

TO: Capt. Pat Schneider

DEPT: Miami Beach P.D. I.D. 02-0395

FROM: [Redacted]

DIVISION DC/PC PHONE 347-7464

COURT: Judge Gerald Klein

POLICE CASE NUMBER 1A-88-10

COURT CASE NUMBER 91-24039

DEFENDANT(S) ROBERT HINDSVADT

STATUTE

CHARGE

837.012
837.012

1 Perjury not in official proceeding
2 Perjury not in official proceeding
3
4
5

- () 1. The above case was dismissed by Judge _____ on _____ at _____ M.
() 2. The above case was continued by Judge _____ on _____ at _____ M.
() 3. Officer failed to appear on above court date.
() 4. Civilian witness failed to appear on above court date.
() 5. Charges dismissed on motion - see below.
(X) 6. The above case was Nolle Prossed - see below.
() 7. The defendant entered a plea on _____
A: () Plead Guilty () Plead No Contest
B: To Charges _____
C: () Adjudicated () Adjudication Withheld
D: Charges dropped _____
() 8. The defendant was sentenced on _____
A: () Jail _____ to be served _____ suspended _____
B: () Fine _____ to be paid _____ suspended _____
C: Probation _____
D: License Suspension _____
() 9. The defendant was in compliance.
() 10. The defendant had made restitution.
() 11. The defendant was not a first offender.

MEMO

The Defendant is a Miami Beach Police Officer who was charged with two counts of misdemeanor perjury based on false statements he made under oath during a hearing... statements taken by the Miami Beach Police Internal Affairs Division. The statements in question were made in response to questions regarding the Defendant's prior drug use. The Defendant had admitted to two senior officers - Capt. Steve Robbins and Sgt. Joe Matthews - that he and his wife had used drugs. This information was corroborated by a former civilian employee of the department, Roseann Stoller. The allegations surfaced during the investigation into the murder of Mark... Officer Scott Rakow being conducted by Robbins and Matthews. Hindsvadt was determined to be a friend of some of the individuals who were convicted in the murder and was suspected of having impeded the investigation by discouraging a key witness from cooperating out of fear that his drug use would be exposed. The Defendant's denial under oath that he made the admissions to Robbins and Matthews and that he had ever used drugs led to the filing of this case.

CONTINUED ON PAGE 2

If you have any questions or wish to discuss this matter, please contact the above listed Assistant State Attorney/Legal Assistant.

DISPOSITION BY: ASA [Signature]
DATE: 12/6/91 DIVISION CHIEF: [Signature]

Page 2 of 91-240100

The case was well processed following Judge Klein's suppression of the Garrity statements. The Judge's ruling was predicated on the failure of the Internal Affairs Division to inform the Defendant that lying during the Garrity statements could result in perjury charges. Following a discussion with Assistant State Attorney Richard Shiffritz, Chief of the Legal Division, it was determined that the case would not be appealed.

IN THE COUNTY COURT, IN AND FOR DADE COUNTY, FLORIDA

THE STATE OF FLORIDA v.
ROBERT HUNDEVADT

INFORMATION FOR
I. PERJURY NOT IN AN OFFICIAL
PROCEEDING
II. PERJURY NOT IN AN OFFICIAL
PROCEEDING

Defendant(s)

IN THE NAME AND BY AUTHORITY OF THE STATE OF FLORIDA:

I, JOSEPH M. CENTORINO, Assistant State Attorney of the Eleventh
Judicial Circuit of Florida, on the authority of JANET RENG, State Attorney, prosecuting
for the State of Florida, in the County of Dade, under oath, information makes that
ROBERT HUNDEVADT

on the 10th day of October, 1988, in the County and State aforesaid,
did unlawfully make a false statement, which he did not believe to be true,
under oath, administered by a person authorized by law to administer oaths,
to wit: SERGEANT PAUL SCHNEIDER of the City of Miami Beach Police Department
Internal Affairs Office, in regard to an issue material to an investigation
conducted by said office, in substance and effect as follows: That he, ROBERT
HUNDEVADT, had never used COCAINE in violation of Florida Statute 837.012,
contrary to the form of the Statute in such cases made and provided, and
against the peace and dignity of the State of Florida, and, further, that the
said ROBERT HUNDEVADT is a public officer, to wit: A City of Miami Beach Police
Officer, and the said offense is based upon misconduct in office by the said
ROBERT HUNDEVADT, which extends the time for commencement of this action
pursuant to Florida Statute 775.15(3)(6),

contrary to the form of the Statute in such cases made and provided, and against the
peace and dignity of the State of Florida.

JMC:js 12/5/90
DIRECT FILE
NO ARRESTED-PERSONAL SERVICE
W/M DOB:10/23/56
Hgt:6'1" Wgt:180 lbs.
Hr:Brn Eyes:Brn

T331:CityInfoMultiCt71:1/90

COUNT 17

I, JOSEPH M. CENTORINO, Assistant State Attorney of the Eleventh Judicial Circuit of Florida, on the authority of JANET RENO, State Attorney, prosecuting for the State of Florida, in the County of Dade, under oath, information makes that ROBERT HUNDEVADT

On or about

On the 10th day of October 1988 in the County and State aforesaid, ~~did unlawfully make a false statement, which he did not believe to be true, under oath, administered by a person authorized by law to administer oaths, to wit: SERGEANT PAT SCHNEIDER of the City of Miami Beach Police Department Internal Affairs Office, in regard to an issue material to an investigation conducted by said office, in substance and effect as follows: That he, ROBERT HUNDEVADT, had not admitted to LIEUTENANT STEVE ROBBINS and/or SERGEANT JOSEPH MATTHEWS of the Miami Beach Police Department on July 20, 1988, that he had used COCAINE in violation of Florida Statute 837.012, contrary to the form of the Statute in such cases made and provided, and against the peace and dignity of the State of Florida, and, further, that the said ROBERT HUNDEVADT is a public officer, to wit: A City of Miami Beach Police Officer, and the said offense is based upon misconduct in office by the said ROBERT HUNDEVADT, which extends the time for commencement of this action pursuant to Florida Statute 775.15(3)(6),~~

contrary to the form of the Statute in such cases made and provided, and against the peace and dignity of the State of Florida.

STATE OF FLORIDA, COUNTY OF DADE:

Personally appeared before me, the Assistant State Attorney of the Eleventh Judicial Circuit of Florida, whose signature appears below, and being first duly sworn, says that the allegations set forth in this information are based upon facts which have been sworn to as true, and which if true, would constitute the offenses therein charged, and that this prosecution is instituted in good faith.

Assistant State Attorney
Florida Bar # 592889

Sworn to and subscribed before me this _____ day of _____ 1988



By _____
Deputy Clerk for the Clerk of the Courts
or Notary Public