witness in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. Officer Westcarth was afforded the opportunity to review the in car video for PD1519, his assigned car. He was also given Garrity Rights Officers Bill of Rights/112. Officer Westcarth stated that he signed, read and understood them. Officer Westcarth elected not to have a PBA representative present on his behalf.

I asked Officer Westcarth if he worked June 21, 2019. Officer Westcarth stated, "You said June the 21st when that -- no, ma'am. I was not scheduled to work that day." I asked Officer Westcarth what shift was he assigned to. Officer Westcarth stated, "I was assigned to the Baker shift." I asked Officer Westcarth what time that shift starts. Officer Westcarth stated, "Baker Shift starts at 0600 to 1800."

I asked Officer Westcarth was he not familiar with this incident at all. Officer Westcarth stated, "I do not recall at all. Do not know at all. I did not work so I'm not familiar with that case at all."

I asked Officer Westcarth which vehicle is he normally assigned to drive. Officer Westcarth stated, "I'm normally assigned, at that time I was assigned to 1519. PD 1519." I asked Officer Westcarth if he shares that vehicle with another officer. Officer Westcarth stated, "At that time, yes." I asked Officer Westcarth if he knows which officer shares that vehicle with him. Officer Westcarth stated, "Officer Jones. A female, Officer Jones." I informed Officer Westcarth I have no additional questions for him.

The interview concluded at 12:47 p.m.

OFFICER ALEXANDER HARDRICK

On October 23, 2019, I conducted a sworn recorded interview with Officer Alexander Hardrick. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Officer Hardrick he was being interviewed as a potential witness in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. He was also given his Garrity Rights Officers Bill of Rights/112. Officer Hardrick stated he signed, read and understood them. Officer Hardrick elected not to have a PBA representative present on his behalf.

I informed Officer Hardrick he did not have any body-worn camera footage for that night. Officer Hardrick stated, "No, ma'am." I asked Officer Hardrick if he was familiar with the incident I mentioned that occurred on June 21st. Officer Hardrick stated, "Yes, ma'am."

I asked Officer Hardrick to tell me what he remembered about the incident. Officer Hardrick stated, "I just remember someone calling over the radio stating that they'd been struck by a vehicle and from there, I believe I just went to a perimeter position once they said they had him within a box and that was where I stood until further." I asked Officer Hrdrick if he remembered the area. Officer Hardrick stated, "30th and S."

I asked Officer Hardrick if he was involved in the apprehension of Mr. Goldwire. Officer Hardrick stated, "No, ma'am." I asked Officer Hardrick if there was anything he would like to add or say. Officer Hardrick stated, "No, ma'am."

The interview concluded at 10:19 a.m.

OFFICER BRADLEY SPEAROW

On October 22, 2019, I conducted a sworn recorded interview with Officer Bradley Spearow. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Officer Spearow he was being interviewed as a potential witness in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. Officer Spearow was given Garrity Rights Officers Bill of Rights/112. Officer Spearow stated he signed, read and understood them. Officer Spearow elected not to have a PBA representative present on his behalf.

I stated to Officer Spearow the incident took place at 1516 West 36th Street. I asked Officer Spearow if he was familiar with the incident. Officer Spearow stated, "Yes."

I asked Officer Spearow to tell me what he remembered about the incident. Officer Spearow stated, "I remember that there had been some, an incident happen where, I believe it was Sergeant Jackson called out that he was just struck by a vehicle in reference to a traffic stop, or some sort of suspicious incident. Of course, when we heard this over the air, I responded, obviously, you know, um, to, you know, set-- for setup a perimeter and figure out what it is we were looking for. I wound up at Silver Beach, and President Barrack Obama Highway in reference to holding perimeter while they -- while other officers were searching the area for the vehicle. Upon hearing that there was an apprehension, I then heard that we could break down the perimeter, at which time I responded to the scene of the arrest location just to see if I was needed for anything. I guess upon my arrival, it turned out I was the closest vehicle so they placed the

arrestee into my vehicle. And I transported him to the Saint Mary's Hospital, and then I turned him over to the officers that were on scene there.”

I confirmed with Officer Spearow that he was not one of the officers who was trying to place him in handcuffs. Officer Spearow stated, “No, I was not.” I confirmed with Officer Spearow that he just arrived and transported the suspect. Officer Spearow stated, “Yes. I, remained in the roadway essentially where it happened, I didn't even really go anywhere. I asked Officer Spearow if that concluded his involvement. Officer Spearow stated, “Yes, that’s all my entire involvement.” I asked Officer Spearow if there is anything he would like to add or say. Officer Spearow stated, “Nope.”

The interview concluded at 6:02p.m.

OFFICER BRIAN DESANTIS

On October 10, 2019, I conducted a sworn recorded interview with Officer Brian DeSantis. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Officer DeSantis he was being interviewed as a potential witness in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. Officer DeSantis was given Garrity Rights Officers Bill of Rights/112. Officer DeSantis stated he signed, read and understood them. Officer DeSantis was afforded the opportunity to view his bodycam. Officer DeSantis elected not to have a PBA representative present on his behalf.

I asked Officer DeSantis if he worked on June 21st, 2019. Officer DeSantis stated, “I was working that evening. Yes.” I asked Officer DeSantis if he was familiar with the incident that occurred at 1516 W 36th Street. Officer DeSantis stated, “I am.” I asked Officer DeSantis which shift did he work. Officer DeSantis stated, “I believe that day, I worked my normal shift, which would've been approximately 10 a.m. to 6 p.m., and then I was working an off-duty detail at the time of the incident.”

I asked Officer DeSantis if he assisted with the apprehension of Mr. Goldwire. Officer DeSantis stated, “I did not assist with the physical apprehension, but I assisted in establishing a perimeter.” I asked Officer DeSantis if he remembered where he was apprehended. Officer DeSantis stated, “I believe it was off to the, a rear corner of the house in the 1500 block of West 36th Street. That's where I first saw officers with him. It was a rear corner of the house.”

I asked Officer DeSantis if his body camera was on during the apprehension. Officer DeSantis stated, “Yes, it was.” I asked Officer DeSantis to tell me what he remembered about the circumstances surrounding that arrest. Officer DeSantis stated, “If I recall correctly, I was, I was located in the upper garage level at 228 East Blue Heron Boulevard, which is the Publix located

in our city, working an off-duty detail. I heard Sergeant Jackson, Sergeant Brian Jackson go over the air. I believe he was attempting to conduct a traffic stop and I believe he said something in the form of, "He hit me," or "I'm hit," something of that nature, and I believe that was in relation to the traffic stop that he attempted to conduct.

Additional units started to respond. I thought it serious in nature enough for me to break from my detail, and I started responding to the area. Upon initial arrival to the area, I started to circulate due to the fact that I'm an unmarked vehicle. I thought maybe I could possibly get eyes on a subject or somebody matching the description being in an unmarked vehicle as opposed to a marked vehicle until I took a static position on perimeter point at the intersection of West 36th Street and Avenue S. I believe at that time; my vehicle was facing in a northern direction because they believed that they had the subject cut, boxed in into that area from, anywhere from 36th Street up to Silver Beach from Avenue S to the east.

At some point during that time, while I was out of my vehicle, I believe I saw a subject matching that description run through a yarded area, and I advised over the radio to that. I left my patrol vehicle, and I attempted to search the area, but I didn't make contact with anybody. And while I started in that, it was like a dirt canal-type style, unfinished area behind the house that's on the northeast corner of 36 and S. Um, while I was still in that area, I then heard, uh, over the radio that they were in contact with the subject.

Once they had made contact with the subject, I started walking back towards my police vehicle, and then I started, once I was back in my police vehicle, I started heading over towards the area where they said that they were in contact with the subject. And then it was advised over the radio that the perimeter units could break down.

I get out of my vehicle. I walk towards, I think it was the west side of the house, I believe. There were a couple cars in a driveway, and I walked to the back, and I believe there was two or three officers dealing with the subject down on the ground. There were two additional officers towards the back of the house because I think that there were people in a doorway to the rear of the residence. And I was just back there kinda looking around, making sure everything was okay, if, making sure that there was no evidence or, equipment that may have been dropped or anything of that nature."

I asked Officer DeSantis when he arrived, was the subject in handcuffs. Officer DeSantis stated, "To best of my recollection, it seemed like they were still working, trying to put handcuffs on him, or they were trying to pick him up by that time. So I don't know if he was physically in handcuffs at that moment. Like I, there were, like I said, there were three officers' kind of over the top of the subject, and it, if I remember correctly, I heard the sound of handcuffs being placed on the subject."

I asked Officer DeSantis if he looked at the suspect's face. Officer DeSantis stated, "At one point when they were moving him and bring him up to, towards the front of the house I did see him. He looked to be very dirty. The area along the side of the house and in the area as well as where I saw him was very, it was a lot of dirt. It was not, it didn't have grass or anything like that. So I remember him being very dirty from all the dirt that was all over the area."

I asked Officer DeSantis if saw the subject prior to them picking him up. Officer DeSantis stated, "No." I asked Officer DeSantis if his body camera was on the whole time. Officer DeSantis stated, "Yes."

I stated to Officer DeSantis in the video, it shows him turning off his camera. I asked Officer DeSantis if he remembered seeing that. Officer DeSantis stated, "Yes." I asked Officer DeSantis why he turned off his camera. Officer DeSantis stated, "Cause at that point with the subject being in custody, I was actually exceeded the time that I was supposed to be on my detail, it was after that time and no other further, I had no further, I wasn't need anymore with that. So from that point, I left, and I went home for the night."

I asked Officer DeSantis what time his detail ended that night. Officer DeSantis stated, "It was supposed to end, I don't recall if that was before the change or after the change in the detail hours. But if it was before the change, it would've been 11:00. If it was after the change, it was it would've been midnight. I don't, I don't remember when the detail times changed."

I asked Officer DeSantis what he meant when he said he exceeded his time. Officer DeSantis stated, "Well, I would have gone over the time that I was, would've been on my detail." I asked Officer DeSantis to tell me again why he turned his camera off. Officer DeSantis stated, "Because from that point, I left, and I went home 'cause I was, I wasn't technically working the road that night."

I asked Officer DeSantis if he was instructed to turn his camera off. Officer DeSantis stated, "No, ma'am." I asked Officer DeSantis if he turned it off because he was no longer needed at the scene. Officer DeSantis stated, "Yes."

I asked Office DeSantis if he had anything else he would like to add or say. Officer DeSantis stated, "No, ma'am, think that's everything." I asked Officer DeSantis if he read and signed the body-worn camera policy. Officer DeSantis stated, "Yes, ma'am."

The interview concluded at 2:25 p.m.

OFFICER EVERTON MORGAN

On October 11, 2019, I conducted a sworn recorded interview with Officer Everton Morgan. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Officer Morgan he is being interviewed as a potential witness in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. Officer Morgan was given his Garrity Rights Officers Bill of Rights/112. Officer Morgan stated he signed, read and

understood them. Officer Morgan was afforded the opportunity to view bodycam video of the incident. Officer Morgan elected not to have a PBA representative present on his behalf.

I asked Officer Morgan if he was familiar with the arrest of Mr. Goldwire which took place at 1516 West 36th Street in Riviera Beach. Officer Morgan stated, "Yes." I asked Officer Morgan if he remembered working on June 21st, 2019. Officer Morgan stated, "Yes, I was working a detail at 401 President Barack Obama, J W Food and Liquor."

I asked Officer Morgan if he assisted in the apprehension of Mr. Goldwire. Officer Morgan stated, "In some manner, yes." I asked Officer Morgan how he assisted with the call. Officer Morgan stated, "I heard Sergeant Jackson go in a traffic stop and said vehicle (unintelligible) radio, that the individual struck him with a vehicle. I responded to the intersection of President Barack Obama and West Blue Heron, to, just 'cause I, from previous experience, I know individuals try to get out of that area, they try to flee, southbound on President Barack Obama, or they go west on Blue Heron. So I positioned myself there. And as they made the perimeter smaller, that's when I went to Avenue S. Shortly after that, that's when they said they had the individual in the backyard, right in the backyard." I asked Officer Morgan if he went to the backyard. Officer Morgan stated, "Yes, I did."

I asked Officer Morgan to tell me what happened and what he saw. Officer Morgan stated, "Once I went to the backyard, from what I remember, an individual was trying to come out the back door, which I addressed the individual 'cause I don't know if he was a threat or not. So I told him to get back in the house. Um, and at that time, that's when multiple officers were trying to secure the individual into handcuffs."

I asked Officer Morgan if the person they were trying to put into handcuffs was the suspect. Officer Morgan stated, "That was the suspect. I just heard all the officers giving out their verbal commands, "Stop resisting" and that's pretty much it. And I think I helped pick him up and put him in the police car if that's the same arrest. I don't remember if that's, that is that guy, that's that same arrest."

I showed Officer Morgan a picture of Mr. Goldwire and asked him to confirm if that was the suspect. Officer Morgan stated, "I remember the hairstyle. I didn't get a chance to look at his face. I remember the hairstyle, and I remember from my understanding, he had, he had pants with some type of leopard, leopard print or something, but I didn't get a chance to look at his face at the time."

I asked Officer Morgan if he heard any commands during the time when the officers were handcuffing the suspect. Officer Morgan stated, "Yeah, I heard multiple officers saying, "Stop resisting. Give me your hands." they kept yelling that; "Give me your hands. Stop resisting."

I asked Officer Morgan if he was wearing his body camera. Officer Morgan stated, "Yes." I asked Officer Morgan if it was on. Officer Morgan stated, "I don't know if it was, I don't know if it was on. I tapped it, but I don't think it was in standby mode, and typically, it's supposed to be in standby mode. Then that's when I tap it, it'll come on." I stated to Officer Morgan we have no

video from your body cam, so your body cam was not on. Officer Morgan stated, "It was not in standby mode so that's why it didn't come on."

I asked Officer Morgan if he thought it was. Officer Morgan stated, "I did. I know I always tap my body cam, but it, it wasn't in standby mode." I asked Officer Morgan if he saw where he was positioned at the call from the other body cams videos. Officer Morgan stated, "At the back, yeah."

I asked Officer Morgan if he was close in proximity of the suspect. Officer Morgan stated, "Yes." I asked Officer Morgan if at any point, did he hear anyone say, "Go dark," or, "Go dead". Officer Morgan stated, "No, I was." I confirmed with Officer Morgan he did not hear that. Officer Morgan stated, "I didn't hear that. 'Cause I heard some rattling in the fence. That's when I kinda turned around trying to see what was going on."

I attempted to confirm with Officer Morgan that he said there was someone else present and he couldn't determine if they were a threat. Officer Morgan stated, "When the guy came out the back door, that's when I was telling him, like, go back inside. Me, I want to say, I forgot the other officer that was beside me. We was telling him to go back inside." I asked Officer Morgan if he found out if the individual was a threat or not. Officer Morgan stated, "Uh, once he went back inside, the, the young man was transport, I responded back to my detail. I checked on Sergeant Jackson and responded back to my detail."

I asked Officer Morgan why did he check on Sergeant Jackson. Officer Morgan stated, "Cause when the call came out, he said the individual struck him with a car." I asked Officer Morgan if he saw the suspect get injured or did anyone have to use counter measures to get him to comply. Officer Morgan stated, "I'm sure the individuals had to, based off these pictures I'm looking at. I mean, I don't know, like, I wasn't one of the ones trying to get him to comply. Typically, I mean, the department teaches us techniques to use against individuals to gain compliance, so I'm sure those techniques was utilized to get them to gain compliance based off all those verbal commands they was giving him."

I asked Officer Morgan to tell me why his body cam wasn't on. Officer Morgan stated, "I didn't have it in standby mode, so when I did tap it, it didn't turn on." I asked Officer Morgan if there is anything else he wanted to add or say. Officer Morgan stated, "No."

The interview concluded at 11:51 a.m.

OFFICER ELIAN RODRIGUEZ

On October 28, 2019, I conducted a sworn recorded interview with Officer Elian Ridriguez. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Officer Rodriguez he was being interviewed as a potential witness in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. Officer Rodriguez was given Garrity Rights Officers Bill of Rights/112. Officer Rodriguez stated he signed, read and understood them. Officer Rodriguez was afforded the opportunity to view bodycam video of the incident. Officer Rodriguez elected not to have a PBA representative present on his behalf.

I asked Officer Rodriguez if he is familiar with the arrest of Mr. Anthony Goldwire which took place on June 21st, 2019, at 1516 W. 36th Street. Officer Rodriguez stated, "Yeah, I remember it. Most of it."

I asked Officer Rodriguez to tell me what he remembered. Officer Rodriguez stated "Okay. So I was on patrol that night. And I, it came across the radio that Sergeant Jackson, you know, said that a suspect had took off from him, then hit him. So was in the PSA 21. I don't remember the street exactly, but we started looking for the vehicle description. And I believe it was Officer K. Jones, he found the vehicle on Avenue, on 36th Street, I believe, or 37th Street, one of those.

So we went over there to set up a perimeter and I went to 37 and Avenue S. and I was set up in that corner, the perimeter. Then they were searching for the suspect and they came in contact with him. And they started running so I heard them because I was close by. And I started running towards them because I think Officer Desanti [phonetic] was, like, on 36th and S. So he said, "Go, go." And he stayed there covering that perimeter area. So I went over there and I was, like, on 37th Street and there was, on the houses, and there was a fence cover so I couldn't see 'em. They were on 36th Street.

So I jump a fence to another house that was on the left, and then I jumped the fence that was towards them. And when I got there, they had, they already had the suspect on the ground. I believe it was Officer, I forget his name. The one with the beard. Louden, yes. Louden. He was sitting behind, like, on, by his legs, holding his back. So Harvey, Officer Harvey was in front of him holding him down in the front. And Officer Jackson was on the left side. So I, I had my Taser out and I arrived there and I got to the ground. I started holding him down. I had my Taser activated in case I needed to use it. But they already have it secure so at that point I notice my camera was off so I turned it on, and we were going to secure the suspect so I dropped the Taser and I start helping secure the suspect with the handcuff. That's when I assisted and essentially, like, watch, like, from the handcuff, and I put the hand, I believe Harvey put the handcuff on the right hand. And then I assist to put it on the left hand. And at that point we ceased and we got up and then we, like on the video, like, me and Officer Jackson lift the suspect and at that point something hit me. I seen, I don't know if it was the suspect or, like, a movement, but my camera fell off. And I noticed it and I went to the ground. I grabbed it and I apparently, I turned it off and I don't remember why."

I asked Officer Rodriguez if his camera fell. Officer Rodriguez stated, "Yeah. My, my camera, my camera fell." I stated to Officer Rodriguez your body cam fell. Officer Rodriguez stated, "Yeah." I asked Officer Rodriguez if he picked it up. Officer Rodriguez stated, "Yeah. And at

that point we put the suspect, the suspect on the, I don't remember which officer's car he went, but we put on the car and he start heading to St. Mary's, and I went to my car back on 37 and Avenue S and got in my car and went to St. Mary, as well. And that's, then we stay in St. Mary's until, like, we got cleared to go back to the road.”

I asked Officer Rodriguez if that was the end of his involvement with that arrest. Officer Rodriguez stated, “Yeah. By the time I got to the suspect, they were already, like, on the ground, cease all the activity. But they were just going to, like, put on handcuff.”

I stated to Officer Rodriguez that's all the questions I have for him. I asked Officer Rodriguez if there is anything else he would like to add or say. Officer Rodriguez stated, “No. That's all I remember.”

The interview concluded at 11:34 a.m.

OFFICER JENNIFER JONES

On October 16, 2019, I conducted a sworn recorded interview with Officer Jennifer Jones. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Officer Jones she was being interviewed as a potential witness in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. Officer Jones was given Garrity Rights Officers Bill of Rights/112. Officer Jones stated she signed, read and understood them. Officer Jones was afforded the opportunity to view bodycam video of the incident. Officer Jones elected not to have a PBA representative present on her behalf.

I asked Officer Jones if she remembered working on June 21st, 2019. Officer Jones stated, “Yes, ma'am.” I asked Officer Jones what shift she worked. Officer Jones stated, “I worked the Charlie shift from 6 p.m. to 6 a.m.” I asked Officer Jones if she remembered the incident. Officer Jones stated, “I do.”

I asked Officer Jones to tell me what she remembered about that incident. Officer Jones stated, “I remember, Sergeant Jackson came over the air, at first trying to conduct a traffic stop. He then came back over the air and stated that he had been struck by a black vehicle, he gave the description of the vehicle, but I don't recall it. Identified the gentleman, gave a description of the gentleman and stated that the gentleman did, like, almost like a pit maneuver move to get away, striking I believe his door which then struck his arm, and we all, everybody immediately responded. We set up a perimeter. I was either in between the, I was in between the 34 and 3600 block of PBO. That was where I was on perimeter. Um, and they eventually came back over the air and said that he had been apprehended. I then, we broke down perimeter. I then drove just to

see if everybody was okay. When I got there, everybody was okay, and I immediately went 10-8. I never even got out of my vehicle I don't believe. I went back, I went 10-8, and I went back to the east side. Approximately 30 minutes later, I was given the directive to report to St. Mary's, that I would be handling the paperwork portion of it, the arrest portion of it and getting the sworn statements."

I asked Officer Jones if she was wearing her body-worn camera. Officer Jones stated, "Yes." I asked Officer Jones if she was close to where the suspect was apprehended. Officer Jones stated, "No. There was, there were so many people on scene that I was just, I just left because somebody needed to cover the east side."

I confirmed with Officer Jones if she was on a perimeter, in the outskirts. Officer Jones stated, "Yes." I asked Officer Jones if she remembered the vehicle she was driving that day. Officer Jones stated, "I was driving 1519. That's my assigned vehicle."

I asked Officer Jones if there is anything she would like to add or say. Officer Jones stated, "No. I just, I went to the hospital, I was only at the hospital for, my, I left my body cam on while I was in the hospital. I think I was only in the hospital for 30 minutes, and then I came back to the station and started working on the paperwork. And at that time, I got, because Sergeant Jackson was admitted. So when we, I spoke to him briefly, but then when we got back to the station and he was released, I got his sworn statement."

I asked Officer Jones if Mr. Goldwire said anything to her at the hospital. Officer Jones stated, "Yes. It was strange. When I got there, he had, from what I was told, he had already been administered a sedative, which I knew then I could not legally question him because he could say he understood his Miranda rights, but anybody could say anything under, so he did spontaneously utter, he repeatedly kept asking me for a Gatorade and he did spontaneously utter something along the lines of, "I know I'm here because I hit that officer or supposedly hit that officer. I don't give a shit about that. I just want to call my mom. Can you give me my phone so I can call my mom?" At which time, I told him I was not able to hand him his phone but that he would be able to make a phone call eventually."

I asked Officer Jones if that is all. Officer Jones stated, "That's all. That's all I remember."

The interview concluded at 5:36 p.m.

OFFICER JONTHAN NANCE

On October 21, 2019, I conducted a sworn recorded interview with Officer Jonathan Nance. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Officer Nance he was being interviewed as a potential witness in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. Officer Nance was given Garrity Rights Officers Bill of Rights/112. Officer Nance stated he signed, read and understood them. Officer Nance was afforded the opportunity to view bodycam video of the incident. Officer Nance elected not to have a PBA representative present on his behalf.

I asked Officer Nance if he is familiar with the arrest of Mr. Goldwire which occurred on June 21st, 2019, at 1516 W. 36th Street in Riviera Beach. Officer Nance stated, "Yes. Yes." I asked Officer Nance if he worked that day. Officer Nance stated, "Yes, I did."

I asked Officer Nance to tell me what he remembered about the incident. Officer Nance stated, "I was, we were, I was dispatched to the, I want to say to 33, 34, 3500 block of Avenue R, setting a perimeter from the, I want to say from the 34 to the 3600 block of, which we set a box perimeter from the 34 to the 3600 block on Avenue R to Avenue S, boxing this possible suspect in. One of the officers got in a foot chase and advised other officers over there that he was running northbound inside of the 1500 area of 34th or 35th. Anyway, he was captured behind one of the residence, unknown address at the time. When I got there they, my main focus was making sure that the homeowner who was standing outside in the back yard, making sure that he didn't do anything to harm the officers. My back was completely turned to the officers, but my whole focus was making sure that, you know, the resident or that guy didn't do anything to harm the officers."

I asked Officer Nance if he was directly involved in the arrest of Mr. Goldwire. Officer Nance stated, "No. I never went hands on, no." I asked Officer Nance if he remembered who transported Mr. Goldwire. Officer Nance stated, "No, I do not. No." I asked Officer Nance if that was his complete involvement. Officer Nance stated, "Yes. Besides assisting in the perimeter, and once I got in back yard, you know, I informed the homeowner, you know, have, a little bit of what was going on and, you know, let him know that, you know, the property was going to be okay. That was just about it."

I asked Officer Nance if he had anything else to add or say. Officer Nance stated, "No, ma'am."

The interview concluded at 11:22 a.m.

OFFICER ORLANZO DOUGLAS

On October 22, 2019, I conducted a sworn recorded interview with Officer Orlando Douglas. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Officer Douglas he was being interviewed as a potential witness in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. Officer Douglas was given Garrity Rights/Officers Bill of Rights/112. Officer Douglas stated he signed, read and understood them. Officer Douglas was afforded the opportunity to view bodycam video of the incident. Officer Douglas elected not to have a PBA representative present on his behalf.

I asked Officer Douglas if he is familiar with the arrest of Mr. Goldwire which occurred on June 21st, 2019, at 1516 W. 36th Street in Riviera Beach. Officer Douglas stated, "Yes. Yes." I asked Officer Douglas if he worked that day. Officer Douglas stated, "Uh, I do."

I asked Officer Douglas to tell me what he remembered about the incident. Officer Douglas stated, "I remember I was on the Eastside. I had just spoken to Sergeant Jackson about going to get something to eat. But he had interest in a car; the car took off on him. He kinda caught up to the car and I could hear his radio transmission say he got hit by the car. When I heard that, I went to, I went to the area where he was hit. Tried to get a location on the vehicle, pertaining to which direction it was going. I was canvassing the whole Monroe Heights area, where I thought the vehicle would might've go, cause I'm used to workin' 21, the PSA 21. I wasn't able to find the vehicle, but eventually I was told that the suspect was apprehended."

I asked Officer Douglas if he was anywhere near where the suspect was arrested. Officer Douglas stated, "I must've been like a block and a half over when the suspect was arrested." I asked Officer Douglas if he stayed on the perimeter, the outskirts. Officer Douglas stated, "I was on the outskirts, yeah. I was a rover unit for the entire incident."

I asked Officer Douglas if there is anything else he would like to add or say. Officer Douglas stated, "I'm familiar with the suspect. Suspect, I attempted a traffic stop on suspect, and as I approached his vehicle, he also took off on me before. He didn't give any regards to where I was when I was making contact with him. I was right at his, his front driver window, and he just took off. He almost ran my foot over." I asked Officer Douglas if there is anything else. Officer Douglas stated, "Uh, not that I, not that I know of."

The interview concluded at 6:26 p.m.

OFFICER ISRAEL ROBERSON

On October 23, 2019, I conducted a sworn recorded interview with Officer Israel Roberson. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Officer Roberson he was being interviewed as a potential witness in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. Officer Douglas was given Garrity Rights/Officers Bill of Rights 112. Officer Roberson stated he signed, read

and understood them. Officer Roberson was afforded the opportunity to view the bodycam video of the incident. Officer Roberson elected not to have a PBA representative present on his behalf.

I asked Officer Roberson if he was familiar with the arrest of Mr. Goldwire on June 21st, 2019, at 1516 W. 36th Street. Officer Roberson stated, "Yes. Yes, I am." I asked Officer Roberson if he worked on June 21st. Officer Roberson stated, "Yes, ma'am."

I asked Officer Roberson to tell me what you remembered. Officer Roberson stated, "I was on, I was doing keep checks and it went over the radio that." I asked Officer Roberson what is a keep check. Officer Roberson stated, "A keep check is a, a checking of a business, anything to make sure that everybody's okay, make sure it's secured, stuff like that. And in the process of that, a call came out on the radio that an officer was just struck with a vehicle while he was initiating a 10-50, which is a traffic stop.

From there all of the officers got involved. We went directly to where he was located at. He said the individual was in, I think, a Cadillac and had backed into his arm near the driver's side door of the patrol car, well, his Tahoe. And it messed up the door. From that point we went to the location where the individual was supposed to be at, but nobody was there. Myself, Captain Foster, Sergeant Barr and a few others. And in the process of us, like, securing that area to make sure nobody was there, Captain Foster said, you know, "Let's go ahead and set up a perimeter and get the dogs out."

I took the, between the 1400 block and the 1500 block of R. Blocked off that side. Put my lights on, put my take-down lights and I had my flashlight, my hand-held flashlight on me. Stayed, stood right there. Whatever I was hearing on the radio, whether it be a black car, stopping it, redirecting different civilians after figuring out who they were and make sure that they didn't have anything to do with it. And maybe about 10 to 12 minutes or so of being on the, like, doing a perimeter, they said the individual was running between, I think it was like 35th to 36th or something like that. 36th or 37th.

And next thing I know they said that they had got him. He had done jumped over somebody's fence or something to somebody's back yard that had a dog. And Captain Foster say, "You can go ahead and break down perimeter." Broke down perimeter. Went back and checked on Sarge and make sure he was okay. He said his hand was messed up, hand and wrist or something was messed up. And he was about to go to the hospital to get checked out. And that's all I got."

I asked Officer Roberson if he was talking about Sergeant Jackson. Officer Roberson stated, "Yeah, Sergeant Jackson." I asked Officer Roberson where was Sergeant Jackson when he checked on him. Officer Roberson stated, "Yeah. Literally outside. We was trying to fix his door. And then I think." I asked Officer Roberson if he was by Sergeant Jackson's vehicle. Officer Roberson stated, "Yeah. Captain Foster said that, you know, he gotta get to the hospital 'cause they didn't know how, if he had broken bones or anything. So when he was getting ready to leave in his vehicle, he couldn't close his door. So we tried to, like, push the door, see if it would lock. But then, and I asked him was he okay, and he was like his wrist or something was, his wrist or shoulder, or forearm or something was hurting him. And then after that he was gone."

I asked Officer Roberson if he was ever in the immediate area where the suspect was. Officer Roberson stated, "No. Like, I seen him. I was probably, maybe about 15, 10, anywhere between 10 to about 15, 10 or 20 yards away from, 10 or 20 feet away from him. Like, I seen him in handcuffs on the floor. And then he was like, he wasn't trying to stand up. Like, he was trying to be deadweight and then the other officers basically had to carry him, had to pick him up. And then after that, after I seen there was about eight or nine of them over there to help him up, it didn't make no sense for me to go over there so then I just went and tried to check on him and check on Sergeant Jackson to see if he could even drive his car. And he wound up taking, I think it was, Douglas's car or something like that because his car, the door wouldn't close."

I asked Officer Roberson if that was his complete involvement. Officer Roberson stated, "Yeah. That's it." I asked Officer Roberson if there is anything else he would like to add or say. Officer Roberson stated, "During the process of trying to catch him, I know the owner of that house, when I was getting the, going to retrieve my vehicle, had a pit bull or something like that that was trying to, I don't know if the pit bull was trying to attack the man or trying to attack the other dogs. But, that pit bull in the process of trying to, like, secure the guy, could have been injured. And, like, Captain Foster talked to him afterwards. But once again, it's Riviera and the guy was like, "Man, whatever. This is my yard." And, but, other than that, that's all I got."

The interview concluded at 11:46 a.m.

OFFICER BENJAMIN SMITH

On November 12, 2019, I conducted a sworn recorded interview with Officer Benjamin Smith. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Officer Smith he was being interviewed as a potential witness in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. Officer Smith was given Garrity Rights and Officers Bill of Rights 112. Officer Smith stated he signed, read and understood them. Officer Smith was afforded the opportunity to view the bodycam video of the incident. Officer Smith elected to have PBA Attorney Rick King present on his behalf.

I asked Officer Smith if he is familiar with the arrest of Mr. Anthony Goldwire which occurred on June 21st, 2019. Officer Smith stated, "Yes." I asked Officer Smith to tell me what he remembered about that incident. Officer Smith stated, "Yes. I responded in reference to Sergeant Jackson advised he was struck by a vehicle. I deployed K-9 Vox to try and locate the suspect and we located him."

I asked Officer Smith if he was involved directly in the apprehension. Officer Smith stated, "No." I asked Officer Smith if he was wearing his bodycam at the time. Officer Smith stated,

"Yes." I asked Officer Smith if he heard an order given during the incident in terms of the body-worn camera. Officer Smith stated, "Yes." I asked Officer Smith what he heard. Officer Smith stated, "Go dead." I asked Officer Smith what that meant. Officer Smith stated, "Me, I took it as turn my camera off and return back to my vehicle because I was no longer needed with my K-9."

I asked Officer Smith if that is what he took it as. Officer Smith stated, "Yes, ma'am." I asked Officer Smith who gave the order. Officer Smith stated, "Captain Foster." I asked Officer Smith if the incident was over at that time. Officer Smith stated, "My, I was no longer needed with Vox. He surrendered to me and Vox in the presence of Vox and I and at that point, I was no longer needed with the dog, so therefore, I took him back to my Tahoe."

I asked Officer Smith if he left after the order was given and he turned off his camera. Officer Smith stated, "Yes." I asked Officer Smith if he is familiar with the body-worn camera policy. Officer Smith stated, "Yes." I asked Officer Smith when should the body worn camera be turned off. Officer Smith stated, "After the incident is completed."

Attorney King asked Officer Smith when he said go dead, the incident was over for you. Officer Smith stated, "Yes." Attorney King asked Officer Smith upon that order he retrieved his dog and went the other way. Officer Smith stated, "Yes." Attorney King asked Officer Smith if he would have done that at that point anyway. Officer Smith stated, "After, yes. After I'm no longer needed with my partner K-9, when we're no longer needed in the, in the situation or the incident, I take him back to the truck as soon as possible."

Attorney King stated to Officer Smith there didn't appear to be any need for you in the situation. There were officers around the bad guy. Attorney King asked Officer Smith if he had surrendered at that point. Officer Smith stated, "Yes."

I asked Officer Smith if he had surrendered at that point. Officer Smith stated, "Yeah. He, on the video, when I have Vox over the fence holding him there, he got on the ground, he listened to my orders, "Get on the ground. Do it now." And at that point, I was no longer needed with the dog." I asked Officer Smith if he heard them telling the suspect to stop resisting. Officer Smith stated, "No. I was not there for that." I confirmed with Officer Smith that he was not there when officer said stop resisting. Officer Smith stated, "No. Once I turned my camera off, I walked back to the Tahoe to put Vox up." I asked Officer Smith if it was right after. Officer Smith stated, "Correct, yes." I asked Officer Smith if he watched all the other videos of the other officers. Officer Smith stated, "Yes, I watched the videos."

The interview concluded at 12:23 p.m.

CAPTAIN EDGAR FOSTER

On November 20, 2019, I conducted a sworn recorded interview with Captain Edgar Foster. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Captain Foster he was being interviewed as a subject in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. Captain Foster was given his Garrity Rights and Officers Bill of Rights 112. Captain Foster stated he signed, read and understood them. Captain Foster was afforded the opportunity to view the bodycam videos of the incident. Captain Foster elected to have PBA Attorney Angela Barbosa Briggs present on his behalf.

I asked Captain Foster if he is familiar with the arrest of Mr. Anthony Goldwire which occurred on June 21st, 2019, at 1516 West 36th Street. Captain Foster stated, "Yes. I asked Captain Foster if he was working that day. Captain Foster stated, "Yes, I was."

I asked Captain Foster to tell me what he remembered about the incident. Captain Foster stated, "Officer, Sergeant B. Jackson came across the radio on a traffic stop. Shortly after he announced that he was going on a traffic stop, he said, he came across the radio sounding, I could hear the stress in his voice saying, "He just hit me. He just hit me for real, y'all," something along those lines, and he gave out the description of the vehicle and his last direction of travel. At that time, I instructed all units to start heading to that area, saturate that, which is in the Monroe Heights area. "Saturate that area. Let's locate the suspect and locate that vehicle." Units started canvassing the area. I came across a resident that was walking down the street in the 3600 block of Avenue R, yeah, in Avenue R. Asked him had he seen a black vehicle come by at a high rate of speed or something along those lines. He said, "No, but I just saw a black male running westbound down 36th Street." Like, he was trying to take his shirt or whatever the case may be. Sounded like they was matching the description of the suspect that Sergeant Jackson put out.

So, I immediately start, went to that area, um, established a perimeter, and we brought K-9 out and started locating for this, suspect. K-9, within, we started out in the 1500 block. I don't remember the exact address or the house we started out, but it's an abandoned house. Uh, K-9 started southbound through that yard into the property of the church adjacent to the back of it. He started to give indication that he was in odor of the suspect. Um, it was one house to the west of the church where I believe Officer Louden came around 'cause the dog indicated he was trying to go through the fence into that property. Sergeant and then Officer Louden engaged the guy. That's when the guy took off running, and there was a pursuit from yard to yard between 35th, well, between, we started in the 1500 block of 35th Street. He went into the 1500 block of 36th Street and going, basically going from yard to yard.

We eventually got into a yard where, the resident had a dog. I don't know if that dog engaging the suspect or what have you, but simultaneously, our K-9 unit was coming on scene and started giving out some commands to the guy. As he started giving out commands, the dog that was in that yard where the suspect was, he engaged with our dog. That's when, I believe it was Officer Harvey. He deployed his Taser to get the dog off of the suspect, I mean off of our dog. At that time, I hopped the fence and came in between the K-9 handler and the dog, and I, and I instructed who was in front of me Ben Smith and Harvey to go dead. Once they went dead, they

went towards the, Ben Smith went towards the roadway. I went towards the roadway in the yard where the suspect was apprehended.”

I asked Captain Foster what does "go dead" mean. Captain Foster stated, "It was, like, just turn off, just it's over. Go dead. We're done." I asked Captain Foster if it was over. Captain Foster stated, "At that point, yes. I felt it was done at that point because he looked, the suspect was compliant with Officer Ben Smith's commands because of the presence of a dog. When I saw him starting to get on the ground, and then there was officers starting to approach from the yard where he was at, that's when I came in, and I was between Ben Smith, his dog, and the suspect, and that's when I instructed him to go dead.”

I asked Captain Foster if the suspect resisted after that. Captain Foster stated, "Not in front of me. When I told him to go dead, he, then Smith started walking towards the roadway. I started walking towards the roadway. So, we were basically going parallel towards the roadway. And the reason why I said to go dead, because of the incident that we had with Officer Vanderlaan and his dog. That was the, I believe the first deployment since that incident, and I know that incident enough a black eye for the K-9 unit and the city as a whole.

So, when I saw that we had the opportunity to get an apprehension but it didn't happen because of the interference of the neighbor's dog, that's why I got in between to make sure that we didn't have anything that was gonna give the K-9 unit another black eye. We went dead, and we both went simultaneously towards the roadway.”

I stated to Captain Foster we are here in reference to this case, not the other K-9 case. But since he was bringing it up, there were supervisors out there, and no one instructed them in that case to go dead or cut off their cameras. Captain Foster stated, "When, I don't think anyone knew what was going, that was gonna happen at that point like that.”

I asked Captain Foster if it is a policy where a supervisor tells an officer or anybody to cut off their camera or go dead or go dark. Captain Foster stated, "No, it's not in a policy, but if you feel when you have a reason to articulate for turning the camera off, then you can do so. That was my articulation of having them turn the camera off.”

I asked Captain Foster when he arrived on scene, did he see the suspect. Captain Foster stated, "Yes, he was, he was, you talking about just before I left where the suspect was being apprehended? Yes, I saw him getting on the ground, compliant to Officer Ben Smith's command because of the presence of the dog.”

I asked Captain Foster if he ever heard anyone say, stop resisting. Captain Foster stated, "No, I was already out of that from when I said, "Go dead," I saw officers starting to approach. I saw him getting on the ground. I came across the fence, I said, "Go dead," and I started walking towards the roadway. Ben Smith was walking towards the roadway. My focus was not on the suspect at this point because I seen him getting on the ground. My focus was mainly on the dog. Get the dog in the vehicle, and that's a wrap on that part.”

I asked Captain Foster if he reviewed the officers supplements. Captain Foster stated, "Yes. I found out afterwards that he had resisted, not while I was there. I wasn't there when he had resisted." I confirmed with Captain Foster he was not there when anyone said, stop resisting. Captain Foster stated, "No, I didn't hear anyone say stop resisting."

I asked Captain Foster what does "Go dead" mean. Captain Foster stated, "That was just my terminology of, uh, going, turn the camera off." I stated to Captain Foster there were a few officers that knew the terminology because they did, in fact, cut the camera off. Captain Foster stated, "Well, I believe that's my first time using it. It's not, it's just like if we're talking amongst each other, somebody might say, "You hot? you hot?" We all know what that means, are you, is your body cam on?"

I asked Captain Foster after he thought it was over and left, was the suspect up and in the car. Captain Foster stated, "No, no. The suspect didn't come out to the roadway till afterwards. I was already out at the roadway." I confirmed with Captain Foster that he was saying that he was already out at the road, and the suspect hadn't made it there. Captain Foster stated, "Correct."

I asked Captain Foster why would he instruct them to, "go dark" when anything could happen after he walked off. Captain Foster stated, "My instruction was to the K-9 handler. Again, I cross the fence, and I faced the handler, Ben Smith. I said, "Go dead." Simultaneously, I went dead, and we went walking towards the roadway. I didn't instruct everybody to go dead." I reminded Captain Foster that he gave a command with everyone around. Captain Foster stated, "To Ben Smith. The officers that were approaching." I asked Captain Foster if it was only for Ben Smith. Captain Foster stated, "Exactly, because." I asked Captain Foster if it was not for Officer Harvey. Captain Foster stated, "But Harvey was standing next to Ben Smith, but my focus was Ben Smith because he's the one that had the dog. Harvey didn't have a dog out."

I asked Captain Foster if he reviewed the video of where the dog was and if the dog was close to the suspect. Captain Foster stated, "It was fenced. The suspect probably was about here to that door. Wasn't that far."

I asked Captain Foster how many officers were on the suspect. Captain Foster stated, "I don't know. When the suspect was going, I'm on the, on the same side with Ben Smith and Harvey. When, 'cause Ben Smith had his dog, and he was about to put the dog over the fence until, and he was giving commands until he was challenged by the resident's dog. When the dog engaged with Ben Smith's dog, that's when, reason why Harvey tased the dog to get him off of the, Ben Smith's dog. Once that happened, I came across the fence 'cause the suspect is already going to the ground. So, he was no longer a concern to me. My focus was the K-9."

I asked Captain Foster if Sergeant Jackson told him he had to use counter measures on the suspect afterwards. Captain Foster stated, "Yes. Everybody that used counter measures on him told me after the fact."

I reminded Captain Foster that he had already given the instruction to "go dead" and there were a few officers out there that heard him make that command. Captain Foster stated, "Right." I stated to Captain Foster that the body camera did not capture him telling K-9 Officer Ben Smith to "go

dead." Captain Foster stated, "Right." I stated to Captain Foster that could've been for anyone. Captain Foster stated, "But I was facing, my focus, just like I'm looking at you and I'm talking to you, and I say go dead. I'm not speaking, referring to her. But if she decides to turn her body cam off, that's the decision that she make. But I'm referring to you. I say, go dead."

I asked Captain Foster if Sergeant Jackson was wearing his body camera. Captain Foster stated, "I didn't see him wear no body camera."

I asked Captain Foster if he thought he made the right decision by making that announcement. Captain Foster stated, "In hindsight, looking at it now, that that guy resisted after the fact, okay, I, like I explained to Chief Rozier, maybe I prematurely said go dead. I take that. But it wasn't like I tried to orchestrate anything or I got everybody in on the same page to tell them to go dead. I was referring to Ben Smith, the K-9 handler."

I asked Captain Foster if he told Ben Smith, "Go dead". Captain Foster stated, "I was looking directly at him when I said, "Go dead." I didn't call his name out, I didn't point at him, but I'm looking right at him when I said, "Go dead."

I asked Captain Foster if he completed a supplement report. Captain Foster stated, "No, I didn't."

Attorney Briggs stated to Captain Foster, the body-worn cameras, they don't capture eye contact. Captain Foster stated, "No, they don't." Attorney Briggs stated to Captain Foster you can't catch eye contact on a person who's wearing it because its not on your eyes, but the moment that you were talking to Ben Smith, you were facing him. Captain Foster stated, "Uh-huh."

Attorney Briggs stated to Captain Foster, we listened to his statement he indicated that he understood that you were talking to him. Captain Foster stated, "Right." Attorney Briggs stated to Captain Foster, he understood that what you were meaning is, all right, it's over, let's go. Captain Foster stated, "Right" Attorney Briggs stated to Captain Foster, you never saw the guy resisting arrest. Captain Foster stated, "No, I didn't. Attorney Briggs stated to Captain Foster you just heard about it later, and everybody turned in a report, and you looked over that. Captain Foster stated, "Right.

Attorney Briggs stated to Captain Foster, when you walked away, the subject appeared to be under control and not resisting. Captain Foster stated, "Correct." Attorney Briggs stated to Captain Foster, he was just on the ground, and there were numerous other officers there. Captain Foster stated, "Right. Well, they were approaching as I walk, yeah."

Attorney Briggs asked Captain Foster, after he told B. Smith to go dead and they walked away, he didn't go around and make sure everybody else turned off their camera or anything like that. Captain Foster stated, "No, I didn't." Attorney Briggs stated to Captain Foster because that wasn't your intention. Captain Foster stated, "No."

Attorney Briggs asked Captain Foster if he was involved in the physical arrest. Captain Foster stated, "No." Attorney Briggs stated to Captain Foster, you never touched the guy or put your hands on him. Captain Foster stated, "No, I didn't." Attorney Briggs stated to Captain Foster,

when you walked away, you said there were a bunch of officers around the guy. Captain Foster stated, "They was approaching." Attorney Briggs stated to Captain Foster, you knew they were gonna finish the arrest. Captain Foster stated, "Correct." Attorney Briggs stated to Captain Foster, for you, the incident was completed. Captain Foster stated, "Correct. Right."

Attorney Briggs stated to Captain Foster, you had come up with the dog, you'd watched it happen, and the incident was completed for you and for the K-9 guy, so you left. Captain Foster stated, "Correct." Attorney Briggs asked Captain Foster if everyone who used counter measure completed a report for him. Captain Foster stated, "Yes." Attorney Briggs asked Captain Foster if he knew that he was on camera when he said, "Go dead". Captain Foster stated, "Yes." Attorney Briggs asked Captain Foster if he knew he was on multiple cameras when you said that. Captain Foster stated, "Yes."

Attorney Briggs stated to Captain Foster, you knew they could hear you saying that, you didn't try to say it in some secret way. Captain Foster stated, "Correct." Attorney Briggs asked Captain Foster if he recalled how much time had lapsed between when he and the K-9 officer found the guy and when he walked away. Captain Foster stated, "Yeah, it was, it was, it was brief."

I asked Captain Foster if "go dead" is a part of the body-worn camera policy. Captain Foster stated, "No, it's not." I asked Captain Foster if he received the policy. Captain Foster stated, "Yes, I did." I asked Captain Foster if he signed for it. Captain Foster stated, "Sure did." I asked Captain Foster did he understand it. Captain Foster stated, "Yes."

I stated to Captain Foster if he understands that telling an officer, whether it's his K-9 or any officer, to turn off their camera or go dead, it's possible the incident may not be over. It may be over in your eyes but not their eyes, because had someone's camera been running, we would have caught the suspect resisting, because several officers in their statements said that they heard, "Stop resisting," or the suspect wasn't resisting. This would've been captured on the body-worn camera had "Go dead" not been said, although, he was saying he only addressed one person. Captain Foster stated, "Uh-huh." I stated to Captain Foster other people heard it. I asked Captain Foster who was the highest-ranking supervisor at that scene. Captain Foster stated, "That was me." I asked Captain Foster how long has he been a Captain. Captain Foster stated, "Since February, 2019."

The interview concluded at 4:15 p.m.

SERGEANT BRIAN JACKSON

On November 25, 2019, I conducted a sworn recorded interview with Sergeant Brian Jackson. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview, I informed Sergeant Jackson he was being interviewed as a subject in reference to the arrest of Mr. Anthony Goldwire on June 21, 2019. Sergeant Jackson was given his Garrity Rights and Officers Bill of Rights 112. Sergeant Jackson stated he signed, read and understood them. Sergeant Jackson elected not to have PBA Attorney present on his behalf.

Prior to the interview I asked Sergeant Jackson if he was given the opportunity to review the investigative files, body-worn camera video captured, and also any interviews. Sergeant Jackson stated, "Yes."

I asked Sergeant Jackson if he is familiar with that arrest Mr. Anthony Goldwire that occurred on June 21st, 2019, at 1516 W. 36 Street. Sergeant Jackson stated, "Yes."

I asked Sergeant Jackson if he was scheduled to work that day. Sergeant Jackson stated, "Yes." I asked Sergeant Jackson what capacity was he working that day. Sergeant Jackson stated, "I was Supervisor over the Tactical Team."

I asked Sergeant Jackson to explain what happened when he initially came in contact with the subject, Mr. Goldwire. Sergeant Jackson stated, "Yes. On the day of, I had worked almost a full shift. It was almost go home time. It was like probably 30 minutes to the end of my shift when I was heading home. I was parked on the side of the road in a church parking lot. In the parking lot, I parked there, so I can, you know, do my final paperwork for the day, my supervisory paperwork. It would have took me right about 30 minutes and put me right at the time to go home if I would have finished that paperwork.

So I took off my, my out of carry and my ballistic carrier, which had my body camera and everything on it, and I put in the passenger seat and I was preparing to do my supervisory paperwork for the end of the day. All of a sudden, while I'm getting ready to do my paperwork, I see this car on Avenue O, in the 3700 block, going southbound. It was going well over 40 miles an hour in a 25-hour residential zone. So, you know, I'm trying to put the citizens first and not being greedy to go home and turn a blind eye to it, I decided to get behind this car in fear that it was up to something."

I asked Sergeant Jackson once he made the decision to get behind the car, did he forget to put back on his ballistic vest and camera. Sergeant Jackson stated, "Yes, I did. Like I say, the car was traveling well over 40 miles an hour in a 25 residential zone. So how fast the car went past me, if I would have did anything else but immediately go after the car, I knew I would have lost it. So that's what I did. I went, I immediately went behind the car. It blew like two Stop signs. When I finally catch up to the car, activate my lights and sirens, the car pulls over. At that point, I was about to reach over and get my ballistic vest so I could put it on, you know, and carry out the traffic stop with my body camera and everything, but then the driver started doing something not common for a driver to do on a traffic stop. He started trying to exit the vehicle, like he wanted to go in the house. And that would have put me at a point of disadvantage if I reach back in my car across to the passenger seat to get my vest to put it back on. So I encounter, I challenged the driver of the car to get back in his car several times and that's when the incident really start taking a turn. At that point, the driver eventually got back in his car. I thought he was gonna, about to maneuver his self so he can back into his driveway. But instead of backing into

his driveway, he made like a sort of a three-point turn in the middle of the roadway and he headed back towards my police vehicle. At that point, I thought I was about to get hit by his car.”

I asked Sergeant Jackson if he was outside the car or was he still sitting in the Car. Sergeant Jackson stated, “I was outside of the car then. I was outside of the car. I was in close proximity of the car because when I say he was taking a turn, how he was like reluctant to go back to his car, I thought he was gonna back into his yard. And if he backs into his yard, he would have been at a, at such an advantage if he wanted to take off running or anything crazy. That's why I was kind of stepping away from my vehicle to get, keep that angle on him. But, at that point, he made the three-point turn and came back towards my vehicle. And thinking I was gonna get hit by a car, I had two options to use some kind of force on him, but I was trying to get out the way at that point. So I tried to get real smart with my back up against my car. And he hit the driver side door of my car causing my right hand to get smashed between the door and the door jam. The meaty part of my hand, not just the fingers, but the meaty part, slammed as the car hit the door.”

I asked Sergeant Jackson if his hand was in between the door. Sergeant Jackson stated, “Yeah. Um.” I stated to Sergeant Jackson I thought he said he was in the back of the vehicle making himself small. Sergeant Jackson stated, “No. As he was making this maneuver, I was kind of, I'll say probably five steps away from the vehicle, trying to keep an angle on him just in case he did something erratic. But as I saw him about to come back towards me, that's when I put my back up. I probably say against the driver side back door. I put my back up against my driver side back door. And he was coming so close, you know, I had both of my hands up, you know, like somebody told me freeze. And I'm trying to get real small up against the car so he can have room to go by. But my driver's door was open, all the way open, and he hit my driver's door with his front left bumper. And when the door, when he hit the door, the door swung and hit my hand that was up, and he hit my knee with the car as he passed by me. That's how close he was to me. And, like, I just feel sharp pains in my hand right then and there and he took off. He immediately fled the area after that. I really thought he tried to kill me because, you know, when somebody usually run from the police or try to flee, he could have fled eastbound and went straight down 32nd Street. He could have drove around my car to the passenger side and fled the area. He chose to drive into my driver's door right where I was, you know, standing outside the car, in an attempt to hit me. So long story short, he takes off back westbound towards Avenue O. I immediately jump in my vehicle by this time, trying to radio for backup units, my hand hurting. I'm trying to drive with this hurt hand. Also, my door to the police vehicle wouldn't close at that point. Trying to put my ballistics back on, it was out of my mind, you know, just based on the totality.”

I asked Sergeant Jackson if he ever got his ballistic vest back on. Sergeant Jackson stated, “Not at that time. No. So we circling the area. I put a big perimeter on the area. The units respond to the area. We finally locate his vehicle abandoned on 37 Street, I believe. We think we got a good lockdown of the area. We eventually hear that some units spotted him, like a street over, 36 Street area. He started running between houses. Nobody seen, like, they was able to catch up with him, so I moved in. And he was cornered behind a house with a fence around it and that's where he was apprehended.”

I asked Sergeant Jackson what happened once he was in the backyard of the residence. Sergeant Jackson stated, "Well, me knowing what he had done, I'm waiting on, 'cause K-9 was out there for assistance and everything like that. So I was kind of standing back and letting K-9, you know, do what they do. But once they got to the house with the gate, the gate that he was cornered behind, it seemed like the K-9s couldn't get over the gate to where he was. There was a officer standing on the, perimeter of the gate. Like, they couldn't jump the gate. And I know the homeowner still kind of mad at me 'cause I ended up jumping on his parked car just to get over that gate. And I believe I was the first one to him. As I was coming up to him, you know, I was ordering him to do whatever he needed to do to comply at that time. And as more officers gathered around him and during that whole ordeal, he started trying to go into his pockets. And when he was going into his pockets, I believe that it was a weapon. And, at that point, I punched him in his head like several times, trying to distract him from getting this weapon to give officers a chance to get his arms from his pocket and to restrain him."

I asked Sergeant Jackson if he found any weapon on him. Sergeant Jackson stated, "No. I got the, after he was restrained and everything, I went to that pocket trying to, you know, see what he was trying to get a hold of, just to make sure that if it was a weapon to secure it. And it turned out to be a cell phone. And as a result of that, I put that cell phone in evidence."

I asked Sergeant Jackson if he resisted at any point. Sergeant Jackson stated, "Yes." I asked Sergeant Jackson if the suspect started resisting after he realized it was a cell phone. Sergeant Jackson stated, "Did he resist after I realized it was a cell phone. I can't really recall that. I just know that through the whole ordeal he was tensing up, trying to go in his pocket. It just seemed like it was forever. Like, like, uh, come on, officers, get a, get a grip, a hold of this guy. I know it can't be that difficult. It felt like a lifetime. So I can't really recall, you know, after or before, but I know he was resisting the whole time he was out of handcuffs."

I asked Sergeant Jackson if he was the only supervisor or officer that punched him. Sergeant Jackson stated, "Oh, I can't recall. I know I punched him." I asked Sergeant Jackson if it was more than once. Sergeant Jackson stated, "Yes." I asked Sergeant Jackson if it was more than twice. Sergeant Jackson stated, "Yes."

I asked Sergeant Jackson if that is why he had to be cleared medically. Sergeant Jackson stated, "He, you know, not trying to make it sound bad or good, but I saw his pictures and he did have some damage. I don't think I hit that hard. He could have fell while he was running before we got to him. I don't know. But just based on the fact that I know I hit him, he had to get medically cleared."

I asked Sergeant Jackson during the ordeal, did he hear Captain Foster say the phrase, "Go dead." Sergeant Jackson stated, "I was yelling loud saying, "Stop resisting," you know, "Put your hands behind your back," whatever the verbals I was using. I can't really say yes or no. But as I'm yelling so loud, if he said it, I can't recall." I asked Sergeant Jackson if he heard him say that, what would that have meant. Sergeant Jackson stated, "'Go dead." Well, I hope he wasn't talking about the suspect on the ground. Was he? I don't know. I don't know."

I asked Sergeant Jackson to tell me what happened once he was actually in handcuffs. Sergeant Jackson stated, "Once he was in handcuffs, that was the end of ends. All the officers backed off of him. I can't remember who transported him to the hospital, but I eventually met him at the hospital. And I'm, you know, I really wanted some clarification 'cause I felt that he just tried to kill me. Like, I believe I asked him, "Man," why, why you try to hit me with your car, run me over," or something like that. I don't know what I, exactly I asked him. But I'm trying to ask him for his explanation, not only for, you know, investigative purposes, but trying to see why you tried to kill me. And he was nonchalant about it, just worried about his cell phone and like I didn't have no reason to stop him."

I asked Sergeant Jackson did he walk the suspect out or did other officers. Sergeant Jackson stated, "It had to be other officers." I asked Sergeant Jackson to tell me again how his hand was injured again." Sergeant Jackson stated, "It was smashed in the door. I still got the scarring from it. It was caught right in the door jam. And it caught like the meaty part of my hand. It just, the force from the car hitting it slammed it in the door."

I asked Sergeant Jackson if he completed a supplement report. Sergeant Jackson stated, "Yes." I asked Sergeant Jackson if that concluded his involvement in the incident. Sergeant Jackson stated, "Yes. Rather than, other than the routine paperwork. Yeah."

The interview will be concluded at 4:24 p.m.

WILLIAM PARHAM, HOME OWNER

On December 13, 2019, I conducted a sworn recorded interview with Mr. William Parham. The interview was conducted at the Riviera Beach Police Department, Internal Affairs Office; Room - P-208, (600 West Blue Heron Boulevard, Riviera Beach, Palm Beach County, Florida.)

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview I informed Mr. Parham I attempted to make contact with him on several occasions and thanked him for finally making contact with me. I also informed Mr. Parham he was being interviewed in reference to an incident that occurred in the backyard of his residence on June 21, 2019. Mr. Parham stated, "Oh, yeah. I do remember."

I asked Mr. Parham to tell me what remembered that night. Mr. Parham stated, "Well, I had just pulled in and I was just sitting there listening to a song in my truck, and I seen the police cars come from both directions across the street and over by that house over there, and they all got out. They got out with the dogs, so I got out of my truck, and I started seeing what they were doing. They went across the street that old abandoned house right there and they were, like looking over there. And then, all of the sudden, I heard a bunch of ruckus in the back yard. I guess some of the cops went that way, you know, to the west and came around.

I don't know if the guy ran into my yard or was already there. I thought I saw somebody when I was sitting in the truck. That's when I started looking and the police pulled up. My gate was

locked so when that, when I heard the ruckus in the backyard, I got, I walked in through the front door and out the back, and they had the guy, they had his hands behind his back right at the back door. When I opened the door, as matter of fact, the door hit the guy. That's how close he was to the door. I stepped out (unintelligible). It's like, they had swarmed him and they was putting the cuffs on him and there was one cop that I told him, like, I told him (unintelligible) and I didn't like what I was seeing.

So then the guy on the side, he had his elbow up over his neck and I just told 'em, you know, that ya'll need to get this out of my yard. I don't like what I'm seeing. That was my, that was my exact words and they told me to go back in the house and after that, I didn't see the taser deploy, but, evidently it was 'cause my dog got hit by the thing. I went in the house. Come out front. They brought the guy though. Put him in the car, and they left. About 30 minutes later, maybe an hour later, an officer came back, and said he missing one of his probes, and where was my dog? And I said, "The dog's in the house." He said, "Can you bring him out and we'll check him to see if the probe's still in him." And sure, enough the probe was in his side. I was trying to figure why it was in my dog. When I came out the door, my dog was, like, in the midst of the crowd like he was going after the guy. You understand what I'm saying. And, it was, kind of, weird to me that he stopped his attack just right in his tracks. I didn't even know he got tased. The officer asked me could look around for the other probe. He took the one out of the dog. He told me to snatch it, it come right out. And I gave that to him. And about three days later, I found a copper wire laying by that tree from when probe going in. I guess it might've been in the guy's clothing, I don't know.

But that's pretty much what I saw and thought that was, and I was upset just seeing that (unintelligible) white cop. That's all I can (unintelligible). But they jumped my fence, like I said, they was (unintelligible) nobody leave it open and let my dog out. And I'd just bought this truck. One cop slid over the truck, like jumped, slid over the hood of the truck. I said, "Hey, man, what are you doing? I just bought this truck. Get off my truck." "I didn't get on your truck.

And the other one, I had my old truck sitting right there, and he jumped over the gate, and ran across the hood, and ran back there too. You know what I'm saying. Like, like, the what hell is going on? You know, that, it was crazy. But, that was pretty much the incident. It wasn't, you know, too long, it was pretty quick. But I, like I said, I don't know if the guy was already in the yard, or what, they just chased him, and he jumped over the fence. And that's about pretty much all I can tell you." I asked Mr. Parham if he said everything that he membered. Mr. Parham stated, "Yeah. That's pretty much it."

The interview concluded at 11:22 a.m.

ANTHONY GOLDWIRE, SUSPECT

On December 16, 2019, I conducted a sworn recorded interview with Mr. Anthony Goldwire. The interview was conducted at 1516 West 36th Street, Riviera Beach, Florida.

The following sets forth a summary of the interview. Although the summary is not a verbatim transcript, it is substantially identical to the content of the interview. Compact discs of the digitally recorded interview are included within the investigative file.

Prior to the interview I informed Mr. Goldwire he was being interviewed in reference to an incident that occurred on June 21st, 2019, involving himself and several of Riviera Beach Police Officers.

I asked Mr. Goldwire if he remembered that day. Mr. Goldwire stated, "Uh-huh." I asked Mr. Goldwire to tell me what happened. Mr. Goldwire stated, "I remember going, coming from, well, being, well, running to Walmart real quick to get something, waiting for my friends at the house 'cause we were going to a party that night. So, I went to Walmart to get something before they came to pick me up. I was hopping in their car. On my way back, coming down Silver Beach, I made the right turn on O Avenue. I seen a police officer parked inside that church parking lot. I seen him before he seen me before I turned on O Avenue.

So, when I seen him, he got behind me, but he was (unintelligible) got back to the stop sign. So, I assume, like, I kinda know he was gonna get behind me, whatever. He, once I turned onto my street on 32nd, to the second stop sign, I made my left, my signal lights. Once he seen me make the left, honestly I thought I was trying to get away from him. He turned on his lights. I just kept going to my house. I hopped out with my ID in my hand. I, 'cause I went, you know, (unintelligible) I didn't want to miss going to a party. So, I'm like, "Okay, this is my house. What'd you pull me over for? I know I didn't do nothing wrong. I seen you before you seen me, so I knew I couldn't do nothing wrong." He's just like, "Get back in your car before I tase you," but he didn't have no Taser in his hand. He had his gun pointed at me at the time. So, I'm like, "What did I do?" It's like he got more aggressive as he kept saying, like, "Get back in your fucking car. Get back --" Like, he got more aggressive.

So, now I'm just scared. I'm like, "This is my house." I don't know if he didn't believe me. I had my ID in my hand like this. I'm like, "This is my house. This is my house, what did you pull me over for?" He couldn't tell me. He's like, "Just get back in your car before I tase you." He had his gun pointed at me at the time, so I just blanked. I was gonna think about running to my house, knocking on the door, screaming something to get my family out. My brother still was, my brother was in the parking lot before I left to go to Walmart, so I knew he had to still be up. When I got back, no one was out there.

So, I just got in the car and I just left. I didn't, I didn't know I was, I just left. I was scared. I was freaking out. I just left. Once I backed, got back in the car, I backed in, and I'm trying to get away. I'm not initially trying to do anything stupid. I guess when I went on the side of him, he, I guess I tapped the back of the taillight trying to get away. I didn't, that's when he just got behind me, and it escalated to the next. I (unintelligible) pulling over next street over just to get out on the next street over. That's when they got, I parked (unintelligible). I just, I heard more sirens. I'm just freaked out now.

So, next thing you know, I'm on someone's side of the house, like, calling my friends so they come and get me. So, I'm telling them don't come to my (unintelligible), calling my mom, telling

my mom, you know, telling her what's going on. So now, he calling me, my other friend's calling me. My mom, my brother, they calling me. Now they were, now they know what's going on. I'm still on the side of someone's house. I don't know where I'm at, at this point. It's every bit of, 11:00, 12 in the morning now. I don't know where I'm at. I hear a siren. I hear dogs. I'm just, my heartbeat as I, as I hear what's going on I'm like, it's reality.

So, I'm just scared. I, as I see the, I call my friend to come, to come to where I'm at, whatever. The police see my friend, seen my friend come, whatever. Once they seen my friend stop, I seen the police. I surrender. Once I surrendered, I didn't, once I seen them running to me, I was like, "Okay. Okay." I stopped. I surrendered. Once I got down, I didn't remember getting put in handcuffs. I didn't remember walking, getting picked up, walked to the car, nothing.

Once I surrendered, my friend, my sister called me because she know what was going on. Everyone calling me. My sister called me. "What's going on? What's going on?" She Face-Timed me. And the police told me, he heard it, my phone ring, it's an iPhone. He was like, "Don't pick that phone up" as I surrendered, "Don't pick the phone up." I still answered it because my sister's calling me to see what's going on. She was like, "Are you okay? You good? You good? You good?" That's when he threw my phone down, stepped on it, cracked it, and slid it over somewhere.

That's the last thing I remember. My sister say she heard me in the back on the phone saying, like, screaming for help, "Ah, ah, ah," the people saying, like, "Stop resisting." But at this time, I didn't know what was going on. And that was it. That was, like, the blackout. My, next thing I remember, waking up in Saint Mary's, handcuffed to the bed. I remember them putting me up, picking me up, walking me in the car, driver saying, I just wake, remember waking up, were bruises on my face. The last thing I remember was me surrendering and my, and me picking up the, me picking up the phone call. I think like this every day (unintelligible) just I remember waking up at Saint Mary's.

My face (unintelligible) no matter what I did, I don't deserve to have my ass beat. I never had no criminal history. I never been in trouble. I was scared. He hopped out with his gun pointed at me. I didn't. And to just wake up at Saint Mary's like this and the nursing asking them, "What did y'all do to him?" They bull shitting around, "We don't know. We don't know. He was running from us." The lady asking them, "No, I need to know what happened to him. He, it's not, she was like, she wasn't (unintelligible) maybe they tased you. She trying to figure out. They giving her the bullshit around. She was like, "No, I need to know what happened to him. Like, I gotta file a report." They not know nothing. I'm dazed. I don't, I'm just in pain.

And one of your police officer, he flashing his lights in my eyes. I'm like, "What is you doing?" He, they giggling about it. He was like, "(Unintelligible) squeeze your little cheeks." He just messed with me, just bothering me. Like, he was like, "I should squeeze your cheeks." I asked him, I say, "Where is my phone at?" "I don't know. We don't know. We don't know where your phone at."

I remember him stepping on my phone, (unintelligible) it, and my sister remember everything. My sister said she was gonna record the call and, like, everything, but she said she couldn't.

There was not enough time. Once he snatched it, the phone got disconnected. But she heard me, like, the screaming. She heard me screaming. But still, he didn't know where my phone was. He's like a lot of games or claiming like, I don't know. No matter what I did, I don't feel like I should've (unintelligible) -- end up in that predicament. I don't know what happened from the time I surrendered to the time, I believe they blacked me out, they hit me that's how they blacked me out. I didn't know what they was doing.

When I, it was at least nine or 10 officers, dogs. when I, the house I surrendered in, it was, they had a dog in their backyard. I still was back there with their dog. So, when the K-9 came, their dog was barking at the canine. The police, Riviera Beach tased the people's dog who I park, who backyard I was in. They tased their dog right before they, right before, like, I'm so, it was just crazy when they tased their dog and then they, like, focused on me. It was, like, nine officers.

And then after that, I just don't remember, just waking up in Saint Mary's. I don't remember getting put back in police car, reading my rights, nothing, being handcuffed, people picking me up, 'cause I knew there was more than one person, so I knew I had to be picked up by one or more person off the ground. I don't remember nothing. I just remember waking up in Saint Mary's like this with pain in my face, my face swollen, knees scraped up, bruises everywhere, and just, and that's all I remember. I don't, and people asking me what happened. I can't tell them. I don't, I don't know. I don't know the full details after I surrender. I knew I wasn't running; I knew I wasn't on the run. I just wanted it to stop. I don't know what happened after that. And that's it."

I asked Mr. Goldwire if he has a driver's license. Mr. Goldwire stated, "Uh, yes." I asked Mr. Goldwire if he had a driver's license at that time. Mr. Goldwire stated, "Yes." I asked Mr. Goldwire if he knew when he get stopped by an officer, he had to remain there. Mr. Goldwire stated, "Yeah. I know now what I would do. I know not to run or nothing like that now, but at the same time, police killing people every day and I guess a lot of crazy stuff. So, at that time, I was scared. I didn't know. And then you tell me you gonna tase me, but you got your gun pointed, I know a gun when I see a gun. He had a gun pointed at me, and the angle he had it in, you should know. Your police officers, there's only one of me, you're two times, three times bigger than me, whoever. I'm just a little, (unintelligible) guy. I can't do nothing.

I had my ID in my hand in front of my house, but, you know, what did I do, How can you (unintelligible). I'm trying to go out tonight. I didn't know this was gonna escalate to that. So, that's why I hopped out with my ID in my hand. I was like, "Oh, Lord. What did I do?" 'cause I knew I did nothing wrong. And then when I read the report, he said I missed a stop sign. No, I didn't, 'cause I seen you before you seen me, so I know I got right before I turned onto O Avenue right there. So, I know none of that stuff.

Then he say he pulled me 'cause he estimated me doing 25 and you can't estimate. You didn't, I would have see the gun. You just, you just, like, a lot of stuff is just made up to cover y'all behind. It's, like, what's the real reason? You say you estimate that I ran, that I was doing this amount in this speed limit. You know? You can't estimate. How can you say that?"

I explained to Mr. Goldwire that I was going to go back through everything from the start of the incident. I confirmed with Mr. Goldwire that he was asked to stop for a traffic stop and he got out of his vehicle. Mr. Goldwire stated, "Uh-huh. The first thing. Yeah."

I asked Mr. Goldwire if the officer told him to get out of his vehicle, or if he voluntarily got out of his vehicle with his license. Mr. Goldwire stated, "I got out of the vehicle with my license." I asked Mr. Goldwire if the officer asked him to step back in his vehicle. Mr. Goldwire stated, "No, he -- no, I was going to my house. As I start to say, "What are you pulling me over for? This is my house," he was like, he say, "Get back in your vehicle." But I wasn't (unintelligible). I was going to my, I was walking close to my doorstep to get my peoples out. But as I walked to quick, as I'm going to my doorstep, he got more aggressive. "Get back in your fucking vehicle before I tase you." So now, I feel like if I take one more step, I don't know what might come out of what is in his hand, either a tase or a gunshot. So, I just got back in my car, and I just left. I just left. I don't know."

I asked Mr. Goldwire if he got back in his vehicle right away when the officer directed him to do so. Mr. Goldwire stated, "No." I asked Mr. Goldwire when he finally got back in his vehicle if he proceeded to leave. Mr. Goldwire stated, "Yes." I stated to Mr. Goldwire as he was proceeding to leave, he struck the police vehicle. I asked Mr. Goldwire if the officer was outside. Mr. Goldwire stated, "Trying to get away. Not trying, I'm not gonna try to run a police officer, like, I'm trying to go down. If I hear a police officer, I'm not trying to go to prison." I asked Mr. Goldwire when he attempted to leave, was the officer outside of the car. Mr. Goldwire stated, "Yes, he still was outside the car." I asked Mr. Goldwire if he knew he struck the vehicle when he was passing. Mr. Goldwire stated, "Did I, no. No, I didn't know, okay. When he, when I was leaving, he was like, "Oh." He got out of the way as if I was about to hit him. So, he was like, "Oh." So, I'm thinking, I know I didn't hit him, so I think, like, okay, I'm going to, I know I didn't hit him. I thought he just did that 'cause he didn't know was I, I'm going to really, like, leave. Once I got back in my car, (unintelligible) stay there. But once he seen me pull off, (unintelligible). But I -- (unintelligible)."

I asked Mr. Goldwire when he pulled off, did he keep going in an attempt to make it home. Mr. Goldwire stated, "No, I was already in front of my, I was just going to leave from, whatever the area." I asked Mr. Goldwire why. Mr. Goldwire stated, "'Cause that's when I was trying to go to my house, he didn't want me to go to my house. He's like." I stated to Mr. Goldwire I thought he said he was already at home. Mr. Goldwire stated, "No, when he pulled me over, when he, when I'm on O Avenue and 32nd. When you turn left or, I'm turning left, he hit his lights 'cause he thought I was trying to get off I'm think, I'm guessing. As I hit my lights to go left, my house, like, four houses down from O Avenue. I stopped at my, I just kept going to my house. I got out at my house, in front of my house with my ID. I said, "I stay here. What'd you pull me over for?" "Get back in your car," this and that. I stay here. "Get back in your fucking car." At that point, when he ask (unintelligible) "Get back in your fucking car before I tase you," I got back into my car and just left. I couldn't even go get my call or scream or nothing. I just felt, I don't know. I was just panicking. I was just scared. I was, I don't know. I've never been to that situation before, so, and then, I don't know. I guess I did, he told me to get back in the car. We could've vented it, but it's like, you're a police officer. You're trained. The way he had the gun pointed at me, you made it seem like I had something on me. I didn't have nothing in my car. I wasn't, I know I

didn't have nothing in my car. I wasn't worried about that. I just wanted to get this over with, what you stop me for, so I can continue my night for the night. I know I did nothing wrong. But he had a gun. I seen a gun pointed at me in front of my house. I'm trying to stay, like, I've been pulled over before where it's been worse and I had nicer police officers. But for that incident, like, for that, it's like, you had a gun pointed at, I, like, first quarter. Like, you just, first quarter, you, I don't know."

I stated to Mr. Goldwire, after he got back in the car if he knew he had you didn't know it, but you struck the police vehicle and leave. I asked Mr. Goldwire where he went. Mr. Goldwire stated, "I didn't know it. I went, I turned right, and I went up 33rd, whatever. There was people outside. They were like, "No, no, no, no, no, no, don't stop here, whatever. Don't stop here." They was having a party. They was like, "No, don't stop here. Don't stop here." I guess they didn't want me bringing all that over there. So, (unintelligible), whatever. So, I went, and then I just got out of the car and just left it. I don't know. I just." I asked Mr. Goldwire if he exited the car and left it. Mr. Goldwire stated, "Yeah, I did. Went into the first -- I went to -- I hopped the fence and went to the first house. It was like (unintelligible) brothers (unintelligible). I wanted to be somewhere where I can be and call, let people know what's going on. I couldn't do that while I still." I stated to Mr. Goldwire you said you hopped a you hopped a fence. Mr. Goldwire stated, "Hopped a fence and I was on, I don't know what it's, like, a big house, like a daycare there. I don't know where I was. I don't know. Was just somebody's backyard. I don't know. Somebody's backyard."

I asked Mr. Goldwire when he hopped the fence was he behind a residence. Mr. Goldwire stated, "Yes, I was. Yeah." I confirmed with Mr. Goldwire that he was attempting to call. Mr. Goldwire stated, "My (unintelligible) brothers (unintelligible) sister. I called my brother was outside when they stay with me. I called my grandma. I called, yeah, just, like, everyone, just wanted to let them know what's going on 'cause my brother seen me leaving. He was outside with his homeboy, with his friend before I left, when I went to Walmart. So, him and his friend seen me. So, when I got back home after that everything happened, my brother was like, yeah, our friend was glad he was just out here. Like, they was outside, chilling. I went, ran to Walmart by the time I got back within, I went to Walmart for some boxers, for a pair of boxers. By the time I got back, they weren't there, so it was like, I ran there real quick, came back, just trying to get ready for the club, yeah."

I stated to Mr. Goldwire, just to reiterate, he said that he heard, um, police sirens, the dog and then you noticed the officers coming in his direction. Mr. Goldwire stated, "I heard everything. That is when I called my brother, like, "What did you do?" Like, he was like, "What happened?" He was like, "I see your vehicle, like, roped off." Like, he was like, "What'd you do?" So, now my brother is telling me that. See, I'm like, "What?" He was like, "every street(unintelligible) roped off." So now, like, I'm getting more scared. Like, what did I do? Like I don't know. I don't know. Like, man like I killed so, I don't know. At that point, when he was like, "What did you do," like, I'm like, "Nothing. I just, like, he pulled me over. I was in my, it just a traffic stop gone wrong. It's not --" I don't know. I just want it to be over. I over with. It's like, now, from that five minutes of mistakes like caused me a background, it's, like, just too much stuff, like, I think about every day."

I stated to Mr. Goldwire, once the officers were where he was he said that he was surrendering. I asked Mr. Goldwire if he was still on the phone. Mr. Goldwire stated, "Still on the phone? Yes, no. At that point, I wasn't on the phone. I wasn't on the phone. My sister called me right back before, she called me right, she called me back. I had to pick up, so I wasn't on the phone. I hadn't been picking up the phone. They told me." I asked Mr. Goldwire if he was on the ground. Mr. Goldwire stated, "Yeah, he told me don't pick it up. Yep. He told me don't pick it up, and I still." I asked Mr. Goldwire if the phone was in his pocket. Mr. Goldwire stated, "The phone, the phone was in my hand. But he just heard it ringing. He was like, "Don't pick it up." Like, he didn't want me picking it up. It wasn't in my pocket. I didn't have to reach for nothing. It wasn't, it just, already in my hand. I was already talking to people. But when I seen them coming, I wasn't on the phone 'cause I remember me having to pick up the phone."

I confirmed with Mr. Goldwire it was definitely dark around that time. Mr. Goldwire stated, "Dark, late night. And I remember me, my sister calling me. That would've made him said, 'cause he heard the phone ringing. He was like, "Don't pick that phone up." But she was Face timing me, so she wanted to see what was going on. I guess he seen that it was FaceTime. He knew what was going on, and he stepped on my phone to, yeah. And my sister, like, she heard me screaming, screaming. So after he stepped on the phone, I don't know what they did. I was screaming for help like, she said like they was beating me. Like, I had to be. I woke up like that, and I don't remember none of it. I just remember him telling me, "Don't pick up the phone," me surrendering, and that was it."

I stated to Mr. Goldwire, he said earlier he heard them saying "Stop resisting." Mr. Goldwire stated, "That, she said that's what she said. When I got out, she was like, yeah. But when, and then on my police report, it's resisting without violence. Like, no, I'm not, I know me. I'm not no trouble kid, and it was like (unintelligible) by two K-9s of y'all's. Then like, what am I gonna resist, I'm wanting this to be over. I'm not fighting back or nothing. I'm not about to run again. I'm not, like, making it bigger than what it is. I don't, like I said, I don't remember nothing, except from when the phone situation to after that, I don't remember. I just remember waking up at Saint Mary's and one handcuffs on one side, one handcuffs on the other side, and just feel my face tight. I just feel, I don't know. That's when I was like, okay, something happen, I know this real, something happened. Like, I don't remember even, I don't remember even walking to Saint Mary or them getting me to Saint Mary. I just remember waking up with a lot of light, in the room like this just, on a bed. Yeah, I don't remember walking in the building or nothing."

I confirmed with Mr. Goldwire his last memory was when the officer was telling him not to answer the phone. Mr. Goldwire stated, "Not pick up your phone. Not to answer and that was it. 'Cause I don't, like I said, when my sister was telling me, she had to tell me what happened on the phone call 'cause I don't remember it. But she told me, like, once I got out, and I think she told me that when I was in there. I talked to her when I was in. I called her before, and she was telling me, she like, "It's crazy." She like, "Yeah, and, how about, you know, when that happened, I was still on the phone." She was like, "And I heard you in the background." So, it's like my sister, like, she know what was going on. But that's all I remember. But after that, I don't remember nothing else."

I asked Mr. Goldwire was he residing in Riviera Beach at the time of the incident. Mr. Goldwire stated, "Uh-huh." I asked Mr. Goldwire if he lives in Lake Worth now. Mr. Goldwire stated, "No, they have, I was staying with my cousin. They probably still have my old address from before. So yeah, okay. I live with my cousin, but yeah." I stated to Mr. Goldwire that the information that was given and the contact number we had for him didn't work. I asked Mr. Goldwire to the best of his ability, is that all he remembered. Mr. Goldwire stated, "Uh-huh."

The interview concluded at 1:44 p.m.

FACTS DRAWN FROM THE INVESTIGATION:

1. On January 21, 2019, Sergeant Brian Jackson attempted to conduct a traffic stop on a suspect, later identified as Anthony Goldwire.
2. The suspect exited his vehicle and was lawfully ordered by Sergeant Jackson to return to his vehicle, to which he complied.
3. The suspect attempted to flee in his vehicle and struck Sergeant Jackson's marked police vehicle.
4. Sergeant Jackson notified communications of the incident and pursued the suspect.
5. The suspect abandoned his vehicle, fled and attempted to hide behind a residence to avoid apprehension.
6. Additional officers responded and a perimeter was immediately established.

The body worn camera time is not based on the actual time of the incident. They reflect hours, minutes & seconds of the incident.

7. Based on Officer Harvey's BWC footage in minutes, the following was revealed:
 - Officer Harvey's body worn camera footage showed him arriving at the fence in the backyard at approximately 0:19:29 sec. The suspect can be seen laying on his stomach.
 - At approximately 0:19:36 sec, Sergeant Jackson arrived on scene.
 - At approximately 0:19:40, Captain Foster can be heard repeatedly saying, "go dead."
 - At approximately 0:19:42, Officer Harvey complied and turned off his body worn camera.
8. Based on Officer's Louden's BWC footage in minutes, the following was revealed:
 - Officer Louden's body worn camera footage showed at approximately 0:11:28sec., the suspect was face down on the ground.
 - At approximately 0:11:29, Sergeant Jackson is seen jumping from a parked vehicle and running towards where the suspect was laying down.
 - Officer Louden stated he heard Captain Foster's command to "go dead" and complied.
9. Based on Officer's Rodriguez's BWC footage in minutes, the following was revealed:
 - At approximately 0:00: 00, Officer Rodriguez was on scene when the suspect was apprehended.

- Officer Rodriguez' body worn camera showed the suspect in handcuffs and Sergeant Jackson leaning over the suspect telling him to get up while helping him to sit up.
 - At approximately 0:00:49 sec. his BWC fell off, which was consistent with his sworn statement.
 - Officer Rodriguez did not turn back on his body worn camera.
10. Based on Officer B. Smith's BWC footage in minutes, the following was revealed:
- Officer Smith's body worn camera footage showed him approaching the fence at approximately 0:05:23. Office Smith can be heard ordering the suspect to get on the ground.
 - The suspect complied and placed his hands behind his back.
 - At approximately 0:05:40, Sergeant Jackson ran towards the suspect.
 - At approximately 0:05:41 through 0:05:46, Captain Foster can be heard repeatedly saying, "go dead."
 - At approximately 0:05:47, Officer Smith turned off his body worn camera.
11. Based on Officer DeSantis's BWC footage in minutes, the following was revealed:
- Officer DeSantis' body worn camera showed him approaching where the suspect was apprehended in the back yard at approximately 0:02:17.
 - At approximately 0:02:43, it showed officers helping the suspect up.
 - At approximately 0:02:52, Officer DeSantis turned off his body worn camera.
 - During his sworn recorded interview, Officer DeSantis acknowledged that he turned off his body worn camera and no one told him to turn it off.
12. Based on Captain Foster's BWC footage in minutes, the following was revealed:
- Captain Foster's body worn camera, showed him approaching the fence in the back yard at approximately 0:10:00.
 - At approximately 0:10:07, the suspect can be seen being compliant, laying faced down with his hands behind his back. (Exhibit A).
 - At approximately 0:10:08, Sergeant Jackson is seen running towards the suspect.
 - At approximately 0:10:09 to 0:10:17, Captain Foster can be heard repeatedly saying "go dead."
13. Sergeant Jackson did not have any footage of the incident because he was not wearing his body worn camera.
14. During his sworn recorded statement, Sergeant Jackson acknowledged he was not wearing his body worn camera or his tactical vest.
15. During the sworn recorded statement, Sergeant Jackson acknowledged, he punched the suspect more than twice to distract him.
16. Sergeant Jackson's use of countermeasures were not captured on the body worn camera.
17. During their sworn recorded interview, Officer(s) Harvey, Loudon and B. Smith acknowledged that they heard Captain Foster say "go dead." They all acknowledged that "go dead" means to turn the body worn camera off.
18. Officers Harvey, Loudon and B. Smith stated that they turned their body worn camera off because it was a directive that was given by a Captain Foster.

19. Officer DeSantis stated he left the scene after he turned his body worn camera off, however, he can be seen on Officer Jennifer Jones' body worn camera dragging the suspect towards a marked police vehicle.
20. Officer Morgan was present at the apprehension of the suspect in the backyard, however, there was no body worn camera footage captured. Officer Morgan was wearing his body worn camera, however, it was not turned on.
21. Sergeant Jackson's marked police vehicle sustained minor damages from the impact of the suspect's vehicle. (Exhibit B)
22. Sergeant Jackson was transported to St. Mary's Hospital for injuries he sustained to the back of his hand. ((Exhibit C)
23. Anthony Goldwire was transported to St. Mary's Hospital for injuries he sustained and for medical clearance. (Exhibit D)
24. All officers, sergeant and captain that were interviewed acknowledged that they signed Power DMS for the Department's General Order referencing the Policy and Procedures for the Body Worn Cameras.
25. Officer Jennifer Jones completed the Probable Cause Affidavit for arrest.
26. Officers Nance, Harvey, Smith, Roberson, Spearow, Rodriguez, Hardrick, Loudon, Douglas and Sergeant Jackson all completed supplemental reports.
27. Captain Foster, Officers Morgan and DeSantis did not complete supplemental reports.
28. Officers J. Harvey, B. Smith, W. Loudon, E. Rodriguez and Sergeant B. Jackson were involved in the physical apprehension when the suspect was located at 1516 West 36th Street.
29. Officers J. Jones, B. Spearow, O. Douglas, B. DeSantis, J. Hardrick, J. Nance and E. Morgan did not assist in the physical arrest.
30. Mr. Goldwire was lawfully stopped on June 21, 2019, for a traffic related violation.
31. Mr. Goldwire exited his vehicle and approached Sergeant Jackson's marked patrol vehicle.
32. Mr. Goldwire was ordered to return to his vehicle.
33. Mr. Goldwire returned to his vehicle and fled the initial incident location.
34. Mr. Goldwire abandoned his car, fled the scene and hid behind a residence to avoid apprehension.
35. Once apprehended, officers could be heard telling Mr. Goldwire to stop resisting once they attempted to handcuff him.

DETERMINATION AS TO COMPLAINT AND POLICY VIOLATIONS:

Based on the aforementioned facts and in keeping with the Riviera Beach Police Department's Principles of Integrity, Professionalism, Respect and Fairness, I make the following determination:

Based on the video captured by the body worn cameras, the suspect was order to get on the ground to which he complied. Several officers attempted to placed him in handcuffs, while telling him to stop resisting.

During Sergeant Jackson's interview, he acknowledged that he struck Mr. Goldwire more than twice by providing discretionary blows to distract him because he thought he was reaching for a weapon. Sergeant Jackson later discovered that the suspected weapon was Mr. Goldwire's cellular phone.

Based on Mr. Goldwire's facial injuries, Sergeant Jackson may have used Excessive Counter Measures to gain compliance. However, due to Captain Foster's order, this was not captured on any of the body worn cameras. Additionally, Sergeant Jackson did not have his body worn camera on to capture what was occurring.

Therefore, I conclude that based on the facts and circumstances developed during the administrative investigative process that **SERGEANT BRIAN JACKSON** violated the following Policy and Procedure and/or Rules and Regulations.

GENERAL ORDER 2018-3 – BODY WORN CAMERA

1.4- POLICY

It is the policy of the Riviera Beach Police Department to utilize a Body Worn Camera to document Law Enforcement interactions with the public by providing recorded evidence of actions, conditions, and statements. The Department has a legal right to capture and record footage during all official interactions.

1.7 ASSIGNMENT, ISSUANCE, AND OPERATION:

- B. Operation and use of the BWC by officers is mandatory while working any uniformed assignments to include but not limited to:
 - 1. Regular and overtime On-Duty Patrol.

**RIVIERA BEACH POLICE DEPARTMENT
POLICY AND PROCEDURES MANUAL;
RULES AND REGULATIONS
SECTION IV, PART IV – NEGLECT OF DUTY OFFENSES:**

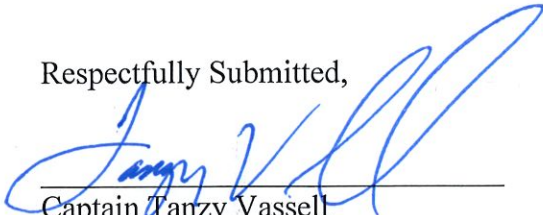
4.14 -NEGLECT OF DUTY: LOAFING, INATTENTION TO DUTIES/PROCEDURES:

Riviera Beach Police Department personnel shall be attentive to job duties and shall avoid any appearance of loafing or neglecting work while on duty. Riviera Beach Police Department personnel shall adhere to standard operating procedures, policies and directives, and shall faithfully execute all the duties and responsibilities of their assigned position. (A violation is subject to reprimand, suspension, and/or demotion, or dismissal.)

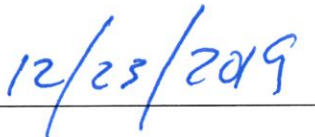
SUSTAINED

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information and belief, I have not knowingly or willfully deprives or allowed another to deprive the subject of the investigation of any of the rights contained in Florida State Statutes 112.532 and 112.533.

Respectfully Submitted,



Captain Tanzy Vassell
Internal Affairs Section



Date

CONCUR WITH FINDINGS:

JY HAS SUSPENSION

Spencer J. Rosen
11/16/2020

EXHIBIT A

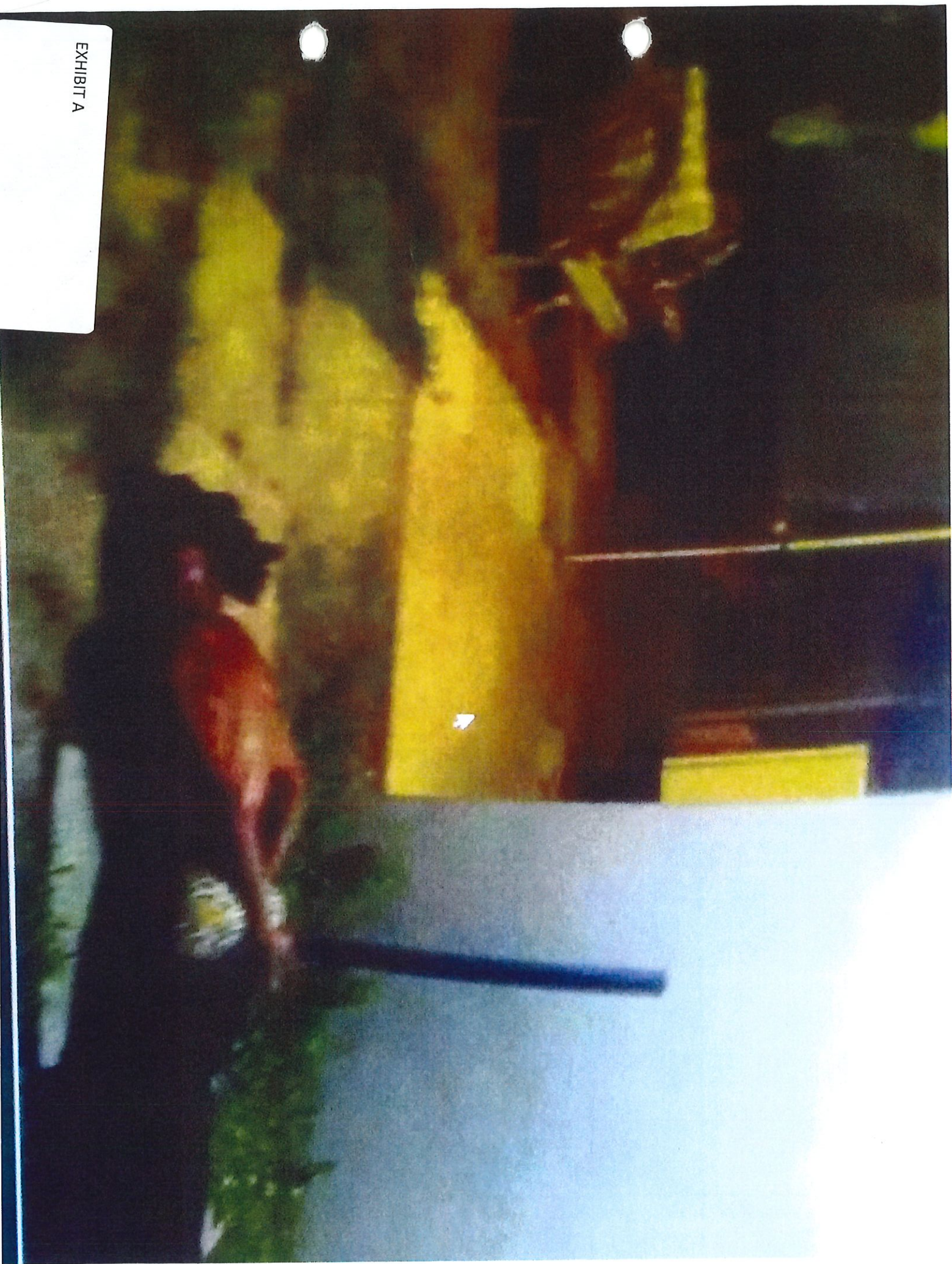




EXHIBIT D



EXHIBIT C

EXHIBIT B

BEAUF
A



City of Riviera Beach, Florida
1481 W. 15th Street, Suite 238
Web: www.rivieraeach.com
Office: 561-845-4000
Email: Jevans@rivierabeach.org
Twitter: [@_JonathanEvans_](https://twitter.com/_JonathanEvans_)

HAND-DELIVERY
CERTIFIED MAIL RETURN RECEIPT

#

September 7, 2021

Mr. Edgar Foster
600 West Blue Heron Blvd
Riviera Beach, FL 33404

RE: Notice of Termination

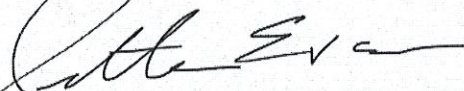
Dear Mr. Foster:

The intent of this letter is to inform you that your employment with the City of Riviera Beach is terminated effective immediately due to multiple policy violations. I have reviewed your sworn statement. After reviewing that statement, I find that you have violated the public's trust in law enforcement, which has impugned the reputation of the agency and your peers.

As a duly certified law enforcement officer you are held to the highest moral and ethical standards. You are entrusted with protecting the health, safety and welfare of the public and more importantly, to follow and enforce the law. You failed to comply with **General Order 2018-3, 1.4 Body Worn Camera and General Order 2018-3, 1.7 Assignment, Issuance, and Operation** policies by not operating your body worn camera in compliance with the Body Worn Camera Policy. By doing so, government and policing transparency was compromised.

As a result of your statement and conduct, you have been terminated immediately by the City of Riviera Beach.

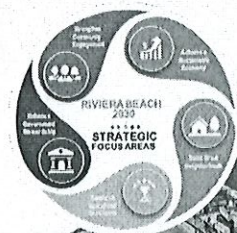
Sincerely,



Jonathan E. Evans, MPA, MBA, ICMA-CM
City Manager, Riviera Beach

CC: N. Osgood, Chief of Police
E. McBride, Deputy City Manager
D. Wynn, City Attorney
E. Young, Assistant Director of Human Resources
D. Mutamba, Assistant City Attorney

"The Best Waterfront City in Which to Live, Work And Play."





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CITY OF RIVIERA BEACH – MEMORANDUM

TO: EDGAR FOSTER, CAPTAIN OF POLICE
FROM: NATHAN OSGOOD, CHIEF OF POLICE
DATE: MARCH 17, 2021
RE: AMENDED NOTICE OF INTENT TO ADMINISTER DISCIPLINARY ACTION – I.A. #19-06

On June 21, 2019, Sergeant Jackson attempted to conduct a traffic stop on a suspect, who in his attempt to flee, struck his market patrol vehicle.

The suspect later abandoned his vehicle and was apprehended behind a residence in the 1500 block of west 36th Street, Riviera Beach, Florida.

During your sworn recorded interview, you acknowledged you responded to the area and established a perimeter.

Prior to the apprehension of Mr. Goldwire, you can be heard saying, "We want teeth on it dog. We want teeth, fuck."

During your sworn recorded interview, you acknowledged you informed Officer Harvey and Officer Ben Smith to "go dead" because you felt the incident was over because the suspect was compliant.

Based on the Body Worn Camera footage, initially, the suspect can be seen sitting on the ground, with his hands in the air. The suspect was then directed to the prone position, to which he complied.

Based on Body Worn Camera footage, you directed the cameras to "Go dead" when Sergeant Jackson arrived on scene. The suspect can be seen laying faced down with his hands behind his back, however, he was not in handcuffs, and therefore the apprehension was not complete.



It is the policy of the Riviera Beach Police Department to utilize a Body Worn Camera to document Law Enforcement interactions with the public by providing recorded evidence of actions, conditions, and statements. The Department has a legal right to capture and record footage during all official interactions.

1.8 – ACTIVATION / DEACTIVATION

- B. Criteria for Deactivation
 - 1. The BWC may only be deactivated once the interaction or incident is completed, or when the officer can articulate a valid reason to stop recording.

**RIVIERA BEACH POLICE DEPARTMENT
POLICY AND PROCEDURES MANUAL;
RULES AND REGULATIONS
SECTION IV, PART IV – NEGLIGENCE OF DUTY OFFENSES:**

4.13 COMPLETION OF REPORTS AND DOCUMENTS:

Riviera Beach Police Department personnel shall complete and submit all reports and documents required in the execution of their duties prior to concluding a tour of duty except as authorized by a Supervisor.

- D. Any Supervisor/superior officer who permits an officer to leave at the end of his/her shift without completing the face sheet of the report shall also be in violation and subject to reprimand, suspension, and/or demotion, or dismissal.

4.14 -NEGLECT OF DUTY: LOAFING, INATTENTION TO DUTIES/PROCEDURES:

Riviera Beach Police Department personnel shall be attentive to job duties and shall avoid any appearance of loafing or neglecting work while on duty. Riviera Beach Police Department personnel shall adhere to standard operating procedures, policies and directives, and shall faithfully execute all the duties and responsibilities of their assigned position. (A violation is subject to reprimand, suspension, and/or demotion, or dismissal.)

**RIVIERA BEACH POLICE DEPARTMENT
POLICY AND PROCEDURES MANUAL;
RULES AND REGULATIONS
SECTION VI, PART VII – PROFICIENCY**

7.1 MAINTAIN JOB KNOWLEDGE AND SKILLS:

Riviera Beach Police Department personnel are required to maintain job knowledge and skills required for the performance of official duties. Riviera Beach Police Department personnel shall maintain and demonstrate proficiency in required interpersonal skills and in the care and use of Department equipment and vehicles. Personnel shall maintain and demonstrate their knowledge of the law and criminal procedure and shall maintain proficiency in the care and use of firearms, demonstrating proficiency in accordance with established standards and qualification

Amended Notice of Intent to Administer Disciplinary Action
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You acknowledged "Go dead" means to turn off the cameras and it is your terminology for turning the cameras off. You also acknowledged "Go dead" is not a part of the Body Worn Camera Policy.

Based on the Body Worn Camera footage, when Sergeant Jackson arrived on scene, he was postured in an aggressive stance with his fists clenched, while the suspect was on the ground in a prone position. At that time, you directed officers to "Go dead." You gave an illegal order that conflicts with policy and procedure.

During the review of several Body Worn Cameras (BWC), you can be heard saying, "Go dead." The command was repeated approximately seven (7) times. You can be heard saying, "We want teeth on it dog. We want teeth, fuck."

Several officers who were in the immediate vicinity, complied with your directive and turned their cameras off. These officers stated they believed it was a lawful order because it came from a Captain.

Based on the Body Worn Camera footage, prior to Sergeant Jackson's arrival, the suspect did not have injuries to his face. After the encounter with Sergeant Jackson, the suspect's face revealed brutal injuries.

Captain Foster, the Body Worn Camera is utilized to capture interactions between Law Enforcement and the public by providing recorded evidence of actions, conditions and statements. It may only be deactivated once the interaction or incident is completed.

You did not articulate a valid reasons to stop recording and because of your command, there was no footage to document whether or not excessive countermeasures were used by Sergeant Jackson.

On October 5, 2018, you signed the Department's General Order, acknowledging receipt of the policy governing the wear and usage of the Body Worn Camera.

You did not complete and submit all reports and documents required in the execution of your duties prior to concluding your tour of duty.

You did not adhere to the Department's standard operating procedures, policies and directives, which precluded you from faithfully executing the duties of your assigned position.

Therefore, I conclude that CAPTAIN EDGAR FOSTER has violated the following Policy and Procedures and or Rules and Regulations:

GENERAL ORDER 2018-3 – BODY WORN CAMERA
1.4– POLICY

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requirements for sworn personnel. Riviera Beach Police Department personnel may be retested or proficiency as provided in the Standard Operating Procedures, with each subsequent failure to qualify constituting an additional offense. Failure to maintain job skills shall result in counselling, instruction or training and may also result in a suspension. Repeated failure to maintain necessary job skills and requirements after counselling and instruction shall result in increasing the severity of disciplinary actions. (A violation is subject to reprimand, suspension, and/or demotion, or dismissal.)

F.S.S. 838.022 OFFICIAL MISCONDUCT

SUSTAINED

Based on the foregoing, I am recommending to the City Manager the following:

- **Thirty working (30) days suspension for these violations.**

This information is provided in conformance with the labor contract between the City of Rivera Beach in the Palm Beach County Police Benevolent Association (PBA). Furthermore, you have the right to appeal concerning this action via the PBA union contract process, Articles 21 and 22.

cc.: Michael Madden, Assistant Chief of Police
O'Ne Dupre, Director of Human Resources