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## LAKE COUNTY

# Mascotte police are dealing with yet another accusation of illegal wiretapping

By Lauren Ritchie  
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One Mascotte police officer has accused a colleague of illegally wiretapping him, and the state agrees but won't file charges. (CNN)

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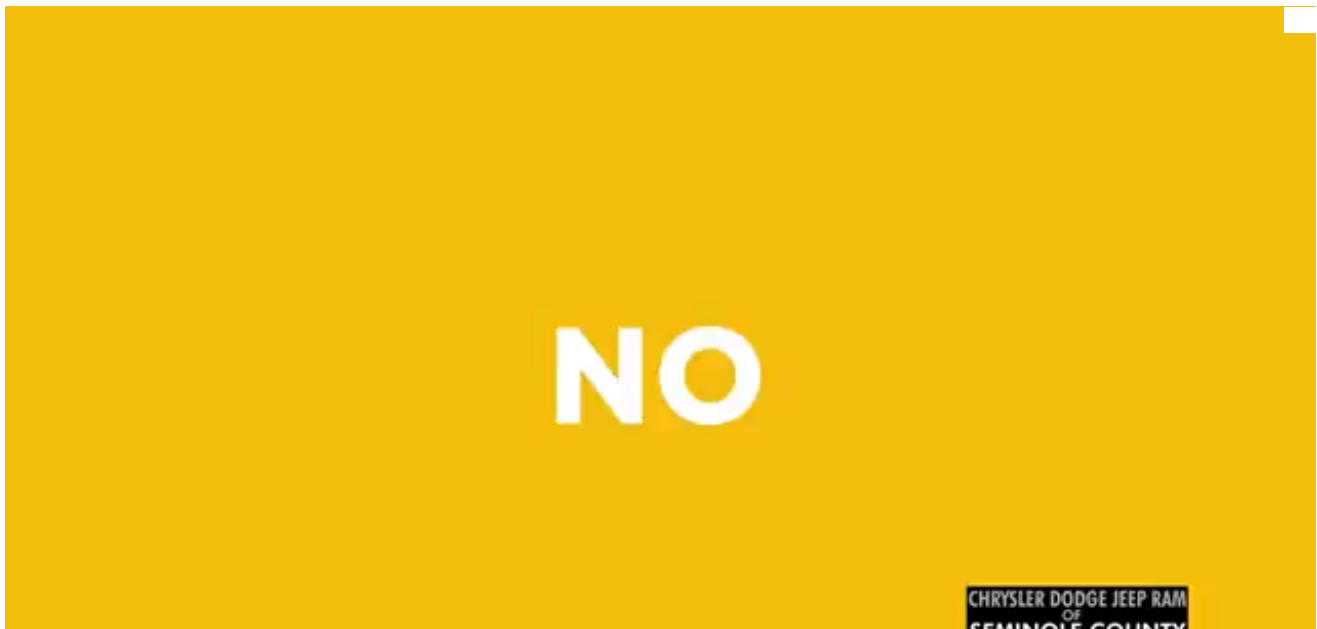


For several years, former Mascotte police Chief Rolando Banasco was accused of illegally recording some of his officers, sometimes using the footage to call in other officers for a big ol' laugh when the missus scolded the henpecked officer.

FEEDBACK

Hardy-har.

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Banasco finally left amid a swirl of accusations and a series of lawsuits. He used a body camera, for example, to video the firing of an officer who was nearly 64 at the time, and who later filed one of the lawsuits, accounting for a \$250,000 settlement.

After all the fuss about the cameras and their improper use, common sense declares that an officer from Mascotte would be quite careful of what his or her body camera recorded. But, no.

There's always one guy who doesn't get it, isn't there? And the winner this week is Rafael Betancourt, who currently is under internal investigation after the state attorney declined to file criminal charges against him.

The lawyer who heads the state attorney's office in Tavares noted that "there is no doubt that Rafael Betancourt knowingly and intentionally recorded a conversation" without the knowledge or consent of a fellow officer, which is a felony in Florida. Since the recording is only 30 seconds, Walter Forgie stated, "there is almost no likelihood" of Betancourt being convicted at trial.

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Oh, how frustrating. So what if Bentancourt isn't convicted? The job of state attorney isn't — or shouldn't be — all about convictions. The state acknowledged the officer broke the law, yet won't charge him. Such a course of deliberate inaction harms a community struggling to improve its police department. The state should have more faith that jurors in Lake County would do the right thing.

After all, Mascotte has been a hotbed of controversy literally for years over illegal wiretapping with body cameras. So for an officer to secretly record a conversation with a colleague, even for less than a minute, can be described only one way: Stupid.

The latest improper taping allegation started Sept. 14, when Mascotte Officer Richard Madrid met a deputy sheriff to complain that Betancourt, 43, had wiretapped him. Some states allow taping when only one party knows of the recording, but state law here prohibits taping people without their knowledge and consent.

Madrid found the recording of what he described as "small talk" on a city computer server and made a copy. Sheriff's detectives turned the case over to the state attorney for review.

And no wonder Madrid, 38, was touchy about the recording.

Mascotte was hit with five lawsuits from police officers in recent years and has paid \$440,000 in settlements after officers complained about Banasco. The allegations involved favoritism, reverse discrimination and illegal wiretapping. The city sought to defend him.

The former chief, who was hired while under investigation by the state Department of Corrections, left Mascotte in December 2015 after more than a year of turmoil and unending allegations of wrongdoing.

The city replaced Banasco with Eric Pedersen, who had 31 years in law enforcement, including 28 with Orlando. He was a sergeant for 12 years in an agency where sergeants supervise more people than the entire Mascotte department. He spent seven years as a lieutenant and at times supervised 11 sergeants and 120 officers in the field.

Pedersen has done a fine job but, as we all know, fixing stupid is just about impossible. Some folks get it. Some don't. The internal investigation isn't done yet.

Pedersen said last week that for the most part, the body cameras officers routinely wear on the street have been helpful. They have served to clear officers of wrongdoing after complaints. But cameras also can capture officers doing things they shouldn't, so the recording can cut both ways. It's nice to have a case in which there is video — that way there's no denying or twisting the facts.

Still, if one officer doesn't understand the breach of trust in violating Florida's wiretap law, chances seem high that others don't either. Departments must make sure that officers understand the law when they're issued body cameras. Taping one another is no joke.

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