



NORTH MIAMI POLICE DEPARTMENT

OFFICE OF PROFESSIONAL COMPLIANCE

INTERNAL AFFAIRS CASE No. 17-01

Investigative Summary

February 3, 2017

I.A. Case No. 17-01

Subject Officer: Commander Emile Hollant

ALLEGATION:

On or about February 2, 2017, as reflected by media footage released by NBC 6 South Florida News, Commander Hollant made statements to reporter Willard Shepard. The investigation also revealed that on or about August 4, 2016, as reflected by media footage released by Local 10 News, Commander Hollant made contact with reporter Andrew Perez. Per Chief Gary Eugene, he specifically told Commander Hollant, when placed on Administrative Leave in July of 2016, not to speak to the media.

The allegation is: Speaking to the Media

POLICY:

General Rules and Regulations, Sect. 49:

Members of the Police Department shall not, directly or indirectly, seek notoriety through the media. Media relations are the sole responsibility of the Public Information Officer (PIO). Public Information Officers are assigned by the Chief of Police. All media inquiries and press releases will be directed through the Public Information Officer. In the event that no PIO is available, inquiries will be directed to the on-duty shift commander. Information on department wide policies, administrative investigations and crime statistics will be released through the Chief of Police or his/her designee.

PERSONS INTERVIEWED:

1. Chief Gary Eugene – By FDLE under NMPD IA No. 16-06

PERSONS NOT INTERVIEWED:

1. Commander Emile Hollant - Case Suspended by Interim Chief of Police Larry Juriga.

SUMMARY OF THE INVESTIGATION

February 3, 2017

On this date, this investigator observed on NBC 6 South Florida News, via its website at nbc-miami.com, media footage of Commander Hollant speaking to a news reporter, Willard Shepard, while on Administrative Leave relating to Internal Affairs No. 16-06. Following this observation, this investigator made contact with Chief Gary Eugene to ascertain whether the contact was approved by him. Chief Eugene advised that, to the contrary, he specifically told Commander Hollant, on the date he was placed on Administrative Leave (July 22, 2016, pursuant to Internal Affairs No. 16-06), not to speak to the media, and he had not given him permission to do so ever since.

Also on this date, a request was made to Information Technology (IT) Specialist Pablo Garcia to download the media footage in question from the NBC 6 South Florida's website. A review of the video revealed the following:

- Commander Hollant stated, "I never thought that I did anything wrong." Also, "I have served this community for the last 17 years and I really want to go back to work, but I have to go through this process. I cannot talk."
- Reporter Shepard stated that Commander Hollant told him he was "...willing to sue to get his job back." Also, that he was "...speaking publicly for the first time and exclusively with NBC 6."

Also on this date, this investigator requested the City of North Miami's Public Information Officer (PIO), Kassandra Timothe, make contact with NBC 6 South Florida to request the complete footage of their interview with Commander Hollant, to include the portion not shown where Reporter Shepard says Commander Hollant tells him he is "willing to sue..." On March 1, 2017, PIO Timothe advised she was told by NBC 6 that a court subpoena was required for their legal department to release any additional footage. Note: Given that this is not a criminal case, a court subpoena cannot be obtained.

Also on this date, as noted by Chief Eugene, a review of his statement provided to FDLE on July 28, 2016, under Internal Affairs No. 16-06, as it relates to the date Commander Hollant was placed on Administrative Leave, revealed the following:

"Amazingly, like, in two hours later Commander Hollant called me said, 'I'm telling you chief' – he called me at least four times. The reason I pick up the phone, I say, 'I don't want the guy to hurt himself. Let me find out...at least what he wants.' He say, 'I'm telling you - and these people lied about me. And I'm telling you nobody knew about it. Do you know the Channel 10 is in front of my place? Somebody has already contacted Channel 10, the news media, and there was (unintelligible). And - and somebody gave Channel 10 s- my home address.' That's his statement. I said, 'Listen, Emile, as a commander I'm telling you as a chief I'm ordering you to, it is up to you. You can call your attorney, you can call the PBA, but I will advise you don't talk to the media and I will keep you informed of any other action will be taken against you.'"

March 7, 2017

On this date, this investigator conducted a search on the Internet to ascertain whether other contacts existed online between Commander Hollant and the news media. The search revealed media footage from Local 10 News on August 4, 2016, from reporter Andrew Perez. IT Specialist Garcia was requested to download this video as well. The video revealed the following:

- A reporter is heard asking Commander Hollant, "You did not fabricate anything?"
- Commander Hollant responds, "I did not."
- Reporter Perez stated, "We first spoke to Hollant when he was suspended from the job."

Note: This footage would also require a court subpoena in order to be viewed in its entirety.

Also on this date, a search for PowerDMS (policy program) documentation revealed that Commander Hollant acknowledged, by way of electronic signature, the Department's General

Rules and Regulations policy on September 29, 2015, as well as the Department's Media Relations policy on October 22, 2013.

July 25, 2017

On this date, Commander Hollant, who remains on Administrative Leave, was sent notice of this investigation (via FedEx).

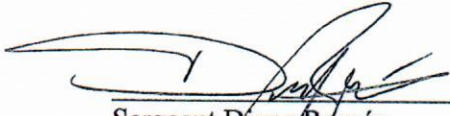
August 2, 2017

On this date, Interim Chief Larry Juriga ordered this investigation **Suspended**, given Commander Hollant's current status relating to Internal Affairs No. 16-06.

August 11, 2017

On this date, at approximately 1:25 p.m., this investigator, along with Major Franzia Brea, hand delivered the suspension notice to Commander Hollant at his home address.

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 deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in SS. 112.532 and 112.533, Florida State Statutes.


Sergeant Diana Román
Office of Professional Compliance

9/22/17
Date