

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

MIAMI DIVISION

CASE NO.: 13-24312-CIV-GRAHAM

EARL SAMPSON, et al.,

Plaintiffs,

v.

THE CITY OF MIAMI GARDENS, et al.,

Defendants.

AFFIDAVIT OF JOSE ROSADO

BEFORE ME, the undersigned authority, personally appeared Jose Rosado, who, after being duly sworn, deposes and states upon personal knowledge, as follows:

1. I was employed with the City of Miami Gardens as a Police Officer from since October of 2007 until present. I have been suspended with pay since March 2014.
2. I was there as soon as the Department started and left Broward and came to Miami Gardens.
3. I have been in the military for 23 years, I currently am a reservist and hold the rank of Tech Sergeant (E6).
4. I worked road patrol from 2007 to 2012.
5. Prior to joining the City of Miami Gardens I was a Police Officer in Broward.
6. I have been a certified police officer since graduating the academy in July 2005 .

7. At the police academy I was instructed that in order to make contact with a citizen the contact had to be pursuant to a consensual encounter, based upon reasonable suspicion or probable cause that a crime was being committed, or pursuant to a warrant.
8. First started CST in March of 2012 with Chris Schulman, Cherry Nettles and Eugene Williams.
9. The Supervisor was Buddy Hunholz. There was a short interlude where Major Chapman went to operations and came back to investigations as the Major. This was during my time with CST, from 2012 through March 2014.
10. Major Chapman addressed me during my time at CST o numerous and played an active role in telling us what to do.
11. During the time that Sergeant Santiago was my supervisor, he reported to Major Chapman directly bypassing the captain.
12. The Crime Suppression Team (CST) is a specialized unit within the Miami Garden's Police Department that was dedicated to proactive policing/violent crime identification/surveillance in high crime areas/whatever else they claimed.
13. Major Chapman at some point between 2010 and somewhere in beginning of 2012 told me we needed to target black males from ages 15-30. I know the time frames because it was before I went to CST.
14. Major Chapman was conducting roll call and he said we needed to do more field contacts and be more productive. If we didn't do field contacts (FI's) that would be reflected in our evaluations. He also said that all crimes in the city were being committed by black males ages 15-30 and that we needed to stop all such males.

15. Chapman also told me, “if you arrest somebody for open containers its just as good as arresting them for homicide.”
16. Chapman never showed me or anyone else in my presence any statistics or data to back up his comments. He specifically said that whenever we did field contacts, the crime rate was lowered.
17. I don’t recall who was in roll call when he made the comment about black males 15 to 30, but do recall we had an acting Sergeant at the time.
18. Buddy Hunholz wanted activity, but he never told us to stop black ages 15-30, males to be stopped.
19. Most of the supervisors I worked for would show me and the other officers present in roll calls the number of FI’s, and would tell us who was doing good and who wasn’t. Everything was a competition. Major Chapman would write comments on our monthly activity sheets such as “way to be proactive, keep up the FI’s.”
20. Chapman told us to stop black males even if they were in front of their house. I remember once the black male was arrested with a pistol in his book bag. From that point on Chapman told us that black males with book bags were suspicious and he wanted us to stop them. Chapman told me and other members of the CST to stop black males with book bags.
21. Chapman told me and other members of CST to go to Crystal Lakes Apartment and other apartment complexes throughout the City and to trespass and FI all blacks we encountered. Many of the people that we trespassed or FI’d lived in the apartment complexes

22. I felt pressure to generate FI's during the periods of 2010-2013. We had to produce FI's because that would dictate whether we got a raise or not. I have a family to support so I thought of them.
23. Chapman would assign officers all out details (for extra pay) which some officers called FI details, but if you didn't generate enough FI's, then you wouldn't get anymore extra pay assignments. He once told me and several officers I was with, "if you don't give me FI's, I won't bring you on these details anymore."
24. Some officers called All Out Details, FI details and open container details.
25. Open containers and trespassing was emphasized and pushed.
26. Chapman was always with Deputy Miller, even during roll call, even when Chapman would emphasize FI's. They never told anyone not to violate other people's rights.
27. I have never received training on who to field contact. Chapman never rejected any of the FI's I was producing as a member of CST.
28. Everyone in the department all have access to the Record Management System (RMS) (Chapman and Miller). I was never trained on zero tolerance or that I had to confirm anything with the owner.
29. Chapman would send email to everyone who showed people's statistics relating to FI's and would also send emails asking officers to sign up for all out details ("FI" details. Chapman would emphasize that only officers who were "proactive" would get to sign up.
30. CST does not have video cameras. Some people form RAD (Rapid Action Deployment Unit) who were assigned to vehicles with cameras were transferred by

Chapman to CST. The officers who were transferred were Jimmy Sanchez, James Harris, Carlos Velez.

31. Every Officer that I worked with, myself included identified people as suspicious when they weren't because it was mandated by Chapman to do so.
32. I recall that after this lawsuit was filed Chapman was very worried to see his name on the lawsuit. Sgt. Martin Santiago told me he Chapman told him that he thought he was going to be fired so he was trying to put his house on the market.
33. One day two or three weeks after lawsuit was filed, Chapman and Santiago were in the CST office discussing going after Alex the owner of the Quickstop.
34. At this meeting Chapman was doing most of the talking. Chapman stated he was going to call the FBI in to investigate Alex. I never saw Chapman make the call but the next day the FBI showed up. Chapman told us to stay away from the store because they were going to conduct an investigation. It was a well-known fact that Santiago was Chapman's right hand man. They both had worked at the NYPD. I know they called in the FBI because I heard them talking about making the call. I heard them say that Alex was a criminal and they wanted to make sure that he went down. I heard them make up stories that Alex was doing more EBT (food stamp) transactions than Publix. I also heard them say that Alex was sending money to the Middle East.
35. Chapman and Santiago would talk about how they did things in NYPD and they wanted to turn Miami Gardens into the NYPD. I challenged Santiago about stopping people without reasonable suspicion but he told me that's what Chapman wanted. Chapman told me and other members of CST that whenever we targeted black males in particular areas, and field contacted them, crime lowered.

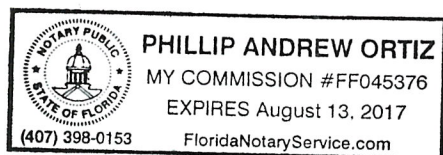
36. All Chapman wanted us to do was generate numbers. He forced us to burn our CST undercover cars and undercover status to make arrests for open container.
37. Additionally, Tiffany Britton, the police legal advisor and Chapman, ordered us to do search warrants for the sole purpose of doing nuisance abatements on homes throughout the City. They created a system in which they would try to give people large fines and place liens on their homes even if only small amounts of narcotics were located and even when cases were dismissed.
38. I never reported any misconduct I witnessed by Chapman or anyone else because in 2009, I went to the State Attorney's Office Public Corruption Unit to report that I was ordered by a high ranking official in my department to change an arrest report and unarrest an individual, however, Deputy Chief Miller told IA Captain Marylin Gonzalez to tell me that if I didn't drop my allegations with the public corruption unit, I would be fired. So I did, and then I wasn't fired.

FURTHER AFFIANT SAYETH NAUGHT.

Affiant has caused this Affidavit to be executed this 22 day of January, 2015.

[Signature]
AFFIANT

The foregoing instrument was acknowledged before me this 22 day of January, 2015 by Jose Rosado, who is personally known to me or who has produced Drivers License as identification.



[Signature]
NOTARY PUBLIC, State of Florida at Large