



# SUNRISE POLICE DEPARTMENT

Anthony Rosa  
Chief of Police

10440 W. Oakland Pk. Blvd.  
Sunrise, Florida 33351  
(954) 764-HELP



## Citizen Complaint

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*Preliminary Complaint Report*



Preliminary Complaint Form
Chief of Police – Anthony W. Rosa

Employee's Name: Burstein, David Date: 06/02/2022

P.D. Case/Citation#: 42-2012-044814 I.A. #: Prec# 22-10-01

Alleged Misconduct (Attach additional sheets if necessary):
See attached.

Complainant (print): Ferguson, Cheryl Signature:

Phone (home/Cell): 954-260-5424 Phone (work):

Address: 9354 NW 49th Place Sunrise, FL 33351

Supervisor Receiving Complaint: Sgt. Luis Fernandez LF

Investigation Authorized by: Anthony Rosa, Chief of Police 6/22/22

Investigation Conducted by: LUIS FERNANDEZ, SERGEANT I.A. Investigation: Yes

Findings: [ ] Unfounded [x] Not Sustained [ ] Sustained [ ] Exonerated [ ] Training

Division Commander: [Signature] Date: 11/2/22

Deputy Chief: [Signature] Date: 11/2/22

Recommended Discipline (on Notice of Intent): NOT Sustained

Final Disposition: NOT Sustained

Chief of Police: [Signature] Date: 11/18/22

In signing this report, I acknowledge only that it has been discussed with me and that I have received a copy. I understand that I may respond verbally or in writing, and that such response will be made part of this report and taken into consideration.

Employee's Signature Date

10/10/11

10/10/11

10/10/11

10/10/11

10/10/11

10/10/11

10/10/11

*Written Complaint*

Sheryl Ferguson  
9354 NW 49<sup>th</sup> Place  
Sunrise, Florida 33351

June 2, 2022

Internal Affairs Division - Office Of Chief  
10440 W. Oakland Park Blvd  
Sunrise, FL 33351

Re: Police report dated 6/3/2021

Although I have emailed Chief Rosa with my concerns about a police report dated 6/3/2021 by Officer Burnstein. Per your website, it states that all complaints must be in writing with a signature.

Therefore I am writing regarding my concerns of a police report by Officer Burnstein, dated 6/3/2021, referencing my name. In his report dated 6/3/2021 he indicated that he spoke with me. This is not true. I spoke to Officer Burnstein for the first time on 7/28/2021. He also referenced information of which I do not know to what he is speaking about.

I am requesting to see a communication/ phone log and any and all information pertaining to this report. I would like this matter investigated, and to have the report retracted.

Respectfully,

  
Sheryl Ferguson

*Receiving Supervisor's Complaint  
Summary*

Sunrise Police Department  
Receiving Supervisor's Complaint Summary

On June 2, 2022, I spoke to Dr. Sheryl Ferguson via telephone. During my conversation with Dr. Ferguson, we discussed a variety of topics including the particular details of a case that was documented by Officer A. Mata on December 7, 2020.

This case was in reference to community/homeowner's association funds possibly being misappropriated at Stockbridge Lakes of Springtree. Dr. Ferguson expressed that as a result of her inquiring into the financial activity of the HOA, it caused other citizens to feel as if Dr. Ferguson was responsible for the attorney's fees that were being amassed. At times during the conversation, it was unclear what Dr. Ferguson's intentions or desires were because she did not verbalize them clearly. In an effort to identify her concerns, I asked her what her intent was in regards to any action she desired from this agency.

Dr. Ferguson stated that she wanted the supplemental report that was submitted by Det. David Burstein on June 3, 2021 to be amended to reflect that she and Det. Burstein did not speak on the dates and times listed on that supplemental report. She also requested that the entire supplemental report be retracted.

It should be noted that after Officer Mata's original report was reviewed, it was assigned to Det. Burstein for follow up investigation. After his investigation was completed, Det. Burstein determined that there was insufficient evidence to substantiate any criminal activity involving the alleged matter and notified Dr. Ferguson of such findings. Dr. Ferguson is disputing the contents of Det. Burstein's supplemental report and states that she has only spoken to Det. Burstein on two occasions, July 28, 2021 and on an unknown date in May of 2022, thus causing a discrepancy with the supplemental report authored by Det. Burstein.

At the conclusion of the phone call with Dr. Ferguson, I met with and spoke to Det. Burstein. I inquired with him what methods of communication he utilizes to contact victims, witnesses or suspects during the course of his investigations. He stated that aside from using his desk phone, he also incorporates different phone applications to conceal his phone number.

Det. Burstein stated that among the most frequently used applications he uses is "Google Voice," a popular resource for investigators and detectives. This particular application not only conceals the original caller's number but also provides a different outgoing number display every time a new phone call is originated. I asked him if he utilized Google Voice to contact Dr. Ferguson in the past and he stated that it was highly likely but he could not recall with absolute certainty. It should be noted that at this time, my information gathering was an inquiry and intended to obtain further clarity on this matter from Det. Burstein. Later in the day on June 2, 2022, Dr. Ferguson, sent an email to Chief of Police Anthony Rosa, indicating that she desired a formal complaint regarding a "false police report," referencing the discrepancies in the dates on Det. Burstein's supplemental report.

On June 22nd, 2022, Chief Rosa authorized an investigation into this matter. Later that day, I spoke to Dr. Ferguson via telephone and requested phone records that she possessed that may assist with the investigation (see original complaint). During the conversation, I also informed her that I would be sending her a Sunrise Police Department "Notice of Compliance" addressed to her via United States Postal Service



Certified Mail. The Notice of Compliance was to serve as an official request for information by the Sunrise Police Department from Dr. Ferguson. Later that afternoon, I visually inspected Det. Burstein's call log history on his desk phone. The call directory on the desk phone contained the following tabs/titles: Missed Calls, Received Calls, Placed Calls, Personal Directory, Corporate Directory, Intercom Calls. None of the directories contained any record of a call that was either made or received earlier than April 2022. To specify, any communication prior to April 2022 was not archived in the directories of the phone. The phone on Det. Burstein's desk is a Cisco brand, model Cisco IP Phone 7942. Det. Burstein was not present while I inspected the phone.

On June 23rd, 2022, I sent the above-mentioned Notice of Compliance and it was signed by Dr. Ferguson, who acknowledged receipt for the notice on June 24th, 2022. On the Notice of Compliance, the following message was handwritten by me: "Dr. Ferguson, please provide phone logs or records pertaining to the complaint that we discussed on June 2, 2022. Thank you."

On July 14th, 2022, Dr. Ferguson, contacted me via email and assured me that she had collected documents from her attorney and she would be sending me the information requested "shortly."

On August 1st, 2022, I contacted Dr. Ferguson via email and once again followed up with her regarding the documents she intended to provide.

On August 10th, 2022, Dr. Ferguson responded to the email and stated that she had sent a physical packet via United States Postal Service Certified Mail to the Sunrise Police Department addressed to my attention that was received by Sunrise Police personnel on August 5th, 2022. I confirmed with Dr. Ferguson that I indeed received the packet on August 8th, 2022. I confirmed this information with her later that afternoon (August 10th, 2022, at 1404 hours) via email. I reviewed the contents of the packet and immediately noticed that although there was an abundance of information pertaining to the original case investigation (bank information, pre-arbitration letters, a copy of a petition for arbitration, email conversations), there were no phone records from any major cellular phone providers or any other telecommunications company that would specifically demonstrate a call history from any of Dr. Ferguson's phones or cellular devices. After thoroughly reviewing this information, there was no documentation or proof that would assist in determining whether or not Det. Burstein communicated with Dr. Ferguson.

On August 11th, 2022, I received a series of emails from Dr. Ferguson. In total, Dr. Ferguson sent 5 emails that contained a variety of information. The 5 emails contained bank records, screen shots of a cellular phone and other information that was more pertinent to her Police Information report (Case #42-2012-044814) that documented her interaction with the Home Owner's Association in her neighborhood. That email, labeled "Confidential (1 of 3)" contained an attachment that Dr. Ferguson had saved. In this attachment, Det. Burstein's voice can be heard addressing Dr. Ferguson and Det. Burstein provides his callback numbers since she had missed his call. Det. Burstein states that it is "July 27th at about 3:30 in the afternoon" at the time of his call.

It should be noted that the screenshots of the cellular phones only depict incoming, outgoing and missed calls from "Beirman Sunrise Police" (presumably intended to be Lt. L. Berman, 954-382-7417 however, this number is Det. Burstein's desk number in the Detective Division), "Loore's direct # Sunrise" (possibly Lt. G. Loor, 954-746-3621) and Sunrise PD, 954-746-3370, respectively. The possibility exists that the entries in these call logs can be manipulated or deleted. The possibility also exists that once Dr. Ferguson

placed a call to the main Police Department number, she was transferred to Det. Burstein's desk phone. Therefore, the information that Dr. Ferguson provided is not a completely reliable or credible form of identifying whether or not a phone call by Det. Burstein was placed, received or missed.

On October 3rd, 2022, I issued Det. Burstein a departmental memorandum (commonly referred to as a "5 Day Notice") informing him to make arrangements for an in person investigative interview. Det. Burstein acknowledged and signed the memorandum and informed me that he would be available on the afternoon of October 6th, 2022.

On October 6th, 2022, Det. Burstein met with me in my office located on the second floor of the Sunrise Police Department (Criminal Investigations). Det. Burstein was advised of his non-criminal rights as enumerated on the "Non-Criminal Rights Advisory Form for Sworn Staff" and I also advised Det. Burstein of his Garrity Rights as enumerated on the "Garrity Rights" form. Det. Burstein signed and dated both forms before providing a sworn statement (see statement transcript). During this statement, Det. Burstein informed me that he did not know the exact dates that he spoke to Dr. Ferguson but was certain that it was before June 3rd, 2021 and at the end of April, 2021. He also stated the following: "It is not uncommon for me to be done with an investigation, move on to the next one and then come back in days or weeks later to formally write my supplement to close the report. Where no crime was initially reported and no crime was found."

In summary, I have reviewed this complaint and with the resources available to myself and to this agency, I cannot confirm or identify the inaccuracy described by Dr. Ferguson. The documentation she provided was not pertinent to her complaint regarding a falsified official Sunrise Police Department report/document authored by Det. Burstein. Det. Burstein's supplemental report implies contact was made with Dr. Ferguson prior to June 3, 2021. It should be noted that the alleged inaccurate date complaint does not impact the outcome of the suspected criminal violation. Det. Burstein's report, with regard to this case, has resolved any need for further investigation.

In light of all of the documentation provided by Dr. Ferguson, based on my findings, I recommend this complaint be closed without further investigation and classified as "**Not Sustained**" since there is no information that helps substantiate the claim that Det. Burstein intentionally falsified an official Sunrise Police Department report/document.

No further.

Completed by: \_\_\_\_\_



Sgt. Luis Fernandez

Date: \_\_\_\_\_

10/14/22

*Copy of Police Report*

**Sunrise Police Department**

Incident Case Number: 42-2012-044814

Reporting Agency: Sunrise Police Department

Print Date/Time: 06/02/2022 20:03:49

**Disclaimer: The information contained within this report is reflective of the investigation at the date and time of its printing.**

# INCIDENT/INVESTIGATION REPORT

Agency Name  
*Sunrise Police Department*

ORI  
*0062700*

Case#  
*42-2012-044814*

Date / Time Reported  
*12/07/2020 11:37 Mon*

Last Known Secure  
*12/07/2020 11:37 Mon*

At Found  
*12/07/2020 11:37 Mon*

Location of Incident  
*9354 NW 49TH PL, Sunrise FL 33351*

Gang Relat  
*NO*

Premise Type  
*Residence/home*

Zone/Tract  
*4210*

INCIDENT DATA

#1 Crime Incident(s) (Com)  
*Information*

Weapon / Tools  
Entry Exit Security

Activity

#2 Crime Incident ( )

Weapon / Tools  
Entry Exit Security

Activity

#3 Crime Incident ( )

Weapon / Tools  
Entry Exit Security

Activity

MO

VICTIM

# of Victims <i>0</i>		Type:			Injury:				Domestic: <i>NO</i>			
Victim/Business Name (Last, First, Middle)		Victim of Crime #		DOB	Race	Sex	Relationship To Offender		Resident Status		Military Branch/Status	
Home Address		Email						Home Phone				
Employer Name/Address						Business Phone			Mobile Phone			
VYR	Make	Model	Style	Color		Lic/Lis		VIN				

OTHERS INVOLVED

CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)

Type: <i>INDIVIDUAL (NOT A LE OFFICER)</i>		Injury:									
Code <i>RP</i>	Name (Last, First, Middle) <i>FERGUSON, SHERYL ANTOINETTE</i>		Victim of Crime #	DOB <i>03/27/1970</i>	Race <i>B</i>	Sex <i>F</i>	Relationship To Offender	Resident Status		Military Branch/Status	
Home Address <i>9354 NW 49TH PL SUNRISE, FL 33351</i>		Email						Home Phone <i>954-260-5424</i>			
Employer Name/Address						Business Phone			Mobile Phone		
Type: <i>INDIVIDUAL (NOT A LE OFFICER)</i>		Injury:									
Code <i>IO</i>	Name (Last, First, Middle) <i>STEWART, TREVOR VALENTINE</i>		Victim of Crime #	DOB <i>02/09/1960</i>	Race <i>B</i>	Sex <i>M</i>	Relationship To Offender	Resident Status <i>Resident</i>		Military Branch/Status	
Home Address <i>9221 NW 49TH PL SUNRISE, FL 33351</i>		Email						Home Phone <i>954-553-0008</i>			
Employer Name/Address						Business Phone			Mobile Phone		

PROPERTY

L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found ("OJ" = Recovered for Other Jurisdiction)

VI #	Code	Status Fm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number

Officer/ID# *MATA, A. M. (PATR) (3770)*

Invest ID# *BURSTEIN, D. A. (CI) (3705)* Supervisor *WILDS, M. P. (PATR) (3719)*

Status Complainant Signature Case Status *Inactive* Date *06/03/2021* Case Disposition: Page 2

# Incident Report Additional Name List

Sunrise Police Department

OCA: 42-2012-044814

## Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) IO 2	SCHNEIDER, RUTH		03/30/1949	71	W	F
Address	9382 NW 49TH PL, SUNRISE, FL 33351-		H: 954-387-0857			
Empl/Addr			B: - -			
			Mobile #: - -			

# INCIDENT/INVESTIGATION REPORT

Sunrise Police Department

Case # 42-2012-044814

Status Codes L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found

	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
D R U G S						

Assisting Officers

Suspect Hate / Bias Motivated: *NONE (NO BIAS)*

NARRATIVE

REPORTING OFFICER NARRATIVE

Sunrise Police Department

OCA
42-2012-044814
Date / Time Reported
Mon 12/07/2020 11:37

Victim	Offense
	INFORMATION

Information

9354 NW 49th PL Sunrise, FL  
BWC Active

On 12/07/2020, contact was made with Sheryl Ferguson in reference community funds possibly being improperly allocated.

Sheryl advised this year she participated in the Stockbridge Lakes of Springtree community homeowner's association election. Sheryl ran for the position of board member and advised she was denied the position by homeowner association president, Trevor Stewart. After being denied the position, Sheryl stated she contacted the community's management company which houses the community's financial files, Delta Management Solutions Inc (7300 W McNab Rd Tamarac, FL 33321).

Sheryl advised she was allowed access to the year 2019 file and part of the year 2020 file. Upon reviewing the files, Sheryl stated she noticed roughly \$58,000 dollars in the year 2019 was taken out of the community account in cash. Then she noticed roughly \$31,000 dollars in the year 2020 was also taken out in cash. She advised the money was taken out by way of checks in different amounts throughout both years. However, Sheryl was not about to provide an exact dollar amount for either year for the total amount of money taken out.

The amount of cash taken out for the year 2019 and 2020 was alarming to Sheryl because she advised the checks did not list a recipient or a description to indicate what exactly the money was being used for. Sheryl stated her community lacks several improvements that could have been resolved if the money were properly allocated. The checks were signed by Trevor Stewart and homeowner's association secretary, Ruth Schneider.

Sheryl wished to document her findings with a police report because she plans to have an investigation conducted. I asked Sheryl if she's discussed her findings with Trevor and she advised she had not due to Trevor being what she described as verbally abusive to her in the past.

Under penalties of perjury I declare that I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge and belief.

Electronically signed by: (3770) Mata, Amanda: 12/07/2020 1352 hours (military time)



Sunrise Police Department

OCA: 422012044814

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: INACTIVE

Case Mng Status: CLOSED – NONCRIMINAL

Occurred: 12/07/2020

Offense: INFORMATION

Investigator: MCWILLIAMS, R. L. (3778)

Date / Time: 04/22/2021 17:41:57, Thursday

Supervisor: MCGOVERN, T. T. (3699)

Supervisor Review Date / Time: 04/25/2021 13:19:26, Sunday

Contact:

Reference: Patrol Assist

On 04/22/21, I was dispatched to 9345 NW 49th PL. and met with Sherly Ferguson DOB 03/27/1970. Ms. Ferguson advised she was instructed to contact SNPD to hand over pertinent documentation in reference to a previous case 42-2012-044814. I retrieved a white storage box containing a large amount of miscellaneous bank documents. Ms. Ferguson signed off on a property receipt and the property was later submitted into evidence, L41.

No further information at this time.

Under penalties of perjury I declare that I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge and belief.

Electronically signed by: #3778, McWilliams, R., Date: 04/22/2021.



Investigator Signature



Supervisor Signature

Sunrise Police Department

OCA: 422012044814

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: INACTIVE

Case Mng Status: CLOSED – NONCRIMINAL

Occurred: 12/07/2020

Offense: INFORMATION

Investigator: BURSTEIN, D. A. (3705)

Date / Time: 06/03/2021 15:28:30, Thursday

Supervisor: REARDON, R. R. (3654)

Supervisor Review Date / Time: 06/08/2021 16:53:46, Tuesday

Contact:

Reference: Follow Up

This case was assigned to me for follow-up investigation. This case involves concerns from the reporting party that HOA funds were being stolen or used inappropriately. A bankers box of documents was delivered to the Police Department by the reporting party that she believes contain the evidence to support these concerns. My initial review of these documents did not reveal any unlawful activity in the accounts. I also followed up with the property management company who provided the ledger and receipts of how cash is spent from the account. I also learned that the reporting party reported this concern to multiple investigative sources, including a licensing board that authorizes homeowners associations. The licensing board also determined there was no wrongdoing.

I notified the reporting party that my investigation did not reveal any criminal activity. I suggested the reporting party contact a forensic accountant and request that the accountant review the documents.

This information report is closed.

Under penalties of perjury I declare that I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge and belief.

Electronically signed by:  
IBM 3705 Burstein, David  
06/03/2021 1530 hours

Investigator Signature

Supervisor Signature