



CITY OF KEY WEST
Citizen Review Board
P.O. Box 1946
Key West, FL 33041
Ph: (305) 809-3887
Fax: (305) 293-9827

October 7, 2009

VIA REGULAR US MAIL

Mr. Shahdaroba Rodd
P.O. Box 742
Key West, FL 33041

Complaint File: **CRB No. 09-006**
KWPD-IA File Number: (None)

Dear Mr. Rodd:

Enclosed please find a copy of the CRB's letter to Officer Kouri notifying him of the evidentiary hearing the CRB will have during its November 9, 2009 meeting. The CRB will address your file again at this meeting scheduled for 6:00 p.m. at Old City Hall, 510 Greene Street, Key West Florida on Monday, November 9, 2009. Please plan on being present and be prepared to give a statement under oath to the CRB and its representatives that night. Your statement will be of public record. Please also bring any witnesses/speakers you would like to proffer to the Board as your file may be finalized and a CRB recommendation rendered at this meeting. You can find the materials that will be reflected upon by the CRB members online at www.keywestcity.org and selecting the CRB from the department drop down menu.

Respectfully,

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Stephen C. Muffler, Esquire
Executive Director
Attorney-at-Law
cc: File



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October 6, 2009

VIA certified Mail #70073020000053425963

Officer David Kouri
Key West Police Department
1604 North Roosevelt Blvd.
Key West, FL 33040

Complaint File: **CRB #07-006**
Complainant: Shahdaroba Rodd
Notice of CRB Meeting

Dear Officer Kouri:

The Citizen Review Board (CRB) is an independent board with authority to review and/or investigate complaints involving Key West police officers and forward findings and/or recommendations to City management, Chief of Police, State Attorney, other state and federal law enforcement agencies and/or grand juries. You are the respondent in the above referenced CRB file.

This particular file was reflected upon twice by the CRB at its meetings on August, 24, 2009 & September 28, 2009, but the CRB still has some questions as to factual issues surrounding your participation in the investigation, arrest and processing of Mr. Rodd apparently conducted, in part, by yourself. Enclosed please find the Complaint Evaluation and the Supplemental Complaint Evaluation involving this matter. The audio visual items are contained in the CDROM enclosed herein.

The CRB would like to extend an invitation to you to voluntarily cooperate in this matter to help clear up remaining facts that remain in dispute. There is no obligation whatsoever that you respond or voluntarily cooperate at this time, but such cooperation would be greatly appreciated.

The CRB meets next on this matter on November 9, 2009, and you and/or your representative are invited to attend at the Old City Hall at 6:00 p.m. located at 510 Greene Street, Key West Florida, 33040. The Board would like to take your sworn testimony at that time.

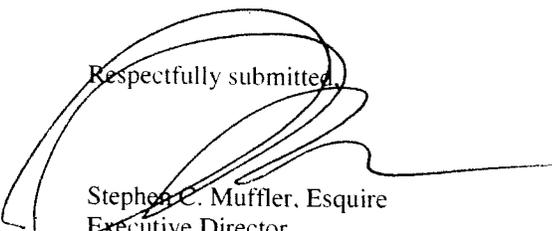
Further, please note section 1.07 of the City Charter which reads as follows:

VIII. Procedures related to city employees and witnesses.

(a) When a City of Key West employee, including police officers, appears before the CRB in response to a request or subpoena, such employee shall be formally advised prior to the commencement of testimony that if the employee has a good-faith belief that the testimony would tend to be self-incriminating, and if, in reliance upon that good-faith belief, the employee declines to answer any question, that employee's decision not to provide testimony will not subject him or her to any adverse employment consequences. Any employee who, after receiving such advice, decides to testify or provide evidence, must sign a statement acknowledging that the employee understands the advice and is testifying or providing evidence voluntarily and knowingly.

Please feel free to forward this matter and this correspondence to your legal representative or union official if you so desire. We hope that your voluntary cooperation in this matter will quickly bring this matter to a fair and full conclusion.

Respectfully submitted,



Stephen C. Muffler, Esquire
Executive Director
Attorney at Law

Encl.

cc: Jim Scholl, City Manager
Donald Lee, Chief of Police
Mr. Shahdaroba Rodd
File

Citizens Review Board

From: Citizens Review Board
Sent: Wednesday, October 07, 2009 2:01 PM
To: David Kouri
Cc: Citizens Review Board; Donald Lee; David T. Smith; Randall Smith
Subject: CRB Notice

Attachments: Kouri Notice 100709.PDF

Good Day:

Attached is your notice for the upcoming CRB meeting to be held on November 9, 2009. This letter, and its enclosures are being certified mailed to the KWPD today. Please contact me if you have any questions or do not receive the package.



Kouri Notice
00709.PDF (63 KB..)

Thanks.

Stephen C. Muffler, Esquire
Executive Director
Attorney at Law

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crb@keywestcity.com
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Note To Recipients: Under Florida law, this communication and any response or reply to it, will be subject to public records requests/disclosure laws, unless an applicable privilege or rule of evidence applies.

Note to Citizen Review Board Members: In accordance with the Florida Sunshine Law, please do not "reply to all" if there are other board members receiving this e-mail concerning Board business. Please only reply to non-board members when responding.