



CITY OF WILTON MANORS

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"THE ISLAND CITY"

**Date:** September 17, 2010  
**From:** Joseph L. Gallegos, City Manager  
**RE:** Administration of Discipline Chief Richard Perez - Investigation Conclusion

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Investigation Conclusions

I have concluded the investigation into all emails recovered by the City IT department sent by you during the 16 week period of April 20, 2010 through August 11, 2010. It was found that during that time, you sent 3,759 emails in the course of operations, of which 86 were determined to contain inappropriate content.

These e-mails are clearly derogatory, culturally insensitive and contain racially inappropriate content and are therefore, a clear violation of City conduct standards and policies contained in the City's: Personnel Rules and Regulations Section 12-15 Use of the City's Computer and Other Electronic Systems; Police Department Policy 112.1 Computer Systems and Electronic Communications. It is common knowledge that Law Enforcement Officers, by virtue of their profession, are held to a higher standard of conduct and professionalism. Such higher standard is aptly described in the Florida Department of Law Enforcement's Officer Ethical Standards of Conduct. The standards are even higher for a Chief of Police whose function is to be a leader, coach, mentor, disciplinarian, standard bearer and example for both the members of the police department and the community we all serve. On Friday September 17, at 9:00 a.m. the City Attorney and I conducted a pre-determination hearing with you, which is provided to all employees of the City as a step in the process, prior to administration of discipline or separation. At that time, you apologized for your conduct, admitted readily that you had "no excuses" for your conduct, and if given the opportunity to continue in your position, would not again repeat the violations and will work your hardest to re-build trust in the community. During your tenure you have had a positive influence on the Department and the community; a factor that mitigates in your favor and against a more severe level of punishment. I have decided the following:

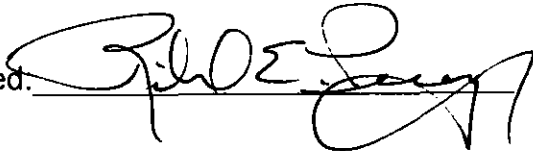
Conclusion:

- Based on the gravity of the offense which is inexcusable and indefensible, but also in consideration of the mitigation factor noted above, outside of immediate

separation, I am imposing discipline and will suspend you without pay for 30 days. Your suspension will begin on Monday, September 20, 2010.

- During that time you are hereby ordered to undergo racial and cultural sensitivity training; you must attend an effective management development course as determined appropriate by the City's Human Resources Director; and you must thoroughly review the Law Enforcement Officer Ethical Standards of Conduct created by the Florida Department of Law Enforcement (a copy is attached). Any failure to complete the specified regimen will be cause for immediate termination of your employment.

Signed as received.

A handwritten signature in black ink, appearing to read "Gilbert", written over a horizontal line.



# City of Wilton Manors

2020 Wilton Drive • Wilton Manors, Florida 33305 • (954) 390-2100 • FAX (954) 390-2199

**Gary Resnick**  
Mayor

**Justin S. Flippen**  
Vice Mayor

**Ted Galatis**  
Commissioner

**Tom Green**  
Commissioner

**Scott Newton**  
Commissioner

**Joseph L. Gallegos**  
City Manager

**Kerry Ezrol**  
City Attorney

TO: Police Chief Richard E. Perez

FROM: Joseph L. Gallegos, City Manager

DATE: September 14, 2010

COPY: City Attorney  
Human Resources Department

SUBJECT: Pre Determination Hearing

An in-house review has been conducted of inappropriate e-mails sent from your City computer. You are scheduled for a Pre-Determination Hearing in my office on Friday, September 16, 2010, at 9:00 A.M. at which time you may present to me any additional information you deem appropriate.

  
\_\_\_\_\_  
Joseph L. Gallegos





**DEPARTMENT OF HUMAN RESOURCES**

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TO: Joseph L. Gallegos, City Manager  
FROM: Brenda J. Clanton, HR Director  
COPY: Kerry Ezrol, City Attorney  
Leigh Ann Henderson, Assistant City Manager  
DATE: September 13, 2010  
SUBJECT: Report of Review

City staff has reviewed all e-mails sent from the computer in the office of the Chief of Police Richard Perez from the period of April 20, 2010, through August 11, 2010. A log of the e-mails considered to be non-business related and questionable in nature is attached for your information. The e-mails I have personally reviewed are clearly derogatory, culturally insensitive and contain racially charged content. There appears to be a clear violation of City conduct standards and policies such as: Personnel Rules and Regulations Section 12-15 Use of the City's Computer and Other Electronic Systems; Police Department Policy 112.1 Computer Systems and Electronic Communications. It is common knowledge that Law Enforcement Officers, by virtue of their profession, are held to a higher standard of conduct and professionalism. That standard would be expected to be even higher for a Chief of Police whose function is to be a leader, coach, mentor, disciplinarian, standard bearer and example for both the members of the police department and the community we all serve.

Conclusion:

- After the review of e-mails, it appears that Chief Perez misused the City email system for personal purposes unrelated to City business by circulating several clearly derogatory, culturally insensitive and racial documents and videos, resulting in negative media attention detrimental to the City's interest. These actions will have a negative effect on the position of Police Chief, on the Police Chief's ability to interact with other police department and general employees in the City, and finally, perhaps irreparable damage to the Police Chief's credibility in our community. The actions of Police Chief Perez are therefore a Group III offense and a Group II (8) offense under the City's Personnel Rules and Safety Regulations, Section 15: Code of Conduct and Disciplinary Measures.

  
Brenda J. Clanton

Chief Richard Perez  
Sent Emails  
April 20- August 11, 2010

Subject	Date/Time	Number of Recipients		Comment
		Total	Staff	
Seawall in Veracruz, Spain...	8/9/10 4:41PM	1		N
Ringtone for Americans	8/6/10 3:02PM	2		N
Imagine being a cop in San Francisco	8/2/10 1:25PM	1		N
What a working desk says about a person's mind	8/2/10 12:49PM	1		N
What a working desk says about a person's mind	8/2/10 12:48PM	1	1	Y
Boycotting Arizona	7/26/10 2:56PM	4	2	N
Math Class	7/23/10 3:05PM	1		N
Mom's Memory...	7/23/10 2:27PM	1		N
Mom's Memory	7/23/10 2:25PM	4	2	N
RE: Mom's Memory...	7/23/10 2:24PM	2		Y
Math Class	7/23/10 9:26AM	1		Y
Pelosium	7/23/10 9:17AM	3		Y
How to help the US economy...PP	7/22/10 9:00AM	5	2	N
How to help the US economy...PP	7/22/10 8:59AM	7		Y
Math Class	7/21/10 4:59PM	2	1	N
Math Class	7/21/10 2:32PM	1		Y
Math Class	7/21/10 2:29PM	1		N
Math Class	7/21/10 2:27PM	1	1	N
Math Class	7/21/10 9:42AM	1		N
Math Class	7/21/10 9:29AM	1	1	N
5 Management Lessons!	7/21/10 9:27AM	1		Y
Math Class	7/21/10 9:22AM	2		Y
5 Management Lessons!	7/21/10 9:12AM	1	1	N
5 Management Lessons!	7/20/10 3:27PM	2		N
5 Management Lessons!	7/20/10 3:22PM	2	2	Y
Motivational Posters	7/20/10 1:09PM	1	1	N
Motivational Posters	7/19/10 6:20PM	1	1	N
Motivational Posters	7/19/10 12:29PM	2	1	N
Motivational Posters	7/19/10 12:26PM	1		N
Motivational Posters	7/19/10 12:25PM	1	1	N
Motivational Posters	7/19/10 10:44AM	1		Y
Motivational Posters	7/19/10 10:03AM	1		N
Motivational Posters	7/19/10 10:02AM	1	1	Y

Chief Richard Perez

Sent Emails

April 20- August 11, 2010

Motivational Posters	7/19/10 10:01AM	5	1	N
Motivational Posters	7/19/10 10:01AM	3		Y
RE: The Pastor's Ass	7/7/10 9:05AM	1	1	Y
A Really Bad Night	7/6/10 1:30PM	1		N
A Really Bad Night	7/6/10 12:38PM	2		N
Down Home Wedding	6/30/10 9:56AM	3	1	N
Doggone it	6/24/10 4:07PM	3		N
Tickets to World Cup	6/24/10 3:20PM	3		N
Mexican Olympic Slalom Practice	6/24/10 3:13PM	2		N
Stupid is, as stupid does...	6/4/10 12:57PM	2		N
How to get men to wash their hands	6/2/10 9:44AM	4		Y
Don Cherry -- you've got to love this guy!!	6/2/10 9:43AM	4	2	N
Plug up the hole!	6/2/10 9:07AM	1		Y
Three New Navy Ships	6/2/10 9:11AM	3	2	N
Jack Webb & Obama	6/2/10 9:38AM	1		N
Jack Webb & Obama	6/1/10 3:11PM	1	1	N
Jack Webb & Obama	6/1/10 3:11PM	1	1	N
Jack Webb & Obama	6/1/10 9:26AM	4	2	N
Jon Voight (via Elliott Constantine)	5/28/10 11:47AM	3		N
Hormone guide - Men need to memorize it	5/27/10 2:52PM	6	1	N
Sounds Like Phil	5/27/10 2:30PM	3	1	N
The Irish	5/27/10 2:51PM	1		N
The Irish	5/27/10 2:22PM	2	1	N
Good morning Mame	5/27/10 2:20PM	1	1	N
Blazing Saddles	5/27/10 2:19PM	1		N
Oil Spill Clean Up Call...	5/27/10 12:35PM	1		N
Oil Spill Clean Up Call...	5/27/10 12:27PM	2	1	N
Oil Spill Clean Up Call...	5/27/10 11:54AM	3	1	N
Girls with a sexy sense of humor	5/24/10 4:36PM	3		N
Girls with a sexy sense of humor	5/24/10 12:01PM	2		N
GREAT BAR ROOM SIGNS	5/21/10 1:20PM	3	3	N
GREAT BAR ROOM SIGNS	5/21/10 12:03PM	2		N
Men are so romantic	5/21/2010 1:08PM	2		N
Seen at a Nascar race...	5/10/10 11:26AM	2		N
Why Republican Men are Happier....	5/7/2010	3	1	N
You Decide	5/4/10 1:11PM	2	1	N
RE: You Decide	5/3/10 9:31AM	2		Y

Chief Richard Perez

Sent Emails

April 20- August 11, 2010

Homeless Signs	4/29/10 1:56PM	3			N
Homeless Signs	4/29/10 1:28PM	1	1		Y
Homeless Signs	4/29/10 1:24PM	1	1		Y
Homeless Signs	4/29/10 11:31AM	6	1		N
Pics of Crowd at Searchlight, Nevada Tea Party	4/27/10 2:18PM	1			N
Pics of Crowd at Searchlight, Nevada Tea Party	4/27/10 2:17PM	2			N
Pics of Crowd at Searchlight, Nevada Tea Party	4/27/10 1:20PM	1			N
Have to bury the goldfish	4/27/10 11:17AM	5			N
Late Night on Obama	4/21/10 1:39PM	1			N
Late Night on Obama	4/21/10 1:39PM	3	2		N
Late Night on Obama	4/21/10 1:38PM	2			Y
Stickers are Getting Angrier These Days	4/20/2010 10:47AM	1			N
Stickers are Getting Angrier These Days	4/20/2010 10:47AM	2			N
Stickers are Getting Angrier These Days	4/20/2010 10:47AM	2			N

## **12-15 USE OF THE CITY'S COMPUTER AND OTHER ELECTRONIC SYSTEMS**

This section establishes the City's policy on the use of the City's computer and electronic systems, including, but not limited to, electronic mail (E-mail), the telephone system, and voice mail; and is applicable to all employees of the City. Every employee has an obligation to utilize the City's computer/electronic systems and all related equipment, programs, and software in a responsible and professional manner. Accordingly, the City's computer and electronic systems are to be used for business purposes only. All documents, memoranda, and messages, whether formal or informal, should be composed and responded to in a manner consistent with the high standards of professional conduct practiced by the City. It is the policy of this City that the use of the City's computer and electronic systems to transmit any derogatory language, whether racial, sexual, or otherwise, is unacceptable conduct and will not be tolerated.

To ensure the business and professional integrity of the City's computer and electronic systems, the City reserves the right to access, monitor, and review, at any time, with or without notice to employees, all electronic mail and voice mail messages and memoranda sent and received. Although employees may be provided a system log-on or password, this log-on or password does not grant the employee any expectation of privacy. Further, the City reserves the right to maintain any and all messages and memoranda sent or received through the City's computer and electronic systems; the use of a deletion keystroke/option does not necessarily mean that a document has been eliminated from the system.