



SUNRISE POLICE DEPARTMENT



Anthony Rosa
Chief of Police

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(954) 764-4357

Internal Affairs Complaint Report Narrative

I. INTRODUCTION:

Subject Employee: Officers R. Weir and T. Nelson

Complainant: Sergeant Jeremy Copas

Witnesses: Officer P. Clarke and Officer R. McWilliams

On January 23, 2021 Patrol Officers responded to a fatal traffic crash at the 4200 block of N. University Drive. Once there, the Traffic Unit is notified and they respond. Officer Nelson is assigned as the lead detective for the case.

On February 2, 2021, Officer Weir is asked by Sergeant Copas to go to Goldfinger Nightclub with Officer Nelson to collect video related to this case. Just prior to going, Officer Nelson notified Officer Weir that he was unable to go. As a result, Officer Weir went to Goldfinger with Officer Clarke, to review video. They meet with "Eddy" who allowed them to view video for approximately 2 hours. They are unsuccessful in finding anything of evidentiary value.

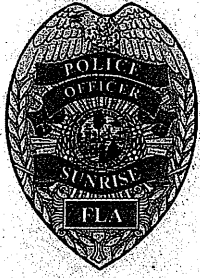
Upon leaving, Officer Weir noticed cameras at Hooters, which is next door. He spoke to the manager, who allowed him access to the camera system. Officer Weir found vital video related to their case. The manager said the video must be sent to officers through Hooters corporate office. Officer Weir then left, returning to his shift.

The next morning, Officer Weir called Sergeant Copas and shared his findings. During that conversation, Officer Weir specifically told him the video from Goldfinger would erase within the next 48 hours, in the event Officer Nelson needed it. Immediately following their conversation, Sergeant Copas physically met with Officer Nelson in the 24-Hour Fitness parking lot. Sergeant Copas shared Officer Weir's findings with him and specifically told him the Goldfinger video would erase within the next 48 hours.

On February 18th, 2021, Officer Nelson contacted Sergeant Copas and requested permission to go to Goldfinger to collect video evidence. Sergeant Copas allowed him to go but realized the video and any possible evidence that was on it, would be gone.

Sergeant Copas contributed the loss of potential evidence to Officer Nelson's actions or lack thereof. Therefore, a Preliminary Complaint Report was generated and sent via chain of command to Chief Rosa, where an investigation was authorized.

The Investigative Narrative section outlines the details of my investigation into this matter and my conclusion with respect to any policy violations, will be found in the Investigative Findings and Disposition section.



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II. INVESTIGATIVE NARRATIVE:

On **January 23rd, 2021** at approximately 11:00p, Sunrise Police Department responded to the 4200 block of University Dr. in reference to a fatal traffic crash. Officer T. Nelson (THI) is assigned to the crash as the lead investigator.

Over the next weeks, an investigation commenced into the traffic crash. During this time, the crash is reclassified to a "Vehicular Homicide" and DUI.

On **February 2nd, 2021**, Officer Nelson told Sergeant Copas that he would go to Goldfinger in the evening hours. Officer Nelson worked 630am-430pm that day and would go on overtime.

At 4:52pm, Sergeant Copas asked Officer Weir, who was on-duty, to accompany Officer Nelson to Goldfinger to assist in getting video.

At 5:08pm, Officer Nelson contacted Officer Weir and told him that he would meet him at Goldfinger later in the evening.

At 7:09pm, Officer Nelson contacted Officer Weir again, and told him that he will not be going to Goldfinger with him. Officer Nelson advised that he left a DAVID photo on his desk, of the suspect, to aid Officer Weir while collecting video.

Later in the evening of February 2, 2021, Officers Weir and Clarke respond to Goldfinger to collect video. Once they were done at Goldfinger, Officer Weir went to Hooters to see if they had video. They did, and Officer Weir made a request with their management for copies.

On **February 3rd, 2021** at 10:15, Officer Weir contacted Sergeant Copas and advised him of his findings from the night before. During that conversation, Officer Weir told Sergeant Copas that the video would be recorded over within the next 48 hours.

Sergeant Copas then met with Officer Nelson and relayed the information told to him from Officer Weir, to include that he had 48 hours to get the video before it would be erased.

On **February 18th, 2021**, Officer Nelson contacted Sergeant Copas and requested permission to respond to Goldfinger to collect evidence to include the above mentioned video.

On **April 15th, 2021**, Sergeant Loor was asked to complete a "Criminal Inquiry" into an anonymous allegation that Officers intentionally delayed retrieving the mentioned video.

On **June 26th, 2021**, Sergeant Loor composed a close out memo, completing the Criminal Inquiry. Sergeant Loor did not find any proof of a criminal element.

On **June 7th, 2021**, Chief Rosa authorized an internal investigation into this matter.

On **August 5th, 2021**, I took a sworn statement from **Sergeant Jeremy Copas**. He began with the early days after the accident, when Officer Nelson responded to Goldfinger and collected video from the exterior of the business. During this timeframe, Sergeant Copas told Officer Nelson that he needed to go back and get interior video, in the hopes that they would capture the suspect inside. On February 2, 2021, Officer Nelson told Sergeant Copas that he was planning on going to Goldfinger in the late evening hours to collect interior video. They had to go later since the night manager was the one who had access to the cameras.

Sergeant Copas asked Officer Weir to go with Officer Nelson since he was on-duty (it is a standing order that officers will not go to Goldfinger alone). Shortly after, Sergeant Copas got a text message from Officer Weir, stating that Officer Nelson would not be going with him to Goldfinger.

The next time Sergeant Copas spoke to Officer Weir is the next morning (2/3/21) around 10:15am. Officer Weir sent him a total of five pictures, one of the pictures he pointed out as the suspect vehicle. This was a different vehicle than they originally thought. Officer Weir then text "I told Tommy he has about 48 hours left of Goldfinger video before its overwritten".

Officer Weir told Sergeant Copas that he watched video at Goldfinger for over two hours but was not successful in locating the suspect. However, he realized the exterior video they did have depicted the wrong vehicle. Officer Weir left Goldfinger feeling unsure of what he was looking for. As he left, he noticed that Hooters had exterior video. Officer Weir contacted the manager and was able to locate video of value. This video had to come to Sunrise PD through corporate so it was not obtained that night.

After speaking with Officer Weir, Sergeant Copas had Officer Nelson meet him at the 24-Hour Fitness. They were both working a food drive that day. They discussed the details of the video. Sergeant Copas recalled specifically telling him that he had 48 hours to get the video from Goldfinger. Sergeant Copas even recalled a second conversation in the office about him getting the video within the 48-hour timeframe. He said that Officer Nelson acknowledged him. Sergeant Copas felt that it was very clear it was Officer Nelson's responsibility to get the video.

On February 18th, 2021 Officer Nelson told Sergeant Copas that he was planning on going to Goldfinger that evening. Sergeant Copas told him the video was probably gone since he did not get it within the 48-hour window. Officer Nelson acknowledged that it was past the 48-hour window and that he was waiting to receive the Hooters video from their corporate before going back to Goldfinger. He wanted to check that video first for the suspect. Through investigation

back to Goldfinger. He wanted to check that video first for the suspect. Through investigation they discovered that the suspect was in fact inside Goldfinger and that the video was important for the investigation. Sergeant Copas said Officer Weir wrote a detailed document that outlined what he saw on video at Hooters. He left a copy of the document on Sergeant Copas' desk.

It was in Sergeant Copas' opinion that it was Officer Nelson's obligation to obtain the video and that he was fully aware that it was his responsibility.

On **August 10th, 2021**, I took a sworn taped statement from **Officer Patrick Clarke**. Officer Clarke said that he was working the road on 2/2/2021 when Officer Weir asked if he would accompany him to Goldfinger to get video. They met around 9:30-10:00pm at Goldfinger. Once there, Officer Weir told him they were there to obtain a video of the suspect vehicle. They wanted to use that video as a timeline to find which establishment the suspect was drinking at. Once the Officers were inside, "Eddy" took them to a room upstairs where the cameras were. Upon reviewing the footage, they realized the dates and times were not correct on the recorded video. After about 2-2.5 hours of reviewing video, they found the vehicle they were looking for on video. Officer Weir was able to look at the video and determine the vehicle on video was different than the suspect vehicle. They also watched video of the bar patrons entering and they did not see anyone that matched the suspect. At this point Officers hit a wall, since they obviously did not have the correct information.

Officer Clarke does recall Officer Weir calling Officer Nelson at some point while they were reviewing video to try and get clarifying information. He also recalled Eddy mentioning the video would be lost after either 48 or 72-hours. The video was on a two-week loop. Officer Clarke believed all that was relayed to Officer Nelson when Officer Weir called him to clarify things.

Officer Clarke said they decided to leave when they realized the video they were looking for depicted the wrong car. They felt as if they were at a dead end with no further leads. He did not feel as if there was anything of value being left.

Upon leaving Officer Weir noticed that Hooters had exterior cameras so he went inside and spoke with the manager, with Officer Clarke in tow. Upon viewing the video, they found the suspect and suspect vehicle. This allowed them to narrow the time frame for the video in Goldfinger. After being there for 30 minutes Officer Clarke had to leave and go to another assignment. Officer Weir remained and sorted out the details with the Hooters manager.

On **August 19th, 2021**, I took a sworn taped statement from **Officer Roshanda McWilliams**. On 2/3/21 Officer McWilliams said that she was working zone 7 when Officer Nelson requested a unit to meet and go inside Goldfinger with him. Officer McWilliams and Nelson utilized their BWC but only Officer Nelson's could be recovered at the time of this investigation. Officer McWilliams thinks that she did not label her BWC footage correctly and therefore it was erased after 90 days. I was able to view Officer Nelson's footage prior to our interview, so I only asked her questions related to before and after the camera was turned on/off. There was also a brief time his camera was powered down while they were inside Goldfinger.

When she met with him, Officer Nelson told her briefly about the accident that occurred in January and that he was there to check for credit card receipts and take pictures. Officer Nelson

I then asked Officer McWilliams what was discussed when Officer Nelson powered down his BWC while inside Goldfinger but she had no recollection of the incident. She said that while inside, they looked through receipts and Officer Nelson took some photos. She never heard Officer Nelson refer to or ask about a video. Both Officers then left Goldfinger. Officer Nelson told Officer McWilliams that he would write any necessary reports. They both then left the area.

On **August 25th, 2021**, I called Goldfinger Nightclub and requested to speak with managers "Eddy" and "Glen". I never received a call back.

On **September 21st, 2021**, I responded to Goldfinger and spoke with Managers Lenny and Jeff, I also left a card. Lenny stated that Glen was on vacation for the next week but that he would have Eddy call me.

On the same day, I received a call from **Eddy – Edward Munoz** [REDACTED]. I explained to Eddy the reason for my call and asked if he recalled Officers Weir and Clarke coming to the business and reviewing video. He vaguely recalled them coming to the business (since it was some months ago) and he had no recollection of anything they did or discussed. That was the conclusion of our conversation.

On **September 15th, 2021**, I text Eddy asking for assistance with reaching Glen. He said he would do his best. On this same date, I called Goldfinger and spoke with Jeff and requested a call back from Glen. At the conclusion to our call, it was apparent that Glen was avoiding me and did not want to speak with me.

On **September 21st, 2021** I served Officer Weir with his 5-day notice. We agreed upon an interview date of 9/28/21 at 2p.

On **September 28th, 2021**, I took a sworn, recorded statement from **Officer Robbie Weir**. As we opened the interview, Officer Weir stated that he had no other involvement in this case, in any capacity, then the night in question, 2/2/21. On 2/2/21, Officer Weir was working his regular shift when Sergeant Copas sent him a text, asking him to meet a manager at Goldfinger to review video. He wanted Officer Weir to see if "I could locate the suspect that was involved in the crash from 1/23/21 inside the business". Officer Weir was told that it was unknown if the suspect had been in Goldfinger, he was there to check.

Officer Weir said initially, Officer Nelson was going to go with him but ultimately decided not to. Officer Nelson told Officer Weir that he left him a packet with information to assist him when reviewing video. Officer Weir gave me a copy of the packet, inside was a LPR sheet, David photo, David details, and a subpoena for Goldfinger. The David photo that was provided was completely blackout with no discernable facial features. The subpoena, compelling Goldfinger to provide video had been expired since 2/1/21.

I asked Officer Weir how he was supposed to identify the suspect on video, and Officer Nelson told him to watch BWC to see the suspect. Since we have the plus one rule for GF, Officer Weir asked Officer Clarke to meet him there. Once there, they met with manager Eddie who allowed them to access the camera system. Officer Weir watched approximately 2.5 hours of camera

asked Officer Clarke to meet him there. Once there, they met with manager Eddie who allowed them to access the camera system. Officer Weir watched approximately 2.5 hours of camera footage. He focused on the front doors since there was only one way in and out. He never saw the suspect go in or out. He also viewed video from the bar area but it was very dark and hard to view patrons. Knowing that the alleged suspect passed the front doors of GF in a vehicle, he tried to narrow his search based on that. So, he contacted Officer Nelson to ask him specifically the time timestamp of that event since the camera times were off. Officer Nelson called him and said that Officer Webber had that information. It was too late to call Officer Webber.

Officer Weir located the alleged suspect vehicle on video, the one Officer Nelson had told him about (suspect vehicle passing the front doors). Officer Weir was able to say with complete certainty that was not the same type of vehicle that was involved in the fatal crash. Therefore, making him question if the suspect had even been in the plaza. Officer Weir then stated, "It was my belief that he (suspect) had never been inside GF at all".

When asked why he just didn't take the video, he replied, "They had the wrong vehicle, the wrong business, there was no suspect. The doorman who remembered everything said there was no one who matched that description". He was then asked how he knew the video would erase in a few days, Officer Weir said that he has a tech background and saw the calendar that showed when the video would be erased. He also confirmed it with GF staff. Officers Weir and Clarke then left the business.

While talking outside Officer Weir noticed Hooters had cameras outside, which contradicted what he had been told earlier. Officer Weir then went to Hooters and asked to look at the video. He is able to locate the suspect vehicle in the parking lot of Hooters. He then tried to view interior video but the camera was not functioning, he was unable to say with any certainty if the suspect was inside Hooters. Since all video requests must go through corporate, Officer Weir left his email address so the video could be sent to him. He requested all camera angles during the specific time frame. Officer Weir included Officer Nelson on the email string with corporate early on. Officer Nelson received the video, not Officer Weir.

I then asked Officer Weir if he felt any responsibility to return to GF and get video since he now had the exact time of when our suspect was in the plaza. He said that the manager he met there came just to meet them and left when they did. Even so, Officer Weir still not feel as if he was leaving evidence behind since he viewed the only way in and out during the specific timeframe.

The next morning Officer Weir called Sergeant Copas and informed him of his findings, he also sent text messages and included photos. He told him about the video overwriting itself in 48-72 hours. Next Officer Weir texted and called Officer Nelson. During that conversation, Officer Weir relayed his findings and said, "If you do believe that this guy was in GF that you need to get the video from there, cause it will erase".

Officer Weir said that he never spoke with Officer Nelson about the GF video again. I then asked if it was possible that Officer Nelson had any expectation that you were going to go back and get that GF video? He responded, "There's no way, cause I was in school".

Concerning the Hooters video that depicted the suspect running from GFs, Officer Weir said he did not view that on 2/2/21. That information was realized around 10 days later when they received/reviewed video from Hooters.

Officer Weir said that he had no more involvement in this case. He felt that he went above and beyond to assist Officer Nelson. Officer Weir felt that his involvement level was normal and expected for the unit, that usually the two primary units handle everything. He also pointed out this was his first major (criminal) case he had been involved in during 11 months in the unit.

On **October 7, 2021**, I took a second sworn statement from **Sergeant Copas**. The purpose of the second interview was to clarify the details from a conversation between Sergeant Copas and Officer Nelson. Sergeant Copas stated the first time they spoke about the video from GF was at the 24-Hour Fitness. The details were as follows "...You know I explained to him that the video he obtained the first time was the wrong video and that Officer Weir said that he had a certain amount of time-I believe it was 72 hours, 48 hours, something like that...in order to obtain that video. I told Officer Nelson that he should go over and you know try and obtain the correct video since the first one was the wrong one".

Sergeant Copas said they spoke again about the video either that same day or the next day. Sergeant Copas said that they were in the office. As he walked by Officer Nelson's cubicle, "I stopped to talk to him again and asked he asked me if he should obtain the video. I explained to Officer Nelson that you know, he's the lead investigator, if there is evidence out there that would assist us in any way with the case, that of course, he should obtain the video for evidentiary purpose".

I then asked Sergeant Copas if he felt he was clear with Officer Nelson that he should get the video and he said yes. Sergeant Copas fully expected Officer Nelson to get the video before it erased. I then asked if he was surprised that Officer Nelson did not get the video when it was talked about on 2/18 and he said yes. Sergeant Copas stated that he would have had the same expectations for all his investigators. He would have expected them to get the video, even if only to rule it out.

On **October 4th, 2021**, Officer Nelson was served with his 5-day notice. Over the next few days we finalized a meeting date and time of October 26th, 2021 at 1030a.

On **October 26th, 2021**, I took a sworn taped statement from **Officer Thomas Nelson**. Attorney Gene Gibbons was present. **As questioning goes to Officer Nelson watching video, his dates and sequence of events are out of order. His recollection is vague at times. He often goes back and forth on his answers throughout his statement.**

Officer Nelson stated that he was assigned as the lead investigator based on the callout schedule. His back-up was Kasey Webber. Officer Nelson said that he and Officer Webber found video the night of the accident, that depicted the suspect vehicle (at least they thought so). It was documented through his BWC. Officer Nelson said that there was a technical difficulty in getting a hard copy of the video but that GF staff stated the video would last for 30-45 days. He stated that the delay in going back to GF for video was due to the demands and responsibilities of the investigation.

Officer Nelson said it was at his direction to go get video on 2/2/21. He felt it was necessary to go back and follow-up, on whether the suspect had been inside GF. He worked day shift that day and was unsure if overtime would be given for him to retrieve video that night. "We weren't sure whether overtime was authorized or anything like that, so it was a little sketchy as to the amount" (referring to the amount of OT). He spoke with Officer Weir and they agreed that Weir would bring someone from the road with him to GF. Officer Nelson left a packet for Officer Weir, inside was a DAVID photo, LPR sheet, and an expired subpoena. He acknowledged that the DAVID printout did not depict the suspects' face, he said he only left that since it had the suspects information on it. Officer Nelson also said that the subpoena was expired but that he could get a valid one easily if needed.

According to Officer Nelson, Officer Weir never contacted him while at GF. He spoke to Officer Weir the next day. Officer Nelson said that Officer Weir only piecemealed him information and that "...there was really nothing..." concerning the video. Officer Weir did send him still shots of the real suspect vehicle obtained from Hooters. Officer Nelson's memory was foggy at times. He did recall Officer Weir telling him that the video would erase in the next 48 hours and that he watched about two hours of video and he did not see anything significant. On 2/2/21, Officer Nelson acknowledged that Officer Weir did not watch interior video.

Next, we talk about Sergeant Copas contacting him on 2/3/21. He said they met at 24-hour fitness and Sergeant Copas asked him how the case was going. Sergeant Copas then relayed Officer Weir's findings the night before. He said that Officer Copas told him the video would erase in 48 hours. Officer Nelson said according to Copas and Weir, there was nothing significant found but Officer Nelson does acknowledge that they still did not know where the suspect had been. Officer Nelson said he was not given a direct order from Sergeant Copas to obtain video. Officer Nelson made the decision himself to not get the GF video bc "...I didn't feel that it was a pressing part of the investigation at that time bc there was nothing substantiated by his viewing".

Officer Nelson is "very confident" that the suspect had been drinking in that plaza.

Officer Nelson said that he checked for video at Fins and Things as well. The video he watched was recorded on his BWC. He said the owner is not very cooperative. He further said that he checked all the businesses in the plaza and that he documented it in his report and BWC. As of 2/2/21, he says he has no valuable video. He acknowledged that they still did not know what establishment the suspect had been inside as of 2/2/21 and that interior video from Hooters was not watched the night of 2/2/21.

Officer Nelson continued to speak about the Hooters video. He said that after he received the video from Hooters, he went back to Hooters and requested to see additional camera views. With that inquiry he obtained the patio view, which depicted the suspect leaving GF. This was the first time that Officers were able to determine the establishment that the suspect had been in.

On 2/18/21, Officer Nelson contacted Sergeant Copas to obtain permission to go to GF to get video. He said wanted to get video since the Hooters video confirmed he had been in GF. He has a vague memory of what was discussed.

Upon returning to GF on 2/18/21 with Officer McWilliams, Officer Nelson said he asked about video, credit card receipts and if he could talk to witnesses.

Officer Nelson said he had been in the Traffic Unit around 1.5 years at the time of the crash and that this was his first major case. He said that Sergeant Copas was involved in the progression of the case and that this case was run similar to others from the past. Officer Nelson acknowledged that the case is the responsibility of the lead investigator.



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III. INVESTIGATIVE FINDINGS and DISPOSITION:

If Sergeant Copas' allegations are true, Officers Weir and Nelson would have violated the following:

- **Policy & Procedure: 58.6.6.19.** *Officers or PSAs will obtain any other information related to the crash that may be necessary to ensure thoroughness of the investigation.*
- **Policy & Procedure: 19.6.1.6.** *Members shall not ignore or violate Policy and Procedures, Standard Operating Procedures, or supervisory instructions and/or orders, or fail to properly execute the duties and responsibilities of their assigned position.*

IV: CONCLUSION

- On 1/23/21, a fatal crash occurred at the 4200 block of N. University Dr.
- Officer Nelson is assigned as the lead detective.
- On 1/27/21 at 11:24am, Officers Nelson and Webber responded to Goldfinger and review video. They are able to preserve some exterior video via BWC.
 1. At 1:18pm, Officers Nelson and Webber responded to Fins and Things and requested to see their exterior camera footage. The owner lied, stating the system kept video for 60 days and that the exterior camera belonged to the plaza. (BWC)
 2. At 1:24pm, both Officers respond to the leasing office for the plaza where they are told the camera in question, in fact belongs to Fins and Things. Both Officers

viewed the plaza cameras to verify. Officers do not go back to Fins and Things.
(BWC)

- On **2/2/21**, Sergeant Copas asked Officer Weir to accompany Officer Nelson to Goldfinger to assist in the collection of video evidence. They would be looking for video of the suspect inside Goldfinger. At 7:09pm, Officer Nelson contacted Officer Weir and advised that he would not be going. Officer Nelson directed Officer Weir to a packet on his desk. It contained a DAVID printout with the suspect's face blacked out, an LPR sheet, and an expired subpoena (for Goldfinger). He could not provide Officer Weir with a clothing description.

Officer Weir then responded to Goldfinger shortly after and met with Officer Clarke. They went inside and met with manager, "Eddy" who gave them access to the camera system. They remained there for over two hours, trying to find anything of evidentiary value. After exhausting all avenues, the pair left the building. Officer Weir stated, "It was my belief that he had never been inside Goldfinger at all". He based that thought on not seeing the suspect enter through the front doors and realizing the "alleged suspect vehicle", that was thought to be on Goldfinger video, was actually not the suspect vehicle. Upon leaving, Officer Weir noticed the Hooters restaurant had exterior cameras. Officers Weir and Clarke responded and spoke to manager, Darion Davis.

They were able to (briefly) view exterior video and locate the suspect's vehicle in the Hooters parking lot. This new video depicted the actual suspect vehicle. The manager told them that corporate would have to send them the video, since that was their company policy. Officer Weir requested video for all camera views, from 1/23/21, be emailed to him.

- On **2/3/21 at 10:15am**, Officer Weir contacted Sergeant Copas and notified him of his findings.
 1. At 11:08am, Officer Weir wrote in text to Sergeant Copas, "FYI, I told Tommy, he has about 48hrs left of Goldfinger video before its overwritten". Officer Nelson acknowledged that Officer Weir told him this.
 2. The same day, Sergeant Copas contacted Officer Nelson and met him in the 24-Hour Fitness parking lot. He told Officer Nelson of Weir's finding, to include that the Goldfinger video would overwrite within the next 48 hours. Officer Nelson concurred with Sergeant Copas' statement.
 3. The next day, Sergeant Copas said he spoke to Officer Nelson in the office a second time about getting the Goldfinger video. He reminded Officer Nelson about the 48-

hour deadline and that it was his responsibility to get it. Sergeant Copas felt his orders were clear to Officer Nelson about him needing to get the video. Officer Nelson did not feel as if he was given a direct order to get video.

On or around **2/18/21**, Officer Nelson reviewed the video footage from Hooters. It is discovered that the suspect had a brief confrontation with Goldfinger security as he was leaving their establishment. Officer Nelson called Sergeant Copas and notified him of the findings. He requested permission to return to Goldfinger to try to obtain video. In Sergeant Copas' statement, he referenced his conversation with Officer Nelson on 2/18/21... "I told him there's probably no video because it's probably overwritten as we had spoken about prior ...He (Nelson) advised that he was waiting for the Hooters video to come back so he could see the Hooters video first to find out whether the gentleman was in Hooters or in Goldfinger's..."

On **2/18/21** Sergeant Copas and Officer Weir have a text message exchange about Officer Nelson asking to return to Goldfinger for video. Officer Weir responded, "I swear to God. I TOLD him Goldfinger video is going to overwrite in the next 48hrs..."

On **2/18/21** Officer Nelson goes with Officer Carter, back to Goldfinger in an attempt to obtain video footage from inside Goldfinger. The manager told them (on BWC) that none of the video from 1/23/21 still exists. (BWC)

On **2/19/21** Officer Nelson went to Goldfinger with Road Patrol Officer McWilliams to obtain receipts or documents that would have placed the suspect inside. (BWC)

On **4/15/21** Chief Rosa authorized a criminal inquiry into the anonymous allegation that "Members of the Sunrise Police Department were influenced from an outside sources not to conduct a thorough investigation...did not collect evidence and delayed the retrieval process of video surveillance".

On **6/26/21** Sergeant Loor found the criminal inquiry to be **UNFOUNDED**. The internal investigation related to this inquiry, was given to Internal Affairs Investigator, Sergeant J. Stewart.

In Summary:

I find the following concerning the allegations of:

Policy & Procedure: 58.6.6.19. Officers or PSAs will obtain any other information related to the crash that may be necessary to ensure thoroughness of the investigation.

On 2/2/21, Officer Weir, who had no prior involvement in the investigation, was asked to assist Officer Nelson in the collection of video evidence. Per the text exchange with Sergeant Copas, Officer Weir was to collect video if he found anything of evidentiary value. His assignment was not to go to get video of a certain timeframe.

Officer Weir was told the only connection to Goldfinger was the suspect vehicle driving past the front doors. Officers Weir and Clarke watched over two hours of live video and found nothing of evidentiary value.

On his own accord, Officer Weir went to Hooters looking for additional video and knew enough to collect it (submit request) and take still shots before leaving that night. Furthermore, Officer Weir relayed all of his findings to Sergeant Copas and Officer Nelson, specifying the Goldfinger video would be overwritten in 48 hours. Both of them acknowledged this. Officer Nelson never asked Officer Weir to return at any time to obtain video.

I find that Officer Weir did as he was instructed and even went a step further, by going to Hooters and inquiring about video. Officer Weir passed the responsibility back to Officer Nelson when he relayed his findings and the timeframe that the video would be available.

Based on the totality of the circumstances, this investigator finds the listed policy violation for **Officer Weir:**

EXONERATED

On 1/27/21, per his report and BWC, Officer Nelson went to three businesses in the 3801 N. University Dr plaza, to view video related to his case. (Hooters cameras were not discovered until 2/2/21)

Goldfinger: Officer Nelson obtained some exterior video with the use of his BWC but did not get all views. While there, he is told (on BWC) by management, that the video is only preserved for 2 weeks. Upon leaving, Officers told management they would be back with Crime Scene to obtain more video.

Leasing Office (for plaza): Video was checked but none of the views were relevant to his case.

Fins and Things: The owner told Officer Nelson that the exterior camera belonged to the plaza. He immediately went to the leasing office and while there, he learned that the owner lied about the ownership of the camera. He even acknowledged in his statement that, "She may be trying to hide something". He did not go back to Fins and Things to inquire further.

Officer Nelson does not attempt to get video again (at 3801 N.Univ) until 2/2/21, ten days after the crash, when he sent Officer Weir to Goldfinger. Officer Nelson cited investigative duties, as the cause of his delay in obtaining video. The next time he attempted to get video was on 2/18/21, 28 days after the crash. The video at Goldfinger and Fins and Things had been erased.

In his statement he referenced below, what he knew on 2/2/21:

-Officer Nelson was “very confident” that the suspect had been drinking in the 3801 N. University plaza due to witness statements.

-Officer Nelson knew that this was a vehicular homicide case.

-Officer Nelson said although nothing of evidentiary value was found by Officer Weir, he could not completely rule out Goldfinger.

When asked why he (Officer Nelson) did not get video before the 48-hour window closed, he responded, “...I didn’t feel that it was a pressing part of the investigation at that time because there was nothing substantiated by his viewing (Weir)”. According to Sergeant Copas’ statement, when Officer Nelson called him on 2/18/21, he acknowledged that it was past the 48 hours. Officer Nelson told him he waited because he wanted to watch Hooters video first.

Through my investigation, it became evident that Officer Nelson made a conscience decision, on his own, to not collect Goldfinger video as well as video from Fins and Things. There is also no question that he was aware of the looming deadline of the Goldfinger video. These decisions were clearly negligent, when considering the importance of this investigation.

As the lead investigator, it is his responsibility to obtain all video that could be relevant to the case. The collection of evidence should not hinge on a guess or assumption, but on reasonable thought and possibility. All video should have been obtained and sorted through at a later date. Even an average investigator would be cognizant of video retention times and the necessity to put the collection of such at the top of his priorities. It is also his responsibility to ask his supervisor or peers for assistance, if needed.

Due to his lack of judgement in prioritizing his investigative duties, crucial video evidence was lost. Based on the totality of the circumstances, this investigator finds the listed policy violation for **Officer Nelson:**

SUSTAINED

Concerning the second policy violation, I find the following:

Policy & Procedure: 19.6.1.6. Members shall not ignore or violate Policy and Procedures, Standard Operating Procedures, or supervisory instructions and/or orders, or fail to properly execute the duties and responsibilities of their assigned position.

On 2/2/21, Sergeant Copas asked Officer Weir to respond to Goldfinger and collect video evidence, if he was to find any. Officer Weir only found video of evidentiary value at Hooters, at which time Officer Weir collected that video and relayed his findings to both Sergeant Copas and Officer Nelson. Officer Weir followed his supervisor’s direction. Based on the totality of the circumstances, this investigator finds the listed policy violation for **Officer Weir:**

EXONERATED

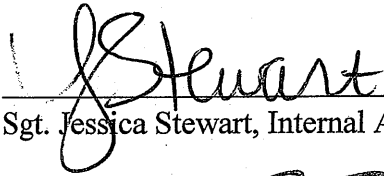
During Sergeant Copas' interview, we discussed two conversations with Officer Nelson pertaining to the Goldfinger video. Sergeant Copas remembered the first conversation at 24-Hour Fitness, during which they discussed the 48-hour timeframe and the need for him to get the video. The second time they spoke about the video, was in their office. Sergeant Copas said he stopped at Officer Nelson's cubicle and reminded him about the video deadline. Officer Nelson asked him if he should get the video. Sergeant Copas responded, if there is possible evidence out there that could help the case, he should get the video. Sergeant Copas felt as if he was clear to Officer Nelson that he should obtain the video. Officer Nelson recalled the conversations but stated Sergeant Copas never gave him a direct order to get the video.

Also considered concerning this policy violation:


- It is standard to collect all video possibly related to your case, in a timely manner, so its reasonable to think Sergeant Copas told him to collect the video.
- Officer Nelson recalled having those conversations with Sergeant Copas but his recollection of the encounters were vague at times.
- All parties agreed that the 48-hour deadline was relayed to Officer Nelson. This again points to a high likelihood that the video and its retention were discussed.
- Officer Nelson made a negligent decision in failing to collect potential video evidence at Fins and Things.
- Based on the failure to collect critical evidence related to his own case, Officer Nelson failed to properly execute the duties and responsibilities of his assigned position.

Based on the totality of the circumstances, this investigator finds the listed policy violation for **Officer Nelson:**

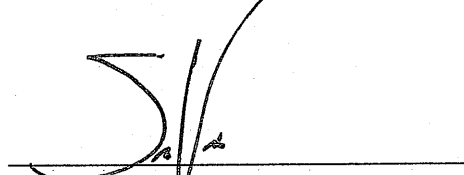
SUSTAINED


Sgt. Jessica Stewart, Internal Affairs

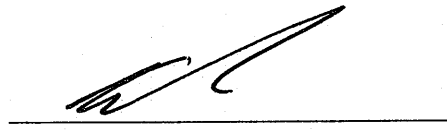
11/18/21
Date


Lt. P. Brian Katz, Internal Affairs

11/18/21
Date


Sean Visners, Deputy Chief

11/22/21
Date


Anthony W. Rosa, Chief of Police

11/22/21
Date