



MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # 160-2013

LETTER TO COMMISSION

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jimmy Morales City Manager
Jose Smith, City Attorney

DATE: May 2, 2013

SUBJECT: Intent to Discipline

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The purpose of this Letter to the Commission is to provide the status of the City's intent to discipline Dispatcher Damian Janee.

On April 30, 2013 Mr. Janee was served with notice of the City's intent to terminate him from his position as dispatcher. A predetermination hearing will be held on Tuesday, May 7, 2013. At the predetermination hearing, Mr. Janee will be afforded the opportunity to respond to the charges and facts in the "Intent to Discipline" document. Following the predetermination hearing, a final decision as to the disciplinary action of termination will be made, and Mr. Janee will be served with a "Final Action" document. Thereafter, Mr. Janee may grieve or appeal the final decision.

On March 5, 2013, while Mr. Janee was working as a fire dispatcher with the Miami Beach Police Department, Public Safety Communications Unit, a call was received in reference to a male who had fallen at home and was unable to move. The call was received by a call-taker at 9:10 a.m., and was transmitted to Mr. Janee by the call-taker on the Computer Aided Dispatch (CAD) system at 9:12 a.m. The call was designated as a "Priority 1" defined as a critical situation. A few seconds later, Mr. Janee assigned Fire Rescue Unit 22 to the call on the CAD system, but made no dispatch of the call by radio as required by City policy. As a result, Rescue Unit 22 did not acknowledge or proceed to the call.

Fourteen minutes later, at 9:26 a.m., Mr. Janee dispatched the call by radio to Rescue Unit 22. The call was acknowledged by Rescue Unit 22 and they proceeded to the call. At 9:26 a.m., Mr. Janee also updated the CAD system to indicate that Rescue Unit 22 had acknowledged the call and was en route. At 9:27 a.m., Mr. Janee falsified the CAD report by indicating that Rescue Unit 22 was en route at 9:13 a.m.

As there is an ongoing Internal Affairs investigation related to the circumstances of this incident as well as threatened litigation by the widow of the decedent, we would respectfully request that we do not discuss this case publicly until such time that the investigation has been completed.

If you have any questions, please feel free to contact either of us.

JLM/JS