

City of North Miami Beach
POLICE DEPARTMENT

MEMORANDUM

MEMO # _____

TO: CHIEF RAFAEL P. HERNANDEZ, JR.
VIA: DIRECT
FROM: SGT. RICHARD SILBERMAN *RS*
DATE: NOVEMBER 16, 2009
RE: REVIEW OF MATTER CONCERNING COUNCILMAN PIERRE

*12/14/09
11/19/09*

Pursuant to information received after a suspicious late hour alarm activation at City Hall on or about September 26th, 2009, a review was requested of after-hour activity in the City Hall Council chambers by Councilman Frantz Pierre. The reason for the review was in part due to odd hour access to the offices and Pierre's access card being utilized to gain access to the City Manager's Office area after hours.

It was learned that the City Council members have card access throughout the building. A card access report was obtained from the City's Information Technologies Director, Mr. Patrick Roziak to cover a period from 5/01/09 thru 09/30/09. The review was limited to a visual inspection of City Hall video surveillance recordings for building access at unusually late hours or weekends by Mr. Pierre. An observation of unexplained events is provided below. Card access report is available if needed.

P=Photo #

DATE **OBSERVATIONS**

5/31/09 Sunday 10:36pm – Pierre arrives and enters w/some papers. Leaves at 11:09pm with a box of unknown items. Returns @ 11:18pm accompanied by an unknown B/M & 2 B/F's, go up to council area leave together @ 11:30pm. P1

6/1/09 Monday 9:52pm – Pierre arrives w/ (J. Julien ?)... Julien appears to go through some discarded boxes outside parking area. Pierre leaves at approx. 9:59pm. Julien enters building at approx. 10:07 pm and leaves at approx. 10:40 pm. Unknown where he went in the building, used rear door. P2 – P3

6/07/09 Sunday 10:29pm – Pierre comes in carrying a box with unknown contents, leaves at 10:33 pm with box, containing unknown contents. (no photo available)

6/20/09 Saturday 09:40 am Pierre comes in w/ unknown B/M and accesses City Manager's office. Unknown companion is carrying a framed poster into building. Enters City Mgr's office area carrying papers in and out. P4 – P12

6/20/09 Saturday 5:37pm Pierre comes into building empty handed, leaves with a box at 6:09pm (unknown contents). P13 – P15

INTEROFFICE MEMORANDUM

- 7/12/09 Sunday 2:38 pm – Pierre comes in with several people. At 2:46 an unescorted B/M leaves council conference room & goes down elevator to let in unkn B/F who brings some food.
- 2:51 pm another unknown B/M arrives at rear elevator door downstairs and makes phone call and is met at elevator door by unk B/M again unescorted, carrying backpack.
- 3:00pm Pierre goes to City Mgr's office alone, comes out carrying papers.
5:20 pm several individuals leave the building unescorted. P16
- 7/30/09 Thursday 9:37 pm – Pierre comes into building with 3 unknown persons. Leaves at 9:48pm and comes back at 9:56pm with 4 adults & 1 child. Leaves at 10:43 pm. P17 – P20
- 8/08/09 Saturday 7:35 am – Pierre arrives with a B/F, goes to his office. At 7:54 am goes to City Mgrs. Office area, B/F sits outside on chair. Leaves area @ 7:57 am and goes down elevator carrying some papers. P21 – P22
- 8/22/09 Saturday 1:10 pm – Pierre comes in with an unknown B/M with a handtruck, goes up to council conferene area. Pierre goes in & out of other councilperson's office. Leaves building carrying a box with unknown contents.
- 6:20 pm – Pierre comes back into building and into his office.
6:27 pm – two unknown B/F's make phone call from downstairs by rear elevator, Pierre goes down & leaves with them. P23 – P26
- 8/29/09 Saturday 8:05 am – Pierre comes in with 2 B/M's & 1 W/M. Goes upstairs & to back of council lounge (all 4) & carry out 2 cases of water & 2 unknown brown boxes (water) & place in car & leave. P27 – P29
- 9/02/09 Wednesday 10:23 pm – Pierre comes in to his office area with 3 unknown persons. P30
- 9/25/09 Friday 12:00 am (midnight) – Pierre comes in, goes to his office, briefly goes into lounge area and leaves with some drinks & some papers. P31
- 9/26/09 Saturday 12:48 am – Pierre comes into building, goes to lounge area and removes a case of bottled water. Leaves building at 12:51 am with case of water. P32 – P33
- 9/27/09 Sunday 10:29 pm – Pierre comes into building with unknown B/M, leaves building at 10:39 pm. P34 – P35

Items which raise question are:

1. The removal of cases of City bottled water. ✓
2. After hours use of council / City Hall facility for unknown business with other individuals
3. Allowing unescorted non-city employees access to the building
4. Unknown use of the City Manager's office area (Council have their own copy / fax service equipment in the council office area).