



Law Office of the
PUBLIC DEFENDER
Seventeenth Judicial Circuit

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Public Defender
Howard Finkelstein
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July 28, 2009

Executive
Chief Assistants:

Chief Chadwick Wagner
Hollywood Police
3250 Hollywood Blvd.
Hollywood, FL 33021

Diane M. Cuddihy
954.831.8814

Dear Chief Wagner,

Catherine A. Keuthan
954.831.8665

On Feb.18, 2009 an accident occurred on Sheraton St. in Hollywood, Florida involving a civilian and a marked police car. The police car was driven by Officer J. Francisco. Officer D. Pressley, Officer K. Thomas and Officer A. Tomassi arrived on scene as back-up. When Officer Pressley completed the roadside sobriety exercises, he arrested the defendant for DUI and placed her in the back of a patrol car.

Chief Assistants:

A conversation among the officers took place at the back of the patrol unit. It is abundantly clear that none of the officers knew someone's microphone was still on and their conversations were being recorded. The transcript and DVD are attached.

Douglas N. Brawley
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The four Hollywood law enforcement officers agreed that although they "don't want to make things up ever, because it's wrong, but if I need to bend it a little to protect a cop I'm gonna." (transcript at page 5, line 17-19) They agreed to "bend it a little" in a DUI investigation to protect a fellow officer in a traffic accident. It is inconceivable that people in uniform who swear to uphold the law would subject a twenty two year old female to enhanced criminal prosecution just to avoid admitting being at fault in an accident. Not only did these officers make a conscious decision to shift the blame to this young woman but they made a concerted effort to write a narrative to fit "their facts." Although photographs were taken, we do not know at this point whether they still exist. I have been apprised by the arrestee's attorney that the DVD was edited at some time to exclude the captured conversation. This fact is as disturbing as the conversation itself.

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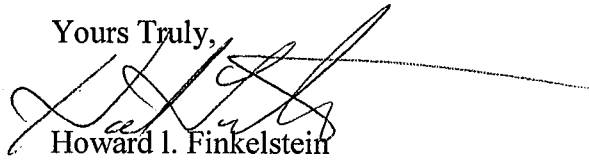
Presently we have at least 27 pending cases where these four law enforcement officers have been listed as material witnesses for the State

Attorney's Office. How many other past, present, and future defendants will or have been "hung up to dry"¹ by these officers?

Throughout all of our careers there have been times when we question the truthfulness of witnesses whether they be civilians or law enforcement. In this case the question is answered. The video and transcript speaks volumes.

The question is what do you want and need to do both individually and/or collectively to these officers? Is suspension of these officers enough? Is termination enough? Should criminal charges be instituted? In light of the history of the Hollywood Police Department, is this evidence of a continued culture of corruption? Should the Department be investigated? What is apparent is this: The people of Broward County deserve better. We deserve an answer. No matter what you decide, the harm can never be undone and must be redressed. Someone needs to be accountable. Proper steps need to be taken so our citizens can be protected in the future from this unconscionable behavior. Surely, no one wants a law enforcement department that would tolerate a single officer who will do, as the officers said, "a little Walt Disney" to protect a cop.

Yours Truly,



Howard I. Finkelstein
Public Defender

cc:

Michael J. Satz

FBI

FDLE

¹ " I ain't worried about the accident shit right now. Let me get her a blow and get her sample. I nailed her on the video. I hung her up to dry on that." (transcript at page 3, line 17-19)