BUSINESS RECORD CERTIFICATION

Pursuant to Sections 90.803(6) and 90.902(11 Florida Statutes

I Kristin D Allfrey am currently employed with:

(Print name of affiant) Business Name: Alachua Co Sheriff's Office

Business Address: _____

2. I a custodian of records maintained by our business.

3. The attached record(s) are either originals or duplicate copies described as:

Medical Records

4. The attached record(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters.

5. The attached record(s) were kept in the course of the regularly conducted activity of our business.

6. The attached record(s) were made as a regular practice in the course of the regularly conducted activity of our business.

7. I am aware that falsely making this Certification or Declaration would subject me to criminal penalty under the laws of the foreign or domestic location in which this certification or declaration was signed.I do hereby swear or affirm that this certification and the attached records are true and accurate.

K Allfrey

(Affiant Signature)

BEFORE ME, the undersigned authority, personally _____ appeared who was duly sworn under oath and who did sign the above Business Record Certification. Certification thisday of The affiant is ✓ personally known to me or has presented as identification.

Cynthia Milam

NOTARY PUBLIC (print name)

Cynthia Milam

NOTARY PUBLIC (sign name) My Commission Expires:

CYNTHIA C. MILAM
Commission # HH 166924
Expires September 12, 2025
Bonded Thru Troy Fain Insurance 800-385-7019

BUSINESS RECORD CERTIFICATION

Pursuant to Sections 90.803(6) and 90.902(11), Florida Statutes

1. I Kaley Behl am currently employed with:
(Print name of affiant)

Business Name: Alachua County Sheriff's Office

Business Address: 2621 SE Hawthorne Road
Gainesville, FL 32641

2. I am a custodian of records maintained by our business.

3. The attached record(s) are either originals or duplicate copies described as:
Policies and procedures relating to hiring, social media, promotions employee discipline, OPS investigations, Record, Leave and Vacation.

4. The attached record(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters.

5. The attached record(s) were kept in the course of the regularly conducted activity of our business.

6. The attached records(s) were made as a regular practice in the course of the regularly conducted activity of our business.

7. I am aware that falsely making this Certification or Declaration would subject me to criminal penalty under the laws of the foreign or domestic location in which this certification or declaration was signed.

8. I have signed this Certificate under oath.

I do hereby swear or affirm that this certification and the attached records are true and accurate.

(Affiant Signature)

BEFORE ME, the undersigned authority, personally appeared Kaley Behl, who was duly sworn under oath and who did sign the above Certification on 5/10/2023.

The affiant is
X personally known to me or
____ has presented _____ as identification.

Courtney Barreca
NOTARY PUBLIC (print name)

Courtney Barreca
NOTARY PUBLIC (sign name)
My Commission Expires: 11/12/2026

COURTNEY BARRECA
MY COMMISSION # HH 329388
EXPIRES: November 12, 2026

BUSINESS RECORD CERTIFICATION

Pursuant to Sections 90.803(6) and 90.902(11), Florida Statutes

1. I Patty Justice am currently employed with:
(Print name of affiant)

Business Name: Alachua County Sheriffs Office

Business Address: 2621 SE Hawthorne Road
Gainesville FL 32641

2. I am a custodian of records maintained by our business. Accounting and Budget Bureau Records - PB

3. The attached record(s) are either originals or duplicate copies described as:
See attached 1 page document titled "Sheriff Clovis Watson, Jr. Travel Records"

4. The attached record(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters.

5. The attached record(s) were kept in the course of the regularly conducted activity of our business.

6. The attached records(s) were made as a regular practice in the course of the regularly conducted activity of our business.

7. I am aware that falsely making this Certification or Declaration would subject me to criminal penalty under the laws of the foreign or domestic location in which this certification or declaration was signed.

8. I have signed this Certificate under oath.

I do hereby swear or affirm that this certification and the attached records are true and accurate.

Patty Justice
(Affiant Signature)

BEFORE ME, the undersigned authority, personally appeared Patty Justice, who was duly sworn under oath and who did sign the above Certification on 5-18-2023.

The affiant is
✓ personally known to me or
_____ has presented _____ as identification.

Katherine Goodpaster
NOTARY PUBLIC (print name)

Katherine Goodpaster
NOTARY PUBLIC (sign name)
My Commission Expires: _____

KATHERINE GOODPASTER
Commission # HH 161234
Expires August 4, 2025
Bonded Thru Troy Fain Insurance 800-385-7019

Sheriff Clovis Watson, Jr. Travel Records
Prepared by: Patty Justice
5/17/2023

Patty Justice ID# 0332

Event	Date	Check#	Amount	Description	Items Included
2021 Winter Conference	2/17/2021	182653	$413.40	Registration & Fuel	Check stub, Training/Travel Authorization and Voucher, Visa statement 3 pages, FSA Registration Auto Receipt, FSA Registration receipt confirmation email, 2021 Winter Conference Agenda, Fuel email, Fuel Approval to Pay form
2021 Summer Conference	7/20/2021	184386	$82.00	Meal Allowance	Check stub, Training/Travel Authorization and Voucher, 2021 Summer Conference Agenda 2 pages, Check stub with void notes, Email string re: void 2 pages, Cleared & Voided Check Entry, Stop Payment, 2021 Registration Pending 2 pages, Hotel Reservation Confirmation 2 pages, email string re: tax exempt, tax exempt certificate, trip directions 2 pages, email from fsa 2 pages
2021 Summer Conference	7/22/2021	184428	$527.48	Registration & Hotel Deposit	Check stub, Training/Travel Authorization and Voucher, Visa statement 3 pages, FSA Registration Auto Receipt, Approval to Pay form, 2021 Summer Conference Registration Pending 2 pages, Hotel Reservation Confirmation 2 pages, email string re: tax exempt, tax exempt certificate, 2021 summer conference agenda 2 pages, Fl Sheriffs Insitute Certificate.
2021 Summer Conference	8/20/2021	184762	$299.52	Hotel	Check stub, Training/Travel Authorization and Voucher, Visa statement 3 pages, Hotel receipt
2022 Winter Conference	1/19/2022	186283	$350.00	Registration	Check stub, Visa statement 3 pages, FSA Registration Auto Receipt, 2022 Winter Conference email from fsa with itinerary 3 pages, FDLE letter.
2022 Winter Conference	2/17/2022	186634	$581.76	Hotel	Check stub, Visa statement 3 pages, Hotel invoice 2 pages, 2022 Winter Conference Agenda 2 pages, Summary 2022 Winter Conference 2 pages, Approval to Pay form.
2022 Summer Conference	6/21/2022	187830	$577.86	Registration & Hotel	Check stub, Visa statement 3 pages, Hotel reservation confirmation 3 pages, FSA registration auto receipt, Approval to pay form, FDLE letter
2022 Summer Conference	8/17/2022	188406	$414.00	Hotel	Check stub, Visa statement 3 pages, Hotel receipt, Hotel invoice , 2022 Summer conference agenda 6 pages, Approval to pay form.
2023 Winter Conference	1/20/2023	189752	$350.00	Registration	Check stub, Visa statement 3 pages, FSA email re: 2023 Winter conference 3 pages
2023 Winter Conference	2/21/2023	190037	$354.00	Hotel	Check stub, Visa statement 3 pages, Hotel receipt.
Nat'l Police Week Washington, DC	Cancelled Trip	Waiting on Credit Card Stmt	$257.81	Flight	Training/Travel Authorization and Voucher, 2023 Police Week schedule 2 pages, Flight Trip Confirmation 2 pages, Hotel reservation confirmation 3 pages, $60 Flight refund 4 pages, Hotel reservation cancellation 3 pages, Hotel email 2 pages

BUSINESS RECORD CERTIFICATION

Pursuant to Sections 90.803(6) and 90.902(11), Florida Statutes

1. I Reshone Flanders am currently employed with:
(Print name of affiant)

Business Name: Alachua County Sheriff's Office

Business Address: 2621 SE Hawthorne Road

Gainesville, FL 32641

2. I am a custodian of records maintained by our business.

3. The attached record(s) are either originals or duplicate copies described as:
Please see attached for a list of records provided

4. The attached record(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters.

5. The attached record(s) were kept in the course of the regularly conducted activity of our business.

6. The attached records(s) were made as a regular practice in the course of the regularly conducted activity of our business.

7. I am aware that falsely making this Certification or Declaration would subject me to criminal penalty under the laws of the foreign or domestic location in which this certification or declaration was signed.

8. I have signed this Certificate under oath.

I do hereby swear or affirm that this certification and the attached records are true and accurate.

Reshone N. Flanders
(Affiant Signature)

BEFORE ME, the undersigned authority, personally appeared Reshone Flanders, who was duly sworn under oath and who did sign the above Certification on 5/31/2023.

The affiant is
X personally known to me or
____ has presented _____ as identification.

Sean Kerns
NOTARY PUBLIC (print name)

Sean Kerns
NOTARY PUBLIC (sign name)
My Commission Expires: 4/21/2027

SEAN KERNS
Commission # HH 389326
Expires April 21, 2027

The following items were provided as requested:

Any and all records regarding the hiring process including but not limited to, applications, background checks, polygraphs, agility tests, psychological evaluations, emails, and interoffice communications for the following:

- Joshua Lamar
- Landon Brooks
- Cleveland Cox
- Joel Coppock

Also provided is a copy of all discipline records on file for the following employees:

- Latrell Simmons
- Howard Adams
- Denise Scott
- Andrew Martin
- Mykhael Morris-Brown
- Annie Waller
- Jon Hoover

BUSINESS RECORD CERTIFICATION

Pursuant to Sections 90.803(6) and 90.902(11), Florida Statutes

1. I Kristin Allfrey (Print name of affiant) am currently employed with:

Business Name: Alachua Co Sheriff's Office

Business Address: 2621 SE Hawthorne Rd
Gainesville FL

2. I am a custodian of records maintained by our business.

3. The attached record(s) are either originals or duplicate copies described as:
Please See attached

4. The attached record(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters.

5. The attached record(s) were kept in the course of the regularly conducted activity of our business.

6. The attached records(s) were made as a regular practice in the course of the regularly conducted activity of our business.

7. I am aware that falsely making this Certification or Declaration would subject me to criminal penalty under the laws of the foreign or domestic location in which this certification or declaration was signed.

8. I have signed this Certificate under oath.

I do hereby swear or affirm that this certification and the attached records are true and accurate.

K Allfrey
(Affiant Signature)

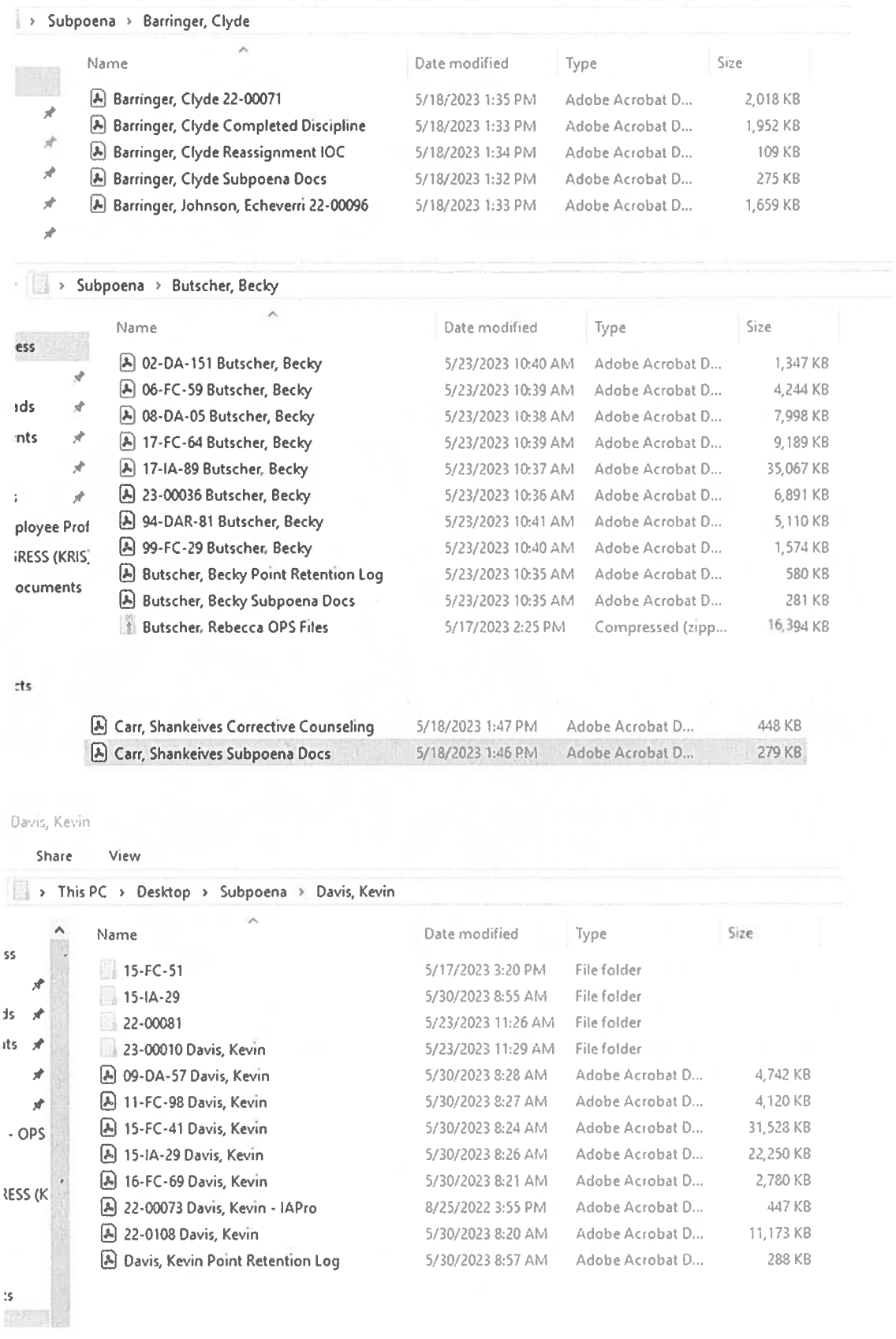
BEFORE ME, the undersigned authority, personally appeared Kristin Allfrey who was duly sworn under oath and who did sign the above Certification on _____.

The affiant is
X personally known to me or
_____ has presented _____ as identification.

Sandi K. Hayes
NOTARY PUBLIC (print name)

Sandi K. Hayes
NOTARY PUBLIC (sign name)
My Commission Expires:

SANDI KAY HAYES
Commission # HH 102613
Expires April 20, 2025
Bonded Thru Troy Fain Insurance 800-385-7019



› Subpoena › Barringer, Clyde

Name	Date modified	Type	Size
Barringer, Clyde 22-00071	5/18/2023 1:35 PM	Adobe Acrobat D...	2,018 KB
Barringer, Clyde Completed Discipline	5/18/2023 1:33 PM	Adobe Acrobat D...	1,952 KB
Barringer, Clyde Reassignment IOC	5/18/2023 1:34 PM	Adobe Acrobat D...	109 KB
Barringer, Clyde Subpoena Docs	5/18/2023 1:32 PM	Adobe Acrobat D...	275 KB
Barringer, Johnson, Echeverri 22-00096	5/18/2023 1:33 PM	Adobe Acrobat D...	1,659 KB

› Subpoena › Butscher, Becky

Name	Date modified	Type	Size
02-DA-151 Butscher, Becky	5/23/2023 10:40 AM	Adobe Acrobat D...	1,347 KB
06-FC-59 Butscher, Becky	5/23/2023 10:39 AM	Adobe Acrobat D...	4,244 KB
08-DA-05 Butscher, Becky	5/23/2023 10:38 AM	Adobe Acrobat D...	7,998 KB
17-FC-64 Butscher, Becky	5/23/2023 10:39 AM	Adobe Acrobat D...	9,189 KB
17-IA-89 Butscher, Becky	5/23/2023 10:37 AM	Adobe Acrobat D...	35,067 KB
23-00036 Butscher, Becky	5/23/2023 10:36 AM	Adobe Acrobat D...	6,891 KB
94-DAR-81 Butscher, Becky	5/23/2023 10:41 AM	Adobe Acrobat D...	5,110 KB
99-FC-29 Butscher, Becky	5/23/2023 10:40 AM	Adobe Acrobat D...	1,574 KB
Butscher, Becky Point Retention Log	5/23/2023 10:35 AM	Adobe Acrobat D...	580 KB
Butscher, Becky Subpoena Docs	5/23/2023 10:35 AM	Adobe Acrobat D...	281 KB
Butscher, Rebecca OPS Files	5/17/2023 2:25 PM	Compressed (zipp...	16,394 KB

Carr, Shankeives Corrective Counseling	5/18/2023 1:47 PM	Adobe Acrobat D...	448 KB
Carr, Shankeives Subpoena Docs	5/18/2023 1:46 PM	Adobe Acrobat D...	279 KB

Davis, Kevin

Share View

› This PC › Desktop › Subpoena › Davis, Kevin

Name	Date modified	Type	Size
15-FC-51	5/17/2023 3:20 PM	File folder	
15-IA-29	5/30/2023 8:55 AM	File folder	
22-00081	5/23/2023 11:26 AM	File folder	
23-00010 Davis, Kevin	5/23/2023 11:29 AM	File folder	
09-DA-57 Davis, Kevin	5/30/2023 8:28 AM	Adobe Acrobat D...	4,742 KB
11-FC-98 Davis, Kevin	5/30/2023 8:27 AM	Adobe Acrobat D...	4,120 KB
15-FC-41 Davis, Kevin	5/30/2023 8:24 AM	Adobe Acrobat D...	31,528 KB
15-IA-29 Davis, Kevin	5/30/2023 8:26 AM	Adobe Acrobat D...	22,250 KB
16-FC-69 Davis, Kevin	5/30/2023 8:21 AM	Adobe Acrobat D...	2,780 KB
22-00073 Davis, Kevin - IAPro	8/25/2022 3:55 PM	Adobe Acrobat D...	447 KB
22-0108 Davis, Kevin	5/30/2023 8:20 AM	Adobe Acrobat D...	11,173 KB
Davis, Kevin Point Retention Log	5/30/2023 8:57 AM	Adobe Acrobat D...	288 KB

Devinny, Travis

Share View

› Subpoena › Devinny, Travis

Name	Date modified	Type	Size
17-FC-66 Devinny, Travis	5/18/2023 1:51 PM	Adobe Acrobat D...	1,026 KB
Devinny Travis 04-DA-99	5/18/2023 1:52 PM	Adobe Acrobat D...	3,333 KB
Devinny Travis Subpoena Initiated Docs	5/18/2023 1:49 PM	Adobe Acrobat D...	259 KB
Devinny, Travis 02-DA-142	5/18/2023 1:52 PM	Adobe Acrobat D...	2,375 KB
Devinny, Travis 17-FC-23	5/18/2023 1:51 PM	Adobe Acrobat D...	3,477 KB
Devinny, Travis Complaint 2.21.23	5/18/2023 1:50 PM	Adobe Acrobat D...	1,499 KB
Devinny, Travis Point Retention Log	5/18/2023 1:50 PM	Adobe Acrobat D...	308 KB
Devinny, Travis Subpoena Docs	5/18/2023 1:50 PM	Adobe Acrobat D...	264 KB
Devinny, Travis, 19-FC-07	5/18/2023 1:50 PM	Adobe Acrobat D...	3,506 KB

Drake, Charles

Share View

› Subpoena › Drake, Charles

Name	Date modified	Type	Size
Drake Charles completed discipline 12.11...	5/18/2023 1:30 PM	Adobe Acrobat D...	2,126 KB
Drake, Charles 12-FC-73	5/18/2023 1:31 PM	Adobe Acrobat D...	2,944 KB
Drake, Charles 14-FC-85 Completed Disci...	5/18/2023 1:31 PM	Adobe Acrobat D...	3,185 KB
Drake, Charles 18-FC-61	5/18/2023 1:30 PM	Adobe Acrobat D...	3,667 KB
Drake, Charles 19-FC-87	5/18/2023 1:29 PM	Adobe Acrobat D...	3,396 KB
Drake, Charles 19-FC-88	5/18/2023 1:29 PM	Adobe Acrobat D...	3,530 KB
Drake, Charles Point Retention Log	5/18/2023 1:28 PM	Adobe Acrobat D...	556 KB
Drake, Charles Subpoena Docs	5/18/2023 1:28 PM	Adobe Acrobat D...	260 KB

Echarvari, John

Share View

› Subpoena › Echarvari, John

Name	Date modified	Type	Size
20-AI-12 Citizen Complaint	5/30/2023 7:57 AM	Adobe Acrobat D...	467 KB
Echarvari, John Subpoena Docs	5/18/2023 1:23 PM	Adobe Acrobat D...	716 KB

Share View

› Subpoena › Hardy, James

Name	Date modified	Type	Size
incident-169_files	5/23/2023 10:52 AM	Compressed (zipp...	20,620 KB
James Hardy Subpoena for Docs	5/23/2023 10:54 AM	Adobe Acrobat D...	619 KB

Hollingsworth, Erica

Share View

› Subpoena › Hollingsworth, Erica

Name	Date modified	Type	Size
Hollingsworth, Erica 22-00120	5/18/2023 1:49 PM	Adobe Acrobat D...	15,989 KB
Hollingsworth, Erica Subpoena Docs	5/18/2023 1:47 PM	Adobe Acrobat D...	281 KB

Share View

› Subpoena › James, Pam

Name	Date modified	Type	Size
James, Pam 22-00109	5/18/2023 1:35 PM	Adobe Acrobat D...	2,986 KB
James, Pam Subpoena Docs	5/18/2023 1:35 PM	Adobe Acrobat D...	260 KB

Jenkins, Kelvin

Share View

› Subpoena › Jenkins, Kelvin

Name	Date modified	Type	Size
VIDEO_TS	5/25/2023 4:23 PM	File folder	
00-FC-201 Jenkins, Kelvin	5/25/2023 4:14 PM	Adobe Acrobat D...	1,874 KB
03-DA-188 Jenkins, Kelvin	5/25/2023 4:15 PM	Adobe Acrobat D...	527 KB
05-DA-120 Jenkins, Kelvin	5/25/2023 4:16 PM	Adobe Acrobat D...	1,095 KB
06-DA-88 Jenkins, Kelvin	5/25/2023 4:16 PM	Adobe Acrobat D...	1,529 KB
15-FC-55 Jenkins, Kelvin	5/25/2023 4:17 PM	Adobe Acrobat D...	5,455 KB
99-DA-64 Jenkins, Kelvin	5/25/2023 4:11 PM	Adobe Acrobat D...	719 KB
99-DA-104 Jenkins, Kelvin	5/25/2023 4:11 PM	Adobe Acrobat D...	839 KB
99-DA-204 Jenkins, Kelvin	5/25/2023 4:12 PM	Adobe Acrobat D...	1,405 KB
99-DA-221 and 226 Jenkins, Kelvin	5/25/2023 4:12 PM	Adobe Acrobat D...	2,316 KB
Jenkins, Kelvin Point Retention Log	5/25/2023 4:10 PM	Adobe Acrobat D...	635 KB
Jenkins, Kelvin Subpoena Docs	5/25/2023 4:09 PM	Adobe Acrobat D...	264 KB

Johnson, Tiaquandra

Home Share View

› Subpoena › Johnson, Tiaquandra

Name	Date modified	Type	Size
Johnson, Tiaquandra Subpoena Correctiv...	5/18/2023 1:20 PM	Adobe Acrobat D...	663 KB

Kutner, Brandon

Share View

› Subpoena › Kutner, Brandon

Name	Date modified	Type	Size
BKutner email 8.19.2021	5/18/2023 4:07 PM	Outlook Item	134 KB
Complaint Receipt email 10.17.2021	5/18/2023 4:13 PM	Outlook Item	94 KB
email BKutner 21-FT-13 Officer Involved ...	5/18/2023 4:09 PM	Outlook Item	122 KB
Kutner, Brandon Subpoena for Docs	5/18/2023 4:52 PM	Adobe Acrobat D...	258 KB

Lemmon, James

Share View

› Subpoena › Lemmon, James

Name	Date modified	Type	Size
20-IA-81 incident files	5/23/2023 11:13 AM	Compressed (zipp...	406,153 KB
20-IA-81 Lemmon, James	5/18/2023 4:51 PM	Adobe Acrobat D...	16,474 KB
22-00137 Lemmon, James	5/23/2023 11:12 AM	Adobe Acrobat D...	127 KB
Lemmon, James Point Retention	5/18/2023 4:49 PM	Adobe Acrobat D...	247 KB

Litzkow, Carlton

Share View

› Subpoena › Litzkow, Carlton

Name	Date modified	Type	Size
incident-12_files 22-FT-16	5/17/2023 2:31 PM	Compressed (zipp...	572,215 KB
incident-524_files - 23-00069 Complaint	5/17/2023 2:34 PM	Compressed (zipp...	2,082 KB
Litzkow, Carlton 23-00069 Complaint	5/17/2023 2:35 PM	Adobe Acrobat D...	95 KB
Litzkow, Carlton Point Retention Log	5/17/2023 2:39 PM	Adobe Acrobat D...	251 KB

Marzouk, Nancy

Share View

› Subpoena › Marzouk, Nancy

Name	Date modified	Type	Size
Marouk, Nancy 19-FC-06	5/18/2023 1:36 PM	Adobe Acrobat D...	3,401 KB
Marzouk, Nancy 13-FC-29	5/18/2023 1:46 PM	Adobe Acrobat D...	2,763 KB
Marzouk, Nancy 13-FC-42	5/18/2023 1:37 PM	Adobe Acrobat D...	2,270 KB
Marzouk, Nancy 13-FC-63	5/18/2023 1:37 PM	Adobe Acrobat D...	3,043 KB
Marzouk, Nancy Corrective Counsel 3.2.23	5/18/2023 1:36 PM	Adobe Acrobat D...	284 KB
Marzouk, Nancy Point Retention Log	5/18/2023 1:36 PM	Adobe Acrobat D...	315 KB
Marzouk, Nancy Subpoena Docs	5/18/2023 1:36 PM	Adobe Acrobat D...	275 KB

Row, Camille

Share View

› Subpoena › Row, Camille

Name	Date modified	Type	Size
Rowe, Camille 21-FC-12	5/18/2023 1:28 PM	Adobe Acrobat D...	13,555 KB
Rowe, Camille Corrective Counseling	5/18/2023 1:26 PM	Adobe Acrobat D...	212 KB
Rowe, Camille	5/18/2023 1:26 PM	Adobe Acrobat D...	260 KB

Short, Corey

Share View

› Subpoena › Short, Corey

Name	Date modified	Type	Size
06-FC-103 Short, Corey	5/18/2023 4:59 PM	Adobe Acrobat D...	5,008 KB
07-FC-157 Short, Corey	5/18/2023 4:57 PM	Adobe Acrobat D...	4,020 KB
17-FC-19 Short, Corey	5/18/2023 4:56 PM	Adobe Acrobat D...	8,963 KB
20-FC-82 Short, Corey	5/18/2023 4:56 PM	Adobe Acrobat D...	5,911 KB
22-IA-27 Short, Corey	5/18/2023 4:55 PM	Adobe Acrobat D...	30,224 KB
Short, Corey Point Retention Log	5/18/2023 10:36 AM	Adobe Acrobat D...	342 KB

Stanley, Glen

Share View

› Subpoena › Stanley, Glen

Name	Date modified	Type	Size
POWELL2_141028_003	10/28/2014 10:08 ...	MP3 Format Sound	3,716 KB
Stanley, Glen 14-FC-88	5/18/2023 2:04 PM	Adobe Acrobat D...	11,746 KB
Stanley, Glen 22-00187	5/18/2023 2:01 PM	Adobe Acrobat D...	4,664 KB
Stanley, Glen 22-FC-79	5/18/2023 2:01 PM	Adobe Acrobat D...	1,558 KB
Stanley, Glen Point Retention Log	5/18/2023 2:00 PM	Adobe Acrobat D...	288 KB
Stanley, Glen Subpoena for Docs	5/18/2023 2:00 PM	Adobe Acrobat D...	258 KB

Waller, Annie

Share View

› Subpoena › Waller, Annie

Name	Date modified	Type	Size
Waller, Annie 21-FC-77	5/18/2023 1:18 PM	Compressed (zipp...	285,884 KB

Warren, Corey

Share View

› Subpoena › Warren, Corey

Name	Date modified	Type	Size
21-IA-112 Warren, Corey	5/18/2023 1:25 PM	Adobe Acrobat D...	7,323 KB
Warren, Corey 01-FC-136	5/18/2023 1:26 PM	Adobe Acrobat D...	2,825 KB
Warren, Corey 14-IA-07	5/18/2023 1:25 PM	Adobe Acrobat D...	3,903 KB
Warren, Corey Point Retention Log	5/18/2023 1:24 PM	Adobe Acrobat D...	297 KB
Warren,Corey Subpoena	5/18/2023 1:23 PM	Adobe Acrobat D...	261 KB

Williams, Frank

Share View

› Subpoena › Williams, Frank

Name	Date modified	Type	Size
22-00067 Williams, Frank	5/25/2023 1:45 PM	Adobe Acrobat D...	7,400 KB
23-00011 Williams, Frank	5/25/2023 1:49 PM	Adobe Acrobat D...	21,337 KB
Williams, F Audio and Vido Files	5/17/2023 4:38 PM	Compressed (zipp...	60,957 KB
Williams, Frank Subpoena Docs	5/25/2023 1:44 PM	Adobe Acrobat D...	299 KB

Wolf, Gary

Share View

› Subpoena › Wolf, Gary

Name	Date modified	Type	Size
21-FC-73 Wolf, Gary Completed Discipline	5/18/2023 1:57 PM	Adobe Acrobat D...	7,850 KB
Wolf Gary 20-FC-09 Completed Discipline	5/18/2023 1:58 PM	Adobe Acrobat D...	2,332 KB
Wolf, Gary 13-IA-91	5/18/2023 2:00 PM	Adobe Acrobat D...	6,132 KB
Wolf, Gary Point Retention Log	5/18/2023 1:56 PM	Adobe Acrobat D...	300 KB
Wolf, Gary Subpoena for Docs	5/18/2023 1:56 PM	Adobe Acrobat D...	258 KB
Worlf, Gary 13-IA-91 and IA-113	5/18/2023 1:58 PM	Adobe Acrobat D...	8,496 KB

Yaeger, Lance

Share View

› Subpoena › Yaeger, Lance

Name	Date modified	Type	Size
Yaeger, Jack Lance Point Retention Log	5/18/2023 1:32 PM	Adobe Acrobat D...	4,220 KB
Yaeger, Jack Lance Subpoena Docs	5/18/2023 1:32 PM	Adobe Acrobat D...	269 KB

BUSINESS RECORD CERTIFICATION

Pursuant to Sections 90.803(6) and 90.902(11), Florida Statutes

1. I Michael Robinson am currently employed with:
(Print name of affiant)

Business Name: Alachua County Sheriff's Office

Business Address: 2621 SE Hawthorne, Rd.
Gainesville, FL 32641

2. I am a custodian of records maintained by our business.

3. The attached record(s) are either originals or duplicate copies described as:
Copy of agency E-mail communication as requested via report number: FDLE EI-14-0186.

4. The attached record(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters.

5. The attached record(s) were kept in the course of the regularly conducted activity of our business.

6. The attached records(s) were made as a regular practice in the course of the regularly conducted activity of our business.

7. I am aware that falsely making this Certification or Declaration would subject me to criminal penalty under the laws of the foreign or domestic location in which this certification or declaration was signed.

8. I have signed this Certificate under oath.

I do hereby swear or affirm that this certification and the attached records are true and accurate.

(Affiant Signature)

BEFORE ME, the undersigned authority, personally appeared Michael Robinson, who was duly sworn under oath and who did sign the above Certification on 30 May 2023.

The affiant is
✓ personally known to me or
____ has presented _____ as identification.

STEPHEN P ASBELL
NOTARY PUBLIC (print name)

NOTARY PUBLIC (sign name)
My Commission Expires: 9 Jan 2025

STEPHEN P. ASBELL
Commission # HH 067845
Expires January 9, 2025
Bonded Thru Troy Fain Insurance 800-385-7019

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ACSO) employees.

FDLE OEI Inspector David Snowden was assigned to lead the investigation.

Attorney Bobi J. Frank contacted FDLE advising she represented current and prior members of ACSO. These indviduals voiced their concerns of alleged criminal, ethical, and statutory violations that had been and were continuing to occur by Sheriff Watson and members of his command staff.

A meeting was scheduled for February 24, 2023, to meet with Attorney Frank and the individuals she represented.

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Case Number: EI-14-0186	Serial #: 1
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 02/24/2023	Activity End Date:
Approved By: Negrete-3325	

Description:Case Opening

THIS REPORT IS INTENDED ONLY FOR THE USE OF THE AGENCY TO WHICH IT WAS DISSEMINATED AND MAY CONTAIN INFORMATION THAT IS EITHER PRIVILEGED OR CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. ITS CONTENTS ARE NOT TO BE DISTRIBUTED OUTSIDE YOUR AGENCY.

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FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ACSO) employees.

On February 24, 2023, at approximately 1053 hours, FDLE OEI Inspector David Snowden conducted a sworn, voluntary, and recorded interview with ACSO Captain Brandon Kutner (retired) at the Office of Attorney Bobi J. Frank, located at 14839 Main St, Alachua, Florida. Attorney Frank, Special Agent Supervisor (SAS) Luis Negrete, and Inspector Keith Riddick were present during the interview.

Eighth Judicial Circuit State Attorney Brian Kramer authored and provided a letter to Captain Kutner granting prosecutorial immunity for his testimony.

The interview was transcribed by American High-Tech Transcription and Reporting, Inc. Due to the length of the interview, a break was taken during the process resulting in two separate transcriptions.

The information in this Investigative Report is summarized; the full transcripts are available and included for review.

Captain Kutner was employed with the ACSO from September 2005 until May 2022.

While at ACSO Captain Kutner became familiar with the Police Benevolent Association (PBA), having served as the North Central Chapter president from 2007 until 2014. During that time, he represented many deputies facing disciplinary issues. As a result, Captain Kutner had an intimate knowledge of Chapter 112, Florida Statutes, known as the Police Officers' Bill of Rights.

In June of 2022, Captain Kutner was a lieutenant in the Patrol Division. He was again running to be the PBA president when he was contacted by ACSO Major George Corwine, who was also a previous PBA president. Major Corwine informed Captain Kutner that Sheriff Watson wanted to see him. Captain Kutner was in the process of the PBA election in Tallahassee, but returned to

Case Number: EI-14-0186	Serial #: 2
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 02/24/2023	Activity End Date:02/24/2023
Approved By: Negrete-3325	

Description:Interview of Captain Brandon Kutner (Retired)

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ACSO later that day and met with Sheriff Watson.

It was during that meeting that Captain Kutner learned he was being interviewed. The next morning, he was promoted to the Chief Inspector position over the Office of Professional Standards (OPS), effective July 4, 2021. As a result of the promotion and contractual obligations, Captain Kutner was ineligible to become PBA president. Captain Kutner said, "That was a purposeful act." Captain Kutner learned had he not been promoted and remained in the race, he would have won the PBA presidential position.

When Sheriff Watson took office, he had the directive rewritten, making the OPS chief inspector report to the undersheriff instead of the sheriff as required by the Commission on Accreditation for Law Enforcement Agencies (CALEA) standards. CALEA is the accrediting agency for ACSO. Before Sheriff Watson took office, the chief inspector was a direct report to the sheriff.

After being appointed as the chief inspector, Captain Kutner notified Undersheriff DeCoursey of the accreditation issue by presenting him with documents that stated OPS had to be a direct report to the sheriff. Undersheriff DeCoursey granted Captain Kutner a meeting with Sheriff Watson, where the same information was provided to Sheriff Watson. This resulted in Captain Kutner reporting directly to the sheriff and the directive being rewritten.

Even though Captain Kutner was a direct report to the sheriff, he still had to go through the undersheriff and take direction from Undersheriff DeCoursey. Captain Kutner advised he would always ask Undersheriff DeCoursey, "Is this coming from you or is this coming from the sheriff? Because I don't work for you. And he unequivocally stated to me every time that, 'this is the sheriff's desire.'" So, even though the physical order was coming from the undersheriff, I made it very clear that I wanted to know who was instructing me to do that. And every time he told me what I tell you is coming directly from the sheriff."

One of the first things Captain Kutner did upon taking over OPS was to conduct an internal audit. During the audit, he made several discoveries that were concerning to him. These included missing administrative files, failure to notify the Criminal Justice Standards and Training Commission (CJSTC) of moral character violations that ACSO was mandatorily required and files that had been purged by Administrative Assistant Kris Allfrey. It was also discovered Allfrey recorded 12 hours of work that she had not worked. These findings occurred during the previous administration and under Sheriff Watson's administration.

On August 18th of 2021, Captain Kutner authored an inter-office correspondence (IOC) detailing these concerns along with his lack of confidence in Allfrey. Captain Kutner requested Allfrey be transferred and an internal investigation be initiated into the hours she reported that she worked.

In September or October of 2021, Undersheriff Joel DeCoursey met with Captain Kutner for breakfast. Undersheriff DeCoursey referred to these meetings as "Chew and Chats." The meeting came after the PBA filed a lawsuit against ACSO, which caused some difficulties for the administration.

During the meeting, Captain Kutner was informed that Allfrey would not be moved; instead she would get retrained, and there would be no investigation into her alleged falsified work hours.

Captain Kutner later discovered there was a history with Undersheriff DeCoursey and Allfrey. Allfrey was an administrative assistant at the Juvenile Relations Bureau where she worked with Undersheriff DeCoursey earlier in his career. Captain Kutner believed their working relationship prevented him from his investigative request.

Undersheriff DeCoursey told Captain Kutner there was stuff going on with the PBA, and the administration needed to ensure he was on Team Watson. Undersheriff DeCoursey indicated he heard a rumor that Captain Kutner's promotion was to take him out of the running for being PBA president so that he could not use his knowledge to oppose the administration with disciplinary issues. Captain Kutner indicated he later learned from Major Corwine that this was factual. Sheriff Watson, Undersheriff DeCoursey, Major Robert Stafford, and Major Corwine met prior to selecting the Chief Inspector and chose Captain Kutner for that reason.

According to Captain Kutner, Undersheriff DeCoursey instructed him to "…utilize equipment that we have available to us within the Office of Professional Standards to monitor conversations between subject employees accused of administrative misconduct and their representatives, whether it be PBA representative or attorneys," and, "You need to use the resources that are available, specifically the equipment in OPS, to keep us apprised of any developments that may be detrimental to the administration." Captain Kutner stated, "To me, it was very clear that he was asking me to monitor conversations. He said, 'You need to inform us immediately if you become aware of anything that is discussed prior to your investigation commencing that has a negative effect on the administration or our ability to move forward with any case, we need to be made aware of immediately.'"

Captain Kutner identified the equipment as the iRecord system, which consists of an audio/video monitoring platform. Cameras are in a room allowing users outside of the room to monitor in real-time or record what is occurring. The system must be turned on and the user must access the system before monitoring or recording. There is no indication within the room that would alert individuals they were being monitored, nor are there signs inside or outside of the room indicating it is monitored. Captain Kutner said, "…the undersheriff and the sheriff became intimately familiar with what the capabilities of those systems were because we discussed it."

During the Chew and Chat meeting, Undersheriff DeCoursey told Captain Kutner, "Brandon, you have to understand that the sheriff was elected to make the sheriff's office look more like him. And if you're not on board with that or if anybody's not on board with that, they need to get gone. So, we need to know that you as a chief inspector are on board Team Watson."

Captain Kutner indicated similar statements were made by Sheriff Watson during a closed-door meeting. During that meeting, "… [Sheriff Watson] didn't necessarily promise me anything, but made it very clear that if I was on Team Watson that he could make sure that anything I ever needed help with in the future, whether it was running for political office, whether it was applying for jobs as an agency head somewhere, that he could pull strings and would be happy to do so. But he needed to make sure that I had his back."

Captain Kutner monitored conversations from his office where he had access to the iRecord system. He would close his door during the times of monitoring.

One of the investigations Captain Kutner monitored occurred when Deputy James Hardy met with Attorney Bobi Frank and her assistant. Captain Kutner heard Attorney Frank mention a 112 violation. Unbeknownst to Deputy Hardy, Captain Kutner relayed the information to the "Sheriff's Suite" and to Lead Inspector Lieutenant Brett Rhodenizer to allow him to prepare for Deputy Hardy's FSS 112 defense.

NOTE: The Sheriff's Suite was identified as the area that houses the sheriff, the sheriff's executive assistant, the undersheriff, the undersheriff's executive assistant, the general counsel, and the chief of staff.

NOTE: Attorney Frank provided a notarized affidavit from Deputy Hardy indicating he was unaware the room where he met Attorney Frank was wired with the iRecord system. Deputy Hardy heard Attorney Frank confirm that the conversation between them would be private and not be recorded or intercepted. Deputy Hardy had a private/confidential conversation with Attorney Frank during their meeting.

Captain Kutner said he monitored conversations on "several occasions" and listed other monitored OPS investigations, including cases against Captain Latrell Simmons, Captain Corey Warren, and Deputy Mykael Morris-Brown. The privileged conversations were only monitored, not recorded. The monitored individuals were not told they were observed. The monitored conversations happened during scheduled meetings where the subject deputy reviewed the evidence with or without representation.

Captain Kutner was told by Sheriff Watson not to put anything in writing, or to put as little as possible in writing; therefore, Captain Kutner called the sheriff's executive assistant when he learned anything important from monitoring the conversations. He was always told the sheriff was "not available" resulting in Captain Kutner providing the information to Undersheriff DeCoursey, who told Captain Kutner the information would be relayed to the sheriff.

Sheriff Watson, according to Captain Kutner, was so cautious about documentation that he refused to have his text messages memorialized on his agency-issued cell phone. Each ACSO employee with an issued phone is required to opt into a program on their phone, which captures and saves all text messages.

Because other OPS inspectors knew that Captain Kutner had illegally monitored conversations, they began to disconnect the camera to prevent his actions from continuing. Captain Kutner's inspectors told him they felt that OPS was being weaponized. Captain Kutner felt the same, saying OPS was being used to retaliate against ACSO employees.

Captain Kutner first noticed retaliatory conduct during the OPS investigation of Lieutenant Howard Adams, who made disparaging remarks against the ACSO on social media. Lieutenant Adams was investigated for insubordination, conduct unbecoming, and knowledge of policy; the first two being terminable offenses. Lieutenant Adams was on FMLA and was not interviewed during the investigation. Lieutenant Kyle Salman was the inspector who lead the investigation and sustained the insubordination and knowledge of policy violations but did not sustain the conduct unbecoming allegation.

On October 1, 2021, the findings were sent to Lieutenant Adams' supervisors - Captain Latrell Simmons, Major Stafford, and Undersheriff DeCoursey for their recommendations. On October 5, 2021, Captain Simmons wrote, "no findings given," and recommended to toll the investigation due to Lieutenant Adams being on FMLA. On October 6 Major Stafford recommended termination and on October 7 Undersheriff DeCoursey did the same.

That same day Captain Kutner was called to the Sheriff's Suite to meet with Undersheriff DeCoursey and General Counsel Jacob Rush. He was told they were unhappy with Lieutenant Salman's findings and with Captain Kutner's concurrence. Captain Kutner was provided with case law and was ordered to amend the findings to sustain the conduct unbecoming charge. According to Captain Kutner, Lieutenant Salman was retaliated against and transferred to the jail due to his investigation. 12 other ACSO employees that reacted to Lieutenant Adams' social media post were given corrective counseling.

Captain Kutner complied and submitted the report to the Sheriff's Suite on October 11. Two days later, Major Stafford was listed as the complainant against Captain Simmons for "performance of duty." The complaint indicated "…several instances where Captain Simmons either made a questionable decision or did not make a decision at all," including that Captain Simmons recommended tolling the Lieutenant Adams' investigation.

Lieutenant Sherry French led the investigation into Captain Simmons, sustaining the performance of duty allegation. The findings were based upon violations discovered through the course of the investigation where Captain Simmons did not acknowledge receipt of agency directives, and his failure to follow up on an email to ensure it was properly handled. The report was sent to the Sheriff's Suite where Captain Kutner was again told to amend the investigation, where he was ordered to add that Captain Simmons recommended that Lieutenant Adams' investigation be tolled while he was on FMLA. Captain Kutner again complied and did as he was directed. Captain Kutner's belief was, "They did not want to demote [Captain Simmons] to a lieutenant based on the chicken-shit allegations that were uncovered during the investigation. They wanted something more meaty and I was ordered to provide it for them."

Captain Kutner described this by saying, " This is a pattern of practice of interference with official misconduct investigations. Telling us, telling the Office of Professional Standards, what we should find, what we should not find. What we should report to FDLE, what we shouldn't report to FDLE."

On November 18, 2021, another investigation was initiated by Major Stafford on Jail Captain Corey Warren resulting in formal discipline.

Captain Kutner believed each of the referenced OPS investigations was "personal", and done in an "effort to replace them with individuals that were more sympathetic to the Watson administration." He further iterated, " They wanted to make sure that they wanted to be rock solid and that there wasn't going to be any other issues that were going to be brought up later with regard to 112 violations or anything that would prevent the agency from being able to carry out their desire to demote and replace those individuals."

According to Captain Kutner, many of the investigations were race-based. One specific incident involved Detention Deputy Gary Wolf who is white. Deputy Wolf was caught on camera

accidentally spraying a black inmate with a cleaning solution. An internal investigation was conducted not involving OPS that determined Deputy Wolf failed to report the incident immediately, although there was no malicious intent. The report was sent to the Sheriff's Suite who ordered Captain Kutner to re-open the case because the deputy was white and the inmate was black.

OPS Inspector Lieutenant Matt Beck reviewed the case and re-interviewed everyone except Deputy Wolf. The inmate verified the incident was accidental and the findings were the same. The information was provided to the Sheriff's Suite and Captain Kutner was ordered to re-open the case and interview every inmate that witnessed the incident. He was told, "It's the perception of the inmates; if they think it was on purpose, then we can discipline him that way." Captain Kutner said he would not re-open the investigation because there was no new evidence.

Captain Kutner was asked to expound upon the cases he mentioned regarding cases being purged. He indicated Detention Officer Camille Rowe was investigated for allegations of Untruthfulness and Performance of Duty just prior to Captain Kutner's assignment in OPS. Both allegations were sustained, however, instead of following the recommendations made by the chain of command (10-day suspension and 12 months probation), Jail Director Robert Woody and Undersheriff DeCoursey unfounded the Untruthfulness and administered a written reprimand on June 22, 2021. When Captain Kutner arrived in OPS he tried to review the investigation only to learn the records had been purged by Allfrey.

Captain Kutner indicated Officer Rowe's investigation is one of many that should have been sent to CJSTC for review, although it was not. In the IOC he authored on August 18, 2021, and provided to Sheriff Watson, Captain Kutner identified 12 cases, including Officer Rowe's, that should have been CJSTC. During their in-person meeting with Undersheriff DeCoursey, Sheriff Watson "lambasted" Captain Kutner, asking him who he thought he was by telling the sheriff who needs or does not need to be sent to FDLE. Some of the cases occurred during the previous administration while the remainder happened under Sheriff Watson's time in office. Sheriff Watson told Captain Kutner he was only concerned about what happened under his regime. Captain Kutner informed Sheriff Watson that since he [Sheriff Watson] was now aware of the cases, his willful failure to send them was a moral character violation in and of itself. Captain Kutner provided the FDLE Compliance Bulletin to Sheriff Watson verifying his statement. Sheriff Watson agreed to send Officer Rowe's investigation and signed the FDLE Form 78 to allow that to happen. Captain Kutner said he was "specifically ordered" not to send the remaining 11 cases. Captain Kutner later clarified that Sheriff Watson told him he could send two other cases that happened since he took office (James Lemmon and Bradley Preventure), although Sheriff Watson failed to sign them to have them sent.

One of the final issues that occurred prior to Captain Kutner retiring from ASCO involved an incident with Deputy Annie Waller. Deputy Waller was terminated from the department and sought to get her leave payout, but Sheriff Watson denied her from receiving it. This caused the PBA to sue ACSO on behalf of Deputy Waller. As a result, General Counsel Rush came to Captain Kutner saying Sheriff Watson wanted Deputy Waller's file sent to CJSTC for decertification. Captain Kutner explained to General Counsel Rush that Deputy Waller was terminated for untruthfulness, but she told the truth and did not lie in the official investigation and that was not a decertifying offense; therefore, he was not going to send her file to CJSTC.

Captain Kutner told General Counsel Rush that Sheriff Watson had a vendetta against the PBA and anyone, like Deputy Waller that went against him. He continued by telling General Counsel Rush that Sergeant John Hoover had a case similar to Deputy Waller's case, although Sergeant Hoover lied in an official investigation and was allowed to resign in lieu of termination. Sergeant Hoover's case was one that Captain Kutner presented to Sheriff Watson who refused to act on it and send it to CJSTC. Since Sheriff Watson took office, John Hoover was hired back as a deputy and is now a captain at the jail. Captain Kutner revealed that Captain Hoover is the son-in-law of prominent political figure Stafford Jones who was a staunch advocate and supporter, along with Captain Hoover of Sheriff Watson's campaign.

Captain Kutner was asked if he knew monitoring privileged conversations was illegal. He replied, "…it was just an order that I got from my chain of command to do. Um, I knew that there -- it was -- I knew that it was outside the scope of, um, ethics. And obviously, I knew that interviewing or intercepting the communication between a client and his attorney, regardless of whether it's criminal or administrative, was illegal because that's specifically why we don't have recording devices in the attorney -- in the attorney offices at the jail. Specifically, for that reason. There are video monitors but no audio. So, I -- I knew that it was, yes, a crime."

He was then asked why he chose to do it if he knew it was illegal. Captain Kutner stated, " I was ordered to do so under duress. It was very, very clear. So, let me -- let me explain something. My wife is the director of the 911 Communications Center. She's been working for the Sheriff's Office since February of 2004. She supervises 84 employees and made almost as much money as I did at the Sheriff's Office. My son is a detention officer at the jail. My son is number one on the sergeants' list waiting for a promotion, and it was at the time I retired, as well. And it was very clear that if I was not on Team Watson as was put to me by both the sheriff and the undersheriff, that retaliation against me would be forthcoming, either by demotion myself 'cause I was still on probation, or by transfer/demotion of my family members. That was made very, very clear to me. So much so in the words that, 'I would hate to see such a family with such a bright future at the Sheriff's Office be derailed because they're not on board with their administration.' It was very clear to me that I had no option."

Captain Kutner continued by saying, " I've been in public safety for 30 years. I'm an adjunct instructor for the University of Louisville Southern Police Institute (SPI). I teach the Internal Affairs course for SPI. I teach Officer Misconduct for the CODC (Command Officer's Development Course). I know what I'm talking about. I had been interviewed for multiple chief of police jobs. I was one of six finalists interviewed by the Governor's panel for the state of Washington for the new Office of Independent Investigations that they're spinning up in Washington to take a look at officer-involved shootings and deadly uses of force across the entire state. I was one of six finalists that interviewed for that position. There is no way that I walk away from a career that I have poured my blood and tears and sweat and effort into since day one unless I knew that there was no other option for me. And it was very clear that they were going to hold my personal relationship obviously with my wife who's an employee there and my son who's an employee there, and they were going to hold me hostage and dangle that over my head if I didn't do their bidding so I chose to leave."

Captain Kutner reiterated his belief that Sheriff Watson and other members of the administration were using OPS to their benefit and to punish certain members of ACSO, saying there have been six chief inspectors (captains) in OPS since Sheriff Watson took office and, "That should

be a red flag." The current Chief Inspector of OPS, Kelvin Jenkins, was reportedly previously removed from OPS for untruthfulness.

NOTE: The remainder of this investigative report documents the second portion of the interview after a break was taken. The second transcription should be referenced relevant to the remaining information.

Prior to his promotion, Captain Kutner was the Watch Commander (Lieutenant) on the day shift when a pursuit occurred. The pursuit was authorized by Captain Kutner due to the information that was provided over the radio, which fit within the guidelines of ACSO policy. A review of the pursuit was completed by Captain Kutner afterward and several policy violations were noted including acts constituting deadly force according to ACSO policy.

Captain Kutner wrote an IOC lodging a complaint against the deputies involved in the pursuit and sent it to the administration via his chain of command. No action was taken on the complaint.

When Captain Kutner was promoted to take over the OPS supervisor position, he spoke to the other inspectors about the complaint. They advised him it could give the illusion of impropriety if the complaint was investigated once Captain Kutner took the position since he was the author of the complaint. Therefore, he did not invest any more time on the issue.

When Captain Kutner had his exit interview with Sheriff Watson, he asked what happened to the complaint. Sheriff Watson told him they decided not to do anything about it.

Captain Kutner also reported improper budget disbursements during his time in OPS. He indicated OPS is staffed with two inspectors from law enforcement and two inspectors from corrections. Each department funds its respective inspectors. However, once Lieutenant Salman (corrections) was transferred out of OPS, he was replaced by Sergeant Peter King (law enforcement), resulting in three law enforcement and one correction personnel. The corrections budget continued to fund the law enforcement position even though Captain Kutner brought the matter to the attention of Chief of Staff Danielle Judd. Captain Kutner advised Chief of Staff Judd this was in violation of the Florida Supreme Court ruling issued on January 27, 2022.

Before Sheriff Watson took office, the Chief Financial Officer was Patty Justice who had been with the agency for almost 30 years. CFO Justice was very knowledgeable on what could and could not be done budgetarily. Sheriff Watson made it so that CFO Justice had to report to Chief of Staff Judd. This caused CFO Justice to relinquish all financial authorizations to Chief of Staff Judd and the Sheriff's Suite.

Captain Kutner indicated James Troiano was another individual reportedly being compensated from the corrections budget as a law enforcement officer. Captain Kutner elaborated by saying Troiano was terminated from ACSO during the previous administration. He was brought back to be the special projects manager at the jail when Sheriff Watson was elected.

Captain Kutner's wife (Communications Director) verified a new cell phone was obtained for Troiano. Later, Captain Kutner ran into Troiano in the ACSO parking lot where they shook hands and Troiano said he looked forward to working together. Troiano was driving an ACSO-

issued vehicle. This scared Captain Kutner because he was the PBA President when a vote of no confidence was made against Troiano as the Police Chief of High Springs. Now, Troiano could potentially be Captain Kutner's supervisor.

When the county commission discovered Troiano was being paid out of the corrections budget, all records of his new employment reportedly disappeared. Captain Kutner was in Undersheriff DeCoursey's office and saw a clear box of law enforcement equipment labeled "J. Troiano." Undersheriff DeCoursey commented that was the stuff that was taken back from Troiano.

ACSO uses an employee system called SmartCop, which catalogs their employment date, promotion date, and so forth. Captain Kutner advised there was no record of Troiano working at ACSO after being terminated before Sheriff Watson came into office.

Copies of the transcripts are attached to the related items section of the case file as INV-1 and INV-2. The recordings are attached as INV-3. Captain Kutner provided various items (IOCs, OPS investigations, emails) during his interview, which are attached as INV-4. The immunity letter is attached as INV-5. The affidavit from Deputy Hardy is attached as INV-6.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ACSO) employees.

On February 24, 2023, at approximately 1342 hours, FDLE OEI Inspector David Snowden conducted a sworn and recorded interview with ACSO Lieutenant Sherry French at the Office of Attorney Bobi J. Frank, located at 14839 Main St, Alachua, Florida. The interview was obtained under a subpoena issued by Eighth Judicial Circuit State Attorney Brian Kramer. Attorney Frank, Special Agent Supervisor (SAS) Luis Negrete, and Inspector Keith Riddick were present during the interview.

State Attorney Kramer authored and provided a letter to Lieutenant French granting prosecutorial immunity for her testimony.

A follow-up interview was conducted with Lieutenant French at the same location on March 9, 2023. Inspector Snowden, Inspector Riddick, and Attorney Frank were present for the follow-up interview.

The interviews were transcribed by American High-Tech Transcription and Reporting, Inc.

The information in this Investigative Report is summarized; the full transcripts are available and included for review.

Lieutenant French is employed with the ACSO where she has worked for the previous 27 years. She is currently assigned to the Civil Bureau. Lieutenant French indicated she had information regarding the potential criminal actions of Sheriff Watson, Undersheriff Joel DeCoursey, and possibly other members of the ACSO command staff.

In July of 2021, Lieutenant French was working in the Office of Professional Standards (OPS) when Lieutenant Brandon Kutner was promoted to captain and assigned as the Chief Inspector in charge of OPS. Lieutenant French described Captain Kutner as “gung ho” when he arrived, saying that he was going to “fix things” and, “make things happen.”

Case Number: EI-14-0186	Serial #: 3
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 02/24/2023	Activity End Date:
Approved By: Negrete-3325	

Description:Interview of Lieutenant Sherry French

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Lieutenant French noticed that Captain Kutner's attitude began to change around October of 2021. He assigned Lieutenant French to conduct an OPS investigation on Captain Latrell Simmons, who was a law enforcement captain assigned to work at the jail.

Captain Simmons was a major under Sheriff Sadie Darnell but was demoted to captain when Sheriff Watson took office and was reassigned to the jail. Lieutenant French advised that Captain Simmons had no jail experience before that.

Major Robert Stafford was the director of the jail. He reported concerns about Captain Simmons' work performance, which triggered the investigation.

Lieutenant French worked for about one month on the investigation and told Captain Kutner that she did not have anything to substantiate the allegations against Captain Simmons. Captain Kutner told her, " You're going find something. And you're going to sustain it or they're going to sustain every single allegation and they're going to terminate him." According to Lieutenant French, "It was very clear he [Captain Kutner] had been given an order." Captain Kutner later disclosed to her that Sheriff Watson and Undersheriff Joel DeCoursey said they were going to demote Captain Simmons and put him on night shift before the investigation ever commenced.

Captain Kutner would meet with the undersheriff or sheriff to discuss the investigation and would return to OPS. His meetings were with the undersheriff more often than with the sheriff. When Captain Kutner returned from his meetings, Lieutenant French described him as appearing "very defeated," saying, "He just sat, like, slumped over."

Captain Kutner told Lieutenant French the sheriff and undersheriff did not like the direction the investigation was going. They directed Captain Kutner to expedite the investigation, however; there was an issue with Captain Simmons' PBA representation not being available by the time they wanted his interview done. According to Lieutenant French's statement, if the PBA had not adjusted their schedule, Captain Simmons would have been forced to interview without representation.

Lieutenant French found some minor violations – one where Captain Simmons did not acknowledge reading several directives, and another where he only answered one part of a two-part email. Lieutenant French sustained the two violations, which resulted in Captain Simmons' demotion and transfer to the night shift.

Lieutenant French voiced her disagreement with the process, saying, "This is not right. This is not how this is supposed to go. These things can't be predetermined. You can't already know what you're going to do. You've got to look at the facts."

Another issue brought up by Lieutenant French was the monitoring of privileged conversations done by Captain Kutner during his time in OPS. Lieutenant French was at her desk when Captain Kutner called her into his office. When she went in, she observed Captain Kutner watching his computer monitor and monitoring the conversation between Deputy James Hardy and his attorney, Bobi Frank. Captain Kutner informed Lieutenant French that Attorney Frank was going to file a 112 violation. Lieutenant French questioned Captain Kutner about what he

was doing. Captain Kutner told Lieutenant French to find Lieutenant Brett Rhodenizer (the inspector assigned to the case) and have him come to Captain Kutner's office.

Lieutenant French did as she was asked and sent Lieutenant Rhodenizer to the captain's office. A few minutes later, Lieutenant Rhodenizer came back with a "wide-eyed" look on his face saying, "I should not know that." Lieutenants Rhodenizer and French discussed what they had observed and how it should be addressed. Lieutenant Rhodenizer indicated he would take care of the matter. Lieutenant French asked Lieutenant Rhodenizer several times after that if he took any actions about privileged conversations being monitored but she does not know if he did.

As she thought back upon Captain Simmons' investigation, Lieutenant French recalled a conversation between her and PBA Representative David Tuck. During the (privileged) evidentiary review process, Tuck commented about the room being hot. A short time later, Captain Kutner entered the room and provided Representative Tuck and Captain Simmons with a bottle of water.

NOTE: Captain Kutner verified in his interview that he monitored the conversation between Captain Simmons and Representative Tuck.

Representative Tuck worked for ACSO as a detective before leaving to work for the PBA. He was aware of the iRecord system used by OPS and its capabilities. As such, both Representative Tuck and Attorney Frank asked if the room was confidential to allow them to freely talk to their clients. Both were told it was confidential.

On a later case (Lieutenant French could not recall which case), Captain Kutner went into his office. Soon thereafter, he called Lieutenant Rhodenizer and asked what was wrong with the iRecord system because it was not working for him. Both Lieutenant Rhodenizer and Lieutenant French knew the iRecord computer needed to be restarted in order to watch the live view, but they did not want to do that to prevent Captain Kutner from listening and watching the conversations that were legally protected.

Lieutenant French began to realize that Captain Kutner was being told to monitor conversations and that the sheriff and undersheriff were telling him how the investigations were to come out. She confronted Captain Kutner and told him, "If you think that you want to be a head of an agency or a police chief at some point, where are your balls to stand up for what's wrong and what's happening right here in this agency?" Captain Kutner replied that his family works at ACSO and that he was worried about repercussions. He then told Lieutenant French about a conversation Sheriff Watson had with him where Sheriff Watson told Captain Kutner if he ever aspired of being the head of an agency or a police chief, he [Sheriff Watson] could make that happen. Captain Kutner told Lieutenant French, "That's corrupt as fuck."

Other problems that Lieutenant French discussed included Captain Kutner creating an access drive for OPS investigations that the sheriff and undersheriff could access. Captain Kutner told Lieutenant French that the sheriff wanted to know these things and did not like to get caught off guard.

Another incident involved Deputy Andrew Martin's use of force during an arrest. Captain Kutner

told Lieutenant French that the sheriff had watched the videos of the incident and that OPS was going to investigate the incident and suspend him for the use of force. Lieutenant French argued that the investigation was biased by showing the videos and providing everything to the sheriff before the investigation had been started. Again, Captain Kutner told her the sheriff does not want to be caught off guard.

Lieutenant French told Captain Kutner she felt that he was not telling her (or the other inspectors) how he was being directed by the sheriff and undersheriff in order to protect them. However, it was obvious to them Captain Kutner was doing what he was being directed to do.

Captain Kutner confided to Lieutenant French that he was physically sick on a daily basis from the stress of what he was dealing with at work. He later retired from ACSO vacating his position as Chief Inspector. Captain Jon Schabruch took Captain Kutner's place.

Lieutenant French reported there were two OPS investigations that were directed to be closed. The first involved Jail Sergeant Pam James for insubordination. OPS Lieutenant Kyle Salman assisted Jail Lieutenant Jamie Scott with the investigation of Sergeant James. It had been completed but had not been submitted for a discipline determination. It was reported the sheriff directed the undersheriff to have the OPS tracking number canceled, although the OPS inspectors knew that could not be done. Captain Schabruch kept the tracking number but the investigation concluded without anything else happening. Captain Schabruch indicated that Major Stafford was told by the administration that Sergeant James' case should not have been opened at all.

Lieutenant French believed the investigation was closed partly because Sergeant James was a black female. Sergeant James had a history of getting things under Sheriff Watson's administration that other officers could not. Lieutenant French gave the example of when the other personnel were told to work 8-hour shifts, Sergeant James went directly to the sheriff requesting to work 10-hour shifts and was permitted to do so.

The other OPS investigation that was directed to be closed involved Detention Officer Corey Short. Officer Short had an issue with Jail Sergeant James Lemmon. Sergeant Lemmon was demoted and the case against him was closed. However; Officer Short obtained the interview videos and posted them on social media. They revealed security issues of the inner-working of the jail and identified inmates that were in custody. Officer Short failed to take the videos down when he was ordered, resulting in an insubordination investigation. Lieutenant French said that Officer Short began "liking" all of the ACSO Facebook posts during this time, which resulted in Major Stafford telling Captain Schabruch to end the investigation. Captain Schabruch got Major Stafford to provide an email verifying the investigation was to be closed and to cancel the tracking number.

NOTE: Tracking numbers were originally maintained in an Excel spreadsheet. While Captain Kutner was the Chief Inspector, OPS began using IAPro to manage their tracking numbers and cases. The Excel records were not merged into IAPro.

Lieutenant French said there were other tracking numbers that were ordered to be canceled during an investigation into Lieutenant Howard Adams' posting on social media. Several other employees "liked" Lieutenant Adams' post. Each employee had a tracking number pulled,

however, they ended up receiving corrective counseling, which did not fall under the requirement of having a tracking number assigned.

Lieutenant Chuck McCray was another inspector in OPS with Lieutenant French. He is cousins with Undersheriff DeCoursey. Lieutenant French voiced some of her frustrations about what was occurring in OPS to Lieutenant McCray, asking him about the fairness of investigations and who was directing the outcomes. Lieutenant McCray replied that Sheriff Watson, Undersheriff DeCoursey, and Colonel Chad Scott talked all of the time. If they were not discussing matters in person, they were talking on the phone. However, according to Lieutenant McCray, Sheriff Watson was the person that "is giving all the orders and pulling all these strings."

Lieutenant French was asked if she or anyone else ever documented or reported any of the allegations in writing or by email. She indicated the administration did not want anything in writing because they did not want a record of it. Prior to his leaving, Captain Kutner made this known to his inspectors.

During Captain Schabruch's time in OPS, an investigation was conducted on Detention Officer Erica Hollingsworth. Captain Schabruch notified the sheriff of the preliminary findings. This resulted in Sheriff Watson getting angry and reportedly saying, "This is not what I expect from my OPS," before hanging up the phone. Captain Schabruch realized he would soon be replaced as the chief inspector because he was not going to do the investigations the way the sheriff wanted them done.

While still under Captain Schabruch's leadership in OPS, Lieutenant French was asked to look at a complaint against Sergeant Kevin Davis regarding a verbal exchange he had with Lieutenant Simms. Lieutenant French was able to conclude the complaint with an administrative inquiry. The results of the administrative inquiry were sent up the chain of command and the sheriff signed off concurring with her findings. A short time later, Lieutenant French was transferred out of OPS, although she was not informed why. She later learned through a conversation with Lieutenant McCray that she, along with several other members of OPS, was transferred because she was not consistent enough. All of the OPS personnel were replaced with the exception of Lieutenant McCray. Lieutenant McCray ended up getting transferred out of OPS after completing his first investigation, reportedly because the sheriff was not happy with his performance.

Captain Schabruch's replacement was Captain Kelvin Jenkins. Lieutenant French reported that Captain Jenkins was previously in OPS for a short time under the previous administration. Captain Jenkins was removed from the position because he lied in an investigation. Lieutenant French believes Sheriff Watson put him back into OPS because Captain Jenkins is a black male, and he would do whatever he was directed to do by the sheriff.

Once Captain Jenkins took over OPS, it was reported that he was asked to re-open the case against Sergeant Davis. Lieutenant French did not know if that occurred or not due to how recent the events were.

In another incident, Captain Jenkins was contacted by ACSO General Counsel Jacob Rush. Attorney Rush reported that Sergeant Davis and Sergeant Frank Williams separately made social media posts that were reportedly against policy. Attorney Rush told Captain Jenkins to

put his name down as the complainant. Captain Jenkins refused saying that Attorney Rush was the actual complainant. When Sergeant Davis and Sergeant Williams were individually served and suspended, their documents listed Attorney Rush as the complainant. Captain Jenkins was called by the administration and told to put his name down as the complainant. Even though Captain Jenkins advised he did not have a social media account and was not the one who filed the complaint, he acquiesced and created new documents listing himself as the complainant.

NOTE: This was later verified during interviews with Sergeant Davis and Sergeant Williams.

Lieutenant French referenced other concerning issues without providing detailed information, including how race affected discipline within the agency since Sheriff Watson came in. She reported an instance where both a black female and a white male employee were investigated for policy violations. The black female's violation was worse than the white male's violation, yet she received a written reprimand while the male received a 10-day suspension.

Lieutenant French referenced how Bureau Chief Michelle Klement was publicly belittled by Sheriff Watson over something she had no control over. Chief Klement was later demoted and sent to a position she had no experience with, causing her to leave ACSO.

NOTE: This was later verified during interviews with Chief Klement and Major Arabella Blizzard.

Lieutenant French referenced IT Director John Moorehouse telling Sheriff Watson several times to allow an app, which preserved all text messages (public record) on Sheriff Watson's agency-issued cell phone, only to be ignored.

NOTE: This was later verified during the interview with ACSO Phone Specialist Scott Shelpman.

Lieutenant French indicated the number of employees (302) that have left ACSO since Sheriff Watson has assumed control is a bellwether of the morale and direction the agency is going. Some employees who had left or were close to leaving, advised they would assist by staying longer or worknig in a part time status. Lieutenant French said in every circumstance the offer was rejected by Sheriff Watson, even though he was aware of critical staffing shortages.

Lieutenant French provided various documents during her interview, which are attached to the related items section of the case file as INV-7. The first recorded interview is attached as INV-8, the subpoena is attached as INV-9, the letter of immunity is attached as INV-10, the second interview as INV-11, and the transcripts as INV-12 and INV-13 respectively.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ACSO) employees.

From February 24, 2023, through June 28, 2023, FDLE Inspector David Snowden and Inspector Keith Riddick conducted numerous interviews as a part of the investigation. All of the interviews were transcribed. The following is a list of the interviews including the time, date, location, and the individuals present during each.

February 24, 2023. All interviews on this date were conducted at the Law Office of Attorney Bobi Frank. Special Agent Supervisor Luis Negrete, Inspector Snowden, Inspector Riddick, and Attorney Bobi Frank were in attendance.
1053 – 1226 hours and 1249 – 1319 hours. Retired ACSO Captain Brandon Kutner (documented in Investigative Report (IR) 2).
1324 – 1443 hours. ACSO Lieutenant Sherry French (documented in IR 3).

March 9, 2023. All interviews on this date were conducted at the Law Office of Attorney Bobi Frank. Inspector Snowden, Inspector Riddick, and Attorney Bobi Frank were in attendance.
0927 – 1025 hours. Lieutenant Sherry French
1042 – 1120 hours and 1122 – 1123 hours. ACSO Sergeant Kevin Davis
1244 – 1353 hours. ACSO Sergeant Frank Williams
1433 – 1635 hours. ACSO Captain Rebecca Butscher

April 19, 2023. All interviews were conducted at the State Attorney's Office in Gainesville. State Attorney Brian Kramer, Inspector Snowden, Inspector Riddick, and Stenographer Cynthia Leverett were in attendance.
8:56 – 1010 hours. Retired ACSO Major George Corwine *Attorney Stephanie D. Webster represented Corwine.
1015 – 1118 hours. ACSO Captain Jonathan Schabruch
1129 – 1202 hours. Retired ACSO Captain John Richman *Obtained via video conference.
1330 – 1346 hours. ACSO Deputy Joel Coppock
1355 – 1401 hours. ACSO Deputy Landon Brooks *Attorney Stephen G. Webster represented

Case Number: EI-14-0186	Serial #: 4
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 02/24/2023	Activity End Date:
Approved By: Negrete-3325	

Description:Interviews from February 24 - June 28, 2023

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Deputy Brooks.
1403 – 1407 hours. ACSO Deputy Joshua Lamar *Attorney Stephen G. Webster represented Deputy Lamar.
1424 – 1514 hours. Retired Lieutenant David Tuck *Attorney Stephanie D. Webster represented Tuck.
1520 – 1540 hours. ACSO Major Dorian Keith
1543 – 1603 hours. ACSO Lieutenant Jamie Scott
1603 – 1627 hours. Retired ACSO Captain Todd Kelly

April 20, 2023. All interviews were conducted at the State Attorney's Office in Gainesville. State Attorney Brian Kramer, Inspector Snowden, Inspector Riddick, and Stenographer Cynthia Leverett were in attendance._
1105-1238 hours. ACSO Lieutenant Scott Anderson *Attorney Stephen G. Webster represented Lieutenant Anderson.
1240 – 1300 hours. ACSO Lieutenant William Beck
1350 – 1512 hours. Prior ACSO Lieutenant Kyle Salman
1515 – 1538 hours. ACSO Administrative Assistant Kristen Allfrey
1539 – 1645 hours. ACSO Major Joshua Crews
1649 – 1715 hours. ACSO Sergeant Peter King *Attorney Stephanie D. Webster represented Sergeant King.

April 26, 2023. All interviews were conducted at the State Attorney's Office in Gainesville. State Attorney Brian Kramer, Inspector Snowden, Inspector Riddick, and Stenographer Cynthia Leverett were in attendance.
0907 – 0935 hours. ACSO Cell Phone / Radio Tech Advisor Scott Shelpman
0935 – 1015 hours. Retired ACSO Bureau Chief Diana Jacobs
1015 – 1120 hours. George Corwine *Attorney Stephanie D. Webster represented Corwine.
1129 – 1208 hours. Retired ACSO Records Bureau Chief Linda Brown
1342 – 1500 hours. Retired ACSO Detective Joseph Branaman *Attorney Stephanie D. Webster represented Branaman
1511 – 1526 hours. Captain Jonathan Schabruch
1539 – 1626 hours. ACSO Captain Stephen Maynard

May 16, 2023. All interviews were conducted at the State Attorney's Office in Gainesville. State Attorney Brian Kramer, Inspector Snowden, Inspector Riddick, and Stenographer Cynthia Leverett were in attendance.
0908 – 0950 hours. ACSO Deputy Travis DeVinny *Attorney Bobi J. Frank represented Deputy DeVinny.
1001 – 1059 hours. Retired ACSO Major Arabella Blizzard *Attorney Bobi J. Frank represented Blizzard.
1103 – 1227 hours. Retired ACSO Bureau Chief Michelle Klement *Attorney Bobi J. Frank represented Klement.
1331 – 1447 hours. ACSO CFO Patty Justice * Stenographer Leverett was not present for the recorded interview; however, she later transcribed it.

June 22, 2023. All interviews were conducted at the State Attorney's Office in Gainesville. State Attorney Brian Kramer, Inspector Snowden, Inspector Riddick, and Stenographer Cynthia Leverett were in attendance.

0955 – 1100 hours. Bella Blizzard
1108 – 1203 hours. Steve Maynard
1332 – 1357 hours. Prior ACSO Executive Assistant Tara Malone

June 28, 2023, SAO Gainesville
1517 – 1645 hours. Prior ACSO Chief of Staff Danielle Judd
The transcripts, with the exception of Kutner's and Lieutenant French's (included in previous IRs), are attached to the related items section of the case file as INV-14 - INV-48 respectively.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ACSO) employees.

On April 27, 2023, Inspector David Snowden provided a list of subpoena items he required for the furtherance of the investigation to the State Attorney's Office for the 8th Judicial District. The following items were requested:

Subpoena 1 – ACSO Hiring process
Subpoena 2 – ACSO Social Media Policy
Subpoena 3 – ACSO Promotional Process
Subpoena 4 – ACSO CID Operational Manual I-record system
Subpoena 5 – ACSO Leave / FMLA Policy
Subpoena 6 – ACSO Employee Discipline Policy
Subpoena 7 – ACSO Office of Professional Standards (OPS manual)
Subpoena 8 – Travel reports and expenses for Sheriff Watson
Subpoena 9 – Deputy Joel Coppock's hiring process
Subpoena 10 – List of transfers, promotions, and demotions since Sheriff Watson took office
Subpoena 11- Deputy Joshua Lamar's hiring process
Subpoena 12 – Deputy Landon Brooks' hiring process
Subpoena 13 – Deputy Cleveland Cox's hiring process and transfers
Subpoena 14 – Howard Adams' discipline history
Subpoena 15 – Jon Hoover's discipline history
Subpoena 16 – Andrew Martin's discipline history
Subpoena 17 – Mykhael Morris Brown's discipline history
Subpoena 18 - Denise Scott's discipline history
Subpoena 19 – Latrell Simmons' discipline history
Subpoena 20 – Annie Waller's discipline history
Subpoena 21- Clyde Barringer's discipline history
Subpoena 22- Captain Butscher's discipline history
Subpoena 23 – Shankeives Carr's discipline history

Case Number: EI-14-0186	Serial #: 5
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 04/27/2023	Activity End Date:
Approved By: Negrete-3325	

Description:Subpoenaed Documents

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Subpoena 24 – Cleveland Cox's discipline history
Subpoena 25 – Kevin Davis' discipline history
Subpoena 26 – OPS Complaint initiated by Deputy Travis Devinny
Subpoena 27 – Travis Devinny's discipline history
Subpoena 28 – Charles Drake's discipline history
Subpoena 29 – John Echavari's discipline history
Subpoena 30 – James Hardy's discipline history
Subpoena 31 – Erica Hollingsworth's discipline history
Subpoena 32 – Pam James' discipline history
Subpoena 33 – Kelvin Jenkins' discipline history
Subpoena 34 – Tiaquandra Johnson's discipline history
Subpoena 35 – Brandon Kutner emails (IOCs were requested)
Subpoena 36 – James Lemmon Investigation
Subpoena 37 – Carlton Litzkow's discipline history
Subpoena 38 – Nancy Marzouk's discipline history
Subpoena 39 – Camille Rowe's discipline history
Subpoena 40 – Michelle Sherfield's discipline history
Subpoena 41 – Corey Short's discipline history
Subpoena 42 – Glen Stanley's discipline history
Subpoena 43 – Corey Warren's discipline history
Subpoena 44 – Frank Williams' discipline history
Subpoena 45 – Gary Wolf's discipline history
Subpoena 46 – Lance Yaeger's discipline history

The documents were provided to Inspector Snowden by the SAO on June 22, 2023, on a thumb drive.

Additional items were subpoenaed by the SAO and were also provided to Inspector Snowden. The items included the following:

A subpoena to Gainesville Nissan for any sales or transaction made with the ACSO from January 5, 2021 to current.

A subpoena to the Alachua Police Department (APD) for any Internal Affairs Investigations on Officer Joshua Lamar.

A subpoena to the APD for any Internal Affairs Investigations on Officer Joel Coppock.

The thumb drive is attached to the related items section of the case file as INV-49. The Gainesville Nissan subpoena and response are attacvhed as INV-50. The APD subpoena and response for Officer Lamar are attached as INV-51, and the APD subpoena and response are for Officer Coppock are attached as INV-52.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ACSO) employees.

On October 24, 2023, FDLE Inspector David Snowden submitted a request for items pertinent to the ongoing investigation to the Office of the State Attorney for the Eighth Judicial District. The following are the items that were requested:

1. Office of Professional Standards (OPS) tracking number logs from January 1, 2020 – present
2. OPS tracking #22-00121, Complaint/investigation against Detention Deputy Cory Short. All documents, recordings, and investigative findings relative to this.
3. Discipline file of Joseph Branaman inclusive of OPS investigations
4. Emails between William Beck and Lance Yaeger (detailing when CID can work with outside agencies)
5. Emails between Lance Yaeger and Josh Crews (detailing Task Force assistance)
6. Michelle Klement's discipline file and her last 3 evaluations
7. Laura Knudson's discipline file, her last 3 evaluations, and her salary as both Bureau Chief and Victim's Advocate
8. Chad Scott's disciplinary file, inclusive of OPS investigations
9. A list of all personnel demoted during Watson's time in office

a. All records documenting reasons for demotion, i.e. discipline, failure to meet probationary requirements lists

10. Tiaquandra Johnson's separation documentation to include justification.
11. OPS investigation involving George Corwine in Lewis Oil investigation
12. Kevin Davis' complaint against General Counsel Jacob Rush
13. All investigative documents, recordings, etc. stemming from Kevin Davis' OPS investigation/tracking number 2023-00010
14. OPS Excel spreadsheet used before the implementation of IA-Pro
15. OPS checklist and OPS training checklist (exclusive of ACSO OPS Manual)
16. Jody Branaman's request for transitional leave
17. Arrabella Blizzard's request for transitional leave
18. Michelle Sherfield's personnel file

Case Number: EI-14-0186	Serial #: 6
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 10/24/2023	Activity End Date:11/28/2023
Approved By: Negrete-3325	

Description:Additional Subpoenaed Documents

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Case Number	EI-14-0186
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19. Matthew Beck's disciplinary file

A letter was drafted by State Attorney Brian Kramer and provided to Sheriff Emory Gainey requesting these items on October 27, 2023.

On November 28, 2023, Inspector Snowden was advised the request had been fulfilled by ACSO. The items were mailed to Inspector Snowden on a CD. The CD is attached to the related items section of the case file as INV-53.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ACSO) employees.

This investigative report is to document items obtained during this investigation, which are not recorded elsewhere in the reporting process.

Attorney Bobi Frank provided various documents relative to employees of ASO she represented. These items include the following.

Captain Rebecca Butscher's subpoena and letter of immunity. Attached as INV-54.
Captain Butscher's Mandamus results. Attached as INV-55.
Sergeant Kevin Davis subpoena and letter of immunity. Attached as INV-56.
Response from General Counsel Rush to Bobi Frank regarding Sergeant Davis. Attached as INV-57.
Sergeant Kevin Davis Mandamus results. Attached as INV-58.
Sergeant Davis' complaint about Michelle Sherfield. Attached as INV-59.
Sergeant William "Frank" Williams' subpoena and letter of immunity. Attached as INV-60.
Sergeant Williams' Mandamus results. Attached as INV-61.
Deputy DeVinny's OPS interview regarding his complaint against Major Yaeger as INV-62.
Email between Captain Schabruch and Major Stafford regarding the Cory Short investigation as INV-63.

The audio recordings from the interviews of Captain Butscher, Sergeant Davis, and Sergeant Williams are attached as INV-64, INV-65, and INV-66.

Lieutenant James "Matt" Beck provided his testimony on April 26, 2023, from 1644 hour until 1713 hours. The transcript was not received with the other sworn statements obtained that day. Upon discovering this, the transcript was provided by Court Reporter Cynthia Leverett.

During the numerous interviews, Court Reporter Leverett cataloged items that interviewees provided during their testimony. Some were attached to the transcripts, while others were

Case Number: EI-14-0186	Serial #: 7
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 05/08/2024	Activity End Date:
Approved By: Feltgen-2978	

Description:Additional Items

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included individually, which include the following.

Items provided by Deputy Travis DeVinny. Attached as INV-67.
Items provided by Patricia Justice. Attached as INV-68 through INV-72.
Items provided by Michelle Klement. Attached as INV-73.
Lieutenant Beck's transcript is attached as INV-75.
Items provided by Lieutenant James “Matt” Beck as INV-76.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, Attorney Bobi J. Frank requested the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ACSO) employees.

On June 7, 2024, Inspector David Snowden received an e-mail from Amy Christmas, Executive Assistant to State Attorney (SA) Brian Kramer for the Eighth Judicial District. Attached to the e-mail was Executive Order 24-105 from the Office of the Governor transferring the assignment of the investigation from SA Kramer in the Eighth Judicial Circuit to SA John Durrett in the Third Judicial Circuit.

The Order indicated SA Kramer notified the Office of the Governor that the FDLE was investigating the Alachua Sheriff's Office and that SA Kramer had publicly endorsed ASO Sheriff Emory Gainey for reelection. To avoid any conflict of interest or appearance of impropriety, SA Kramer voluntarily disqualified himself and requested the Governor assign another State Attorney to handle the investigation and prosecution of the case.

An electronic copy of the order is attached to the related items section of the case file as INV-74.

Case Number: EI-14-0186	Serial #: 8
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 06/07/2024	Activity End Date:06/10/2024
Approved By: Feltgen-2978	

Description:Change of Jurisdiction

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FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ASO) employees.

On March 9, 2023, OEI Inspectors David Snowden and Keith Riddick obtained a sworn, recorded interview from ASO Sergeant William "Frank" Williams at the office of his attorney, Bobi Frank. Sergeant Williams was subpoenaed to provide his testimony. The interview was later transcribed by American High-Tech Transcription and Reporting, Inc.

The following is a summary of the interview and is not all inclusive. Refer to the recordings or the transcripts for the entire interview.

Sergeant Williams has worked for ASO for 13 years in various capacities. At the time of the interview, Sergeant Williams was the subject of an active ASO internal investigation (Office of Professional Standards (OPS) 2023-00011). Sergeant Williams indicated there were ambiguities surrounding the complaint which precipitated the investigation, one of which was identifying who generated the complaint. Sergeant Williams had received two notices of investigation. One notice identified ASO General Counsel (GC) Jacob Rush as the complainant with one set of violations alleged; the other identified ASO Chief Inspector Captain Kelvin Jenkins as the complainant and naming different policy violations.

On March 1, 2023, Attorney Frank and Sergeant Williams were at ASO reviewing the evidence obtained against him in his investigation. During the review process, Sergeant Williams noted that his complainant was not definitively identified, the body-worn camera (BWC) recordings of him being served with his notice of investigation were missing, and an email from HR Bureau Chief Reshone Flanders was not included in the evidence.

At the conclusion of the evidence review, Attorney Frank alleged several violations of the Officers' Bill of Rights, FSS 112.532 against Sergeant Williams. Attorney Frank and Sergeant Williams left without providing an interview. A notice of the FSS 112.532 violations was provided to OPS and to the Sheriff.

Case Number: EI-14-0186	Serial #: 9
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 11/18/2024	Activity End Date:
Approved By: Watts-3793	

Description:Interview of Sergeant William "Frank" Williams

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Attorney Frank was notified later by GC Rush that the violations of FSS 112.532 were unfounded and ASO would continue with discipline without conducting a compliance review hearing.

Sergeant Williams's transcripts are attached as a related item to this report as INV-16. Sergeant Williams's audio is attached as INV-66.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ASO) employees.

On March 9, 2023, OEI Inspectors David Snowden and Keith Riddick obtained a sworn, recorded, and subpoenaed interview with ASO Captain Rebecca Butscher at the Law Office of Attorney Bobi Frank. The interview was later transcribed by American High-Tech Transcription and Reporting, Inc.

The following is a summary of the interview and is not all inclusive. Refer to the recordings or the transcripts for the entire interview.

Captain Butscher has worked for the ASO in several capacities for the past 30 years. At the time of the interview, Captain Butscher was the subject of an active administrative investigation number 2023-00036. She was represented by Attorney Frank.

In her recorded statement to FDLE, Captain Butscher revealed 12 contentious incidents between herself and ASO Major Lance Yeager from the time he was promoted to Chief Detective (equal to her rank) until he was promoted to the rank of Major on January 15, 2023. Captain Butscher reported that she notified Colonel Chad Scott on at least two different occasions of the issues she was having with Major Yaeger.

Many of the incidents involved then-Captain Yaeger reaching out to Captain Butscher's subordinates or circumventing her authority. Once Major Yaeger outranked Captain Butscher, he began to issue discipline to her.

The same day Captain Yeager was promoted to Major, Captain Butscher was transferred to the position of Public Information Officer. Three weeks later, Captain Butscher was notified by her administrative assistant that Major Yaeger " *made a request for documents maintained by the Public Information Office.*" Captain Butscher responded by sending the following email to Major Yaeger.

Case Number: EI-14-0186	Serial #: 10
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 11/19/2024	Activity End Date:
Approved By: Watts-3793	

Description:Interview of Captain Rebecca Butscher

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" *Major Yaeger, when making requests for awards or any information that is maintained or managed within the Public Information Office, I expect to be copied and/or notified of such request so that I do not receive notification such as this after the fact when copied by my administrative assistant. Your consideration will be greatly appreciated."*

After sending the email she contacted the Sheriff's executive assistant to meet with Sheriff Watson about her issues with Major Yaeger. She was told Sheriff Watson was with someone and she would be notified when he was available. Sheriff Watson did not speak to Captain Butscher regarding her request. On February 13, 2023, Major Yaeger gave a corrective counseling to Captain Butscher because of the email. Captain Jason Levy was requested by Captain Butscher to serve as a witness to the corrective counseling incident. Captain Levy was present, along with Captain Kaley Behl when Major Yaeger served it.

Captain Butscher had taken off February 14 – February 19 and returned to work on February 20. On February 22, she was notified to be at a mandatory meeting in Major Yaeger's office at 3:00PM. She arrived and waited outside of the office. Before the meeting commenced, Captain Steve Maynard arrived. Soon they were both called into Major Yaeger's office where Captain Butscher was notified that Major Yaeger had opened an administrative investigation on her resulting from her reaction to the corrective counseling.

In the Administrative Investigation Report, Major Yaeger listed himself as both the complainant and the person taking the complaint. Major Yeager also referenced statements from Captain Behl, which were "grossly different" between what Captain Behl wrote and what Major Yaeger put in the investigation. Attorney Frank noted several issues, which violated Captain Butscher's Officers' Bill of Rights. Major Yaeger was noticed in writing by Attorney Frank of the violations. The investigation concluded without the administration rectifying or acting upon the 112 violations brought forth by Attorney Frank, and without providing the statutorily mandated Compliance Review Hearing.

The recommended discipline against Captain Butscher by Major Yaeger was termination; Undersheriff DeCoursey recommended 80-hours suspension, and Sheriff Watson administered two days of suspension followed with 12 months of probation.

Captain Butscher also referred to an incident involving her son, ASO Deputy Carlton Litzkow. Deputy Litzkow was involved in a deputy-involved shooting on March 25, 2022, which resulted in him being placed on administrative duties. The case was delivered to the State Attorney's Office (SAO) and ASO by FDLE on October 11, 2022. The shooting was determined to be lawful by the SAO on October 21, 2022, but Deputy Litzkow remained on administrative duties until December 5, 2022.

Captain Butscher testified, *"[W]e all came back to the station. FDLE came. PBA and Attorney Frank were contacted. Everybody was in place and my son pled the Fifth. Lance* [Yaeger] *was irate. He was raising hell. He was mad. He demanded to speak to my son that night, even after pleading the Fifth and was not going to be told he wasn't going to speak to him."*

After Deputy Litzkow remained on administrative duties after the shooting had been deemed lawful, Captain Butscher met with Colonel Chad Scott to ask why there was a delay. According to Captain Butscher, Colonel Scott told her, " *The sheriff is not going to clear [Deputy Litzkow].*

He didn't cooperate with the investigation…I can just tell you the sheriff's not going to release him. He's not going to release him back … to full duty until he talks to FDLE".

Captain Butscher opined that Major Yaeger was the driving force behind Deputy Litzkow remaining on administrative duties after the shooting incident was justified.

Captain Butscher advised that since Sheriff Watson had assumed control of the agency, none of the newly hired deputies had been sworn in or received an oath-of-office ceremony.

Captain Butscher was asked about the issue of how social media violations were to be handled as the topic was brought forth during the interview with Sergeant Kevin Davis. Captain Butscher said, " *[I] have documentation from a meeting…social media violations would be dealt with. …First offense would be a corrective counseling and progressive from there."*

The recorded interview is attached to the related items section of the case file as INV-64. The transcript is attached as INV-17.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ASO) employees.

On March 9, 2023, OEI Inspectors David Snowden and Keith Riddick obtained a sworn, recorded interview from ASO Sergeant Kevin Davis at the office of his attorney, Bobi Frank. Sergeant Davis was subpoenaed to provide his testimony. The interview was later transcribed by American High-Tech Transcription and Reporting, Inc.

The following is a summary of the interview and is not all inclusive. Refer to the recordings or the transcripts for the entire interview.

Sergeant Davis has worked for ASO for 22 years in various capacities. At the time of the interview, Sergeant Davis was the subject of an active ASO internal investigation (Office of Professional Standards (OPS) 2023-00010). Sergeant Davis indicated there were ambiguities surrounding the complaint which precipitated the investigation, one of which was identifying who generated the complaint. Sergeant Davis had received two notices of investigation. One notice identified ASO General Counsel (GC) Jacob Rush as the complainant; the other identified ASO Chief Inspector Captain Kelvin Jenkins as the complainant.

Sergeant Davis advised the investigation originated due to a social media post he made. About "two to three weeks" before Sergeant Davis was notified of the investigation, Sergeant Davis met with Colonel Chad Scott. Two days prior to the meeting with Colonel Scott, Sergeant Davis's supervisor told him that GC Counsel Rush had "complained" to Colonel Scott about the social media post. Colonel Scott did not bring up the topic of the social media post when he met with Sergeant Davis.

During his interview, Sergeant Davis indicated where the uncertainty originated, " *Kelvin Jenkins... said [to GC Rush], 'I cannot be listed as the complainant…I'm over OPS. You're [GC Rush] the complainant. You're the one bringing the complaint to us.' That's how the initial paperwork was completed. When I [Sergeant Davis] signed it, it listed Jake Rush as the complainant. When that paperwork got back to the sheriff's office and got to the suite of the*

Case Number: EI-14-0186	Serial #: 11
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Activity Start Date: 11/21/2024	Activity End Date:
Approved By: Watts-3793	

Description:Sergeant Kevin Davis Interview

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sheriff, they became upset and said, 'You're not supposed to be listed as the complainant.' So, they called Kelvin Jenkins in to have a meeting and then directed him, 'You're going to be the complainant.'"

On March 2, 2023, Attorney Frank and Sergeant Davis were at ASO reviewing the evidence obtained against him in his investigation. They were presented with a phone call made by OPS Sergeant Nancy Marzouk to Attorney Frank. The phone call was recorded without Attorney Frank's knowledge. Sergeant Davis and Attorney Frank both listened to the recorded call provided to them as evidence in the investigation. The recorded conversation involved establishing a time for the review of the evidence and to schedule an interview with Sergeant Davis and Attorney Frank.

At the conclusion of the evidence review, Attorney Frank noted several violations of the Officers' Bill of Rights, FSS 112.532 against Sergeant Davis. Attorney Frank also noted the illegally recorded phone call. Attorney Frank and Sergeant Davis left without providing an interview.

Sergeant Davis indicated the ASO has a double standard when delivering discipline. He provided an example indicating, " *I'm aware that Undersheriff Joel DeCoursey specifically stated in a command staff meeting that any time there's a social media violation, if it's a first offense from the employee, that's a corrective counseling… You don't take somebody's equipment, their access for a two-day suspension."* Sergeant Davis continued, *"I filed a complaint through Internal Affairs against…Michelle Sherfield. She was brought in by Sheriff Clovis Watson…she previously worked with him... Her Facebook page identifies her as an employee of the sheriff's office. She specifically identifies herself, and then there was multiple posts that are racists, anti-White posts. So, I presented that to OPS in a complaint with the screenshots. It's the same kind of allegation. It's a social media violation. But it went to her direct supervisor, which is Sheriff Clovis Watson. The conclusion of that investigation was a corrective counseling on a sticky note."*

Note: A review of Sherfield's disciplinary history by FDLE did not show any discipline.

Sergeant Davis indicated he had " *filed a complaint federally and at the state leve*l", which Sheriff Watson was aware of. This was later verified by FDLE through subpoena. Sergeant Davis first filed an Ethics Complaint against Sheriff Watson and the ASO on April 15, 2022. Sergeant Davis authored an EEOC complaint, which was received at the Tampa District Office on February 13, 2023. A civil discrimination suit (Case 2023-CA-0607) was additionally verified as being filed by Sergeant Davis on February 15, 2023, in the 8th Judicial Circuit against Sheriff Watson.

The complaint by Sergeant Davis against Sherfield is attached to the related items section of the case file as INV-59. The disciplinary file of Sherfield is attached as INV-49, "Subpoena 40", "Email regarding No Records for Michelle".

The Ethics Complaint, the EEOC complaint, and the civil suit by Sergeant Davis are attached as INV-53, "#14 Davis Case 2023-00010", "incident-397_files", "1st Amendment Protected", "EEOC Packet". Sergeant Davis's transcripts are attached as INV-14 and INV-15. The audio is attached as INV-65.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ASO) employees.

Captain Jonathan Shabruch was subpoenaed by the State Attorney's Office for the 8th Judicial Circuit to provide his knowledge of any potential criminal activity occurring within the ASO.

On April 19, 2023, and April 26, 2023, 8th Judicial Circuit State Attorney Brian Kramer, OEI Inspector David Snowden, and OEI Inspector Keith Riddick conducted a sworn interview with Captain Shabruch. The interview was captured and transcribed by Certified Stenographic Reporter Cynthia Leverett from Nature Coast Reporters.

The following is a summary of the interview and is not all inclusive. Refer to the official transcripts for the entire interview.

Captain Schabruch has been employed with the ASO for 18 ½ years serving in various positions during that time. One of his most recent assignments was overseeing the Office of Professional Standards (OPS) as the Chief Inspector. Captain Schabruch indicated he did not have previous experience in OPS.

Captain Schabruch verified that OPS was equipped with a room for interviews, and that room was able to be remotely monitored by video and audio.

Captain Schabruch was asked if he was ever directed, or if it was implied to him, to monitor any ASO employee in the interview room prior to their interview. Captain Schabruch replied the topic was never implied nor asked.

Captain Schabruch was asked if he was ever directed to change the results of any OPS investigation. Captain Schabruch said he was and explained an incident involving Sergeant Kevin Davis. The case was given to Inspector Kyle Salman who conducted an inquiry to determine if a complete investigation was needed. Inspector Salman reviewed the facts and determined the case could be closed without opening an investigation. Captain Schabruch

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Description:Interview of Captain Jonathon Schabruch

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submitted the findings to Sheriff Watson. The next day Captain Schabruch was called in to talk to Undersheriff DeCoursey who said he disagreed with the findings and ordered Captain Schabruch to conduct a full investigation. Captain Schabruch did not know why he was contacted by Undersheriff Decoursey when he sent the findings to Sheriff Watson. Undersheriff DeCoursey explained he watched the incident involving Sergeant Davis on YouTube and saw several violations. Captain Schabruch saw the same video, which was a " *heavily edited YouTube video…from a 30-plus-minute body-worn camera*." Captain Schabruch indicated he did not see any violations.

Although Inspector Salman completed his investigation and came to the same conclusion, Sergeant Davis received a written reprimand for not wearing his body-worn camera.

Captain Schabruch verified the order to open the investigation came after Sergeant Davis had filed a lawsuit against the ASO.

Captain Schabruch was asked if he was ever instructed to replace a tracking number or remove a file from OPS. Captain Schabruch replied, " *I was told a tracking number that I pulled, or my office pulled, was invalid*." Captain Schabruch clarified by saying there were two investigations that he was instructed to close without taking any further action. One involved Detention Deputy Cory Short (OPS #22-00121). Captain Schabruch received an email from Jail Major Robert Stafford to cancel the investigation per Undersheriff DeCoursey.

The second cancelled investigation involved Detention Sergeant Pam James. Sergeant James was investigated for insubordination. The investigation was completed and sent to Captain Schabruch. It found that Sergeant James had been insubordinate to Lieutenant Jamie Scott and Captain James "Matt" Beck. Captain Schabruch, in talking with Undersheriff DeCoursey, was told, " *'This is not an insubordination case' and* [DeCoursey] *told me that he knows what happened. And I asked him how he knew what happened. I knew he wasn't present when it happened, and the investigation had not been completed; so, he hadn't obviously read the investigation yet, but he said that he knows what happened. He cited cultural differences and said that African Americans and Caucasians communicate differently, and just because James raised her voice does not mean that she was insubordinate.*"

Captain Schabruch further indicated that Undersheriff DeCoursey told him, " *[S]quash that investigation because Sergeant James had filed a lawsuit, and we don't need to add fuel to the fire."* Captain Schabruch did as he was instructed and administratively closed the investigation.

Note: Sergeant James's disciplinary records were later subpoenaed by State Attorney Kramer, specifically, " *Any and all records regarding current, previous or ongoing Administrative, Office of Professional Standards, Discipline, or Internal Affairs Investigations (including corrective counseling) for Sgt Pam James.*" The provided file of Sergeant James details her response to the complaint; however, the complaint is not listed, no findings were given, "N/A" is listed under the tracking number, and no audio or written witness statements were included. Captain Schabruch verified interviews were conducted. Additionally, the file has five *Confidential Administrative Investigation Acknowledgement* signed by witnesses.

Captain Schabruch additionally spoke of some concerns he had with the way ASO Deputy Carlton Litzkow's shooting case was handled. Deputy Litzkow was involved in a shooting while

on duty. Captain Schabruch said, " *During that time while [the investigation] was still open, I had multiple meetings, interactions mostly with the undersheriff where I was asked either on the phone or in person several times why Carlton had not testified and if he was going to testify. He was the shooter…I explained to the undersheriff on multiple occasions that he was afforded the same constitutional rights as every other citizen that we have that's in a criminal investigation, and that his attorney had advised him not to speak to law enforcement; and there was no intent, he was not going to testify as far as to FDLE, and that we, OPS, had completed our investigation and did not need his testimony as far as administrative investigation goes. So, there was just no need for it. But that was continually asked again and again and again: 'Has he testified yet? Is he going to testify?'"*

The transcripts of Captain Schabruch's interviews are attached to the related items section of the case file as INV-19 and INV-39. Sergeant Davis's investigation is attached as INV-49, "Subpoena 25," "Davis, Kevin," "22-00081," "22-00108 incident-270-_files," "Disciplinary Action," "22-108 Final Report signed." The email cancelling the Deputy Cory Short investigation is attached as INV-63. Sergeant James' Investigation is attached as INV-49, " Subpoena 32", "James Pam".

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ASO) employees.

Major (Retired) George Corwine was subpoenaed by the State Attorney's Office for the 8th Judicial Circuit to provide his knowledge of any potential criminal activity occurring within the ASO.

On April 19, 2023, and April 26, 2023, 8th Judicial Circuit State Attorney Brian Kramer, OEI Inspector David Snowden, and OEI Inspector Keith Riddick conducted a sworn interview with Major Corwine. The interview was captured and transcribed by Certified Stenographic Reporter Cynthia Leverett from Nature Coast Reporters.

The following is a summary of the interview and is not all inclusive. Refer to the official transcripts for the entire interview.

Major Corwine retired from ASO in 2019 as a Captain. Major Corwine was rehired and brought back to ASO as a Major when Sheriff Watson was elected.

Major Corwine said there were numerous changes that occurred when Sheriff Watson became the head of the agency. These changes included the involuntary demotion of many command level personnel, including Major Latrell Simmons and Major David Clark to Captains. There were also numerous changes and transfers to other personnel within the ASO.

One of the administrative changes included changing the Office of Professional Standards (OPS) from reporting to the Sheriff to reporting to the Undersheriff. Major Corwine indicated there were numerous transfers and promotions that occurred under the direction of Sheriff Watson that Major Corwine deemed "negligent". This included moving individuals into specialized positions without any training or experience. It also included promoting individuals that Major Corwine felt were a liability to the ASO.

According to Major Corwine, Sheriff Watson would decide on he would promote just based upon

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Description:Interview of Major George Corwine

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a photograph of the candidate. Major Corwine was present when Sheriff Watson did this on one occasion. He testified, " *[Sheriff Watson] asked his admin assistant to print out all the pictures of everybody on the list…And he literally picked up the list and went, 'That's who I want.' It was the correct pick in my opinion [Sergeant Monica Herrera], but how he arrived at that pick was completely inappropriate."*

Major Corwine indicated he had a conversation with one of the previous Chief Inspectors of OPS, Captain Brandon Kutner, regarding an investigation conducted against Captain Simmons. Captain Kutner expressed his frustration to Major Corwine with Sheriff Watson and Undersheriff DeCoursey sending the investigation back to OPS because the investigation was not substantial enough to justify demoting Captain Simmons to a Lieutenant. Captain Kutner was directed to find something that would substantiate a demotion. Major Corwine indicated directing the outcome of an investigation was not normal or acceptable in his opinion.

During the first 6-7 months, Major Corwine worked closely with Sheriff Watson. In July, Undersheriff DeCoursey told Major Corwine that all communication with the Sheriff had to go through him (DeCoursey). When this happened, Major Corwine said, " *[I] kind of felt like I was on a train going to a destination and said, 'I'm going to the wrong destination. I need to get off at the next stop.*'"

Major Corwine indicated the staffing at ASO suffered because, " *People started leaving because they didn't agree with the Sheriff's philosophy."*

Major Corwine also said, " *It's almost like -- it's like you don't question the boss. The loyalty is one direction. You give your loyalty to the Sheriff, and there's no expectation that the loyalty is back this way. And if you ever questioned or crossed that, you were whacked, if you will. And I say "whacked" as in you were either transferred somewhere or you were run off or you were terminated.*"

Sheriff Watson created mandates that caused officer safety issues according to Major Corwine. These included not allowing ASO assets to leave the county without Sheriff Watson's approval. " *[Sheriff Watson] simply demanded that, in order for any asset to leave this county, that that sheriff that was requesting or that chief that was requesting the equipment called him first, which severely choked the response time."* This was detrimental, especially on issues like the SWAT team or Helicopter support responding to urgent situations.

Another topic Major Corwine talked about was that discipline of employees was not administered fairly. He cited cases against Sergeant William "Frank" Williams and Sergeant Kevin Davis who were placed on administrative suspension for months over a social media post that were critical of ASO promotions. Major Corwine then referenced ASO Bureau Chief Michelle Sherfield. " *[Michelle Sherfield] had posted some items on Facebook that could be seen by some folks as slanted to one racial side... That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that."*

Major Corwine then referenced the demotion of Lieutenant Matt Yakubsin, saying, " *The Sheriff seems to make decisions based on emotion quite a bit rather than…actual facts. The Sheriff demoted Matt Yakubsin from Lieutenant back to Sergeant for essentially liking a Facebook post. Let me back up. [Sheriff Watson] demoted him, but he ordered me to demote him. So, I had to*

call him and tell him, 'Hey, look, you're demoted because you liked a Facebook post…I was instructed by the Sheriff to demote him back to Sergeant; and the Sheriff had told me that, '[Yakubsin] liked that Facebook post, and I'm going to demote him.' "

Major Corwine reported hearing allegations that Sheriff Watson authorized the purchase of new ASO vehicles from a dealership (Gainesville Nissan) where Sheriff Watson's son worked. This was later found to be inaccurate based on subpoenas that were served at Gainesville Nissan.

Major Corwine worked closely with the Police Benevolent Association (PBA) and was a previous member of the PBA administration. As such, Major Corwine was very familiar with the Police Officers' Bill of Rights. Major Corwine indicated, " *The Sheriff and the Undersheriff has continued to disregard Florida Statute 112 on numerous occasions…Personally, I believe they don't care."* Major Corwine cited internal investigations against Captain Rebecca Butscher, Sergeant Davis, Lieutenant Glen Stanley, and Sergeant Williams.

The interviews with Major Corwine are attached to the related items section of the case file as INV-18 and INV-36. The subpoenas and results from Gainesville Nissan are Attached as INV-50.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ASO) employees.

Captain (Retired) John Richman was subpoenaed by the State Attorney's Office for the 8th Judicial Circuit to provide his knowledge of any potential criminal activity occurring within the ASO.

On April 19, 2023, 8th Judicial Circuit State Attorney Brian Kramer, OEI Inspector David Snowden, and OEI Inspector Keith Riddick conducted a sworn interview with Captain Richman via video conference. The interview was captured and transcribed by Certified Stenographic Reporter Cynthia Leverett from Nature Coast Reporters.

The following is a summary of the interview and is not all inclusive. Refer to the official transcripts for the entire interview.

Captain Richman worked for the ASO for over 22 years. He worked for Baker County Sheriff's Office for two years before that. During his time at ASO, Captain Richman served in various capacities including being the Chief Inspector for the Office of Professional Standards (OPS). Captain Richman was appointed to the Chief Inspector position about four months after Sheriff Watson took office, replacing Captain Todd Kelly.

Captain Richman indicated Sheriff Watson and Undersheriff Joel DeCoursey did not agree with how some of the disciplinary cases were handled or with the findings that were submitted. There were other times when Captain Richman was directed not to pursue discipline on a specific deputy (Cleveland Cox). Captain Richman said he was never directed to find a reason to fire or demote any of the ASO personnel.

Captain Richman felt there ethically questionable decisions that were made above his rank, which affected the outcome of investigations submitted by his office to the Undersheriff and Sheriff. Captain Richman specifically named the case involving Detention Deputy Camille Rowe. Deputy Rowe's case was delivered to Undersheriff DeCoursey and Sheriff Watson once

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Description:Interview of Captain John Richman

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it was finished. It was sent back to Captain Richman by Undersheriff DeCoursey for him to change the findings. Captain Richman refused, and the findings remained the same. However, it was recommended by Undersheriff DeCoursey that the discipline be less than mandated by policy and the disciplinary matrix. Sheriff Watson concurred, and Deputy Rowe received a written reprimand instead of being suspended for the required 10 days.

As a result, Captain Richman was transferred out of the position by order of Sheriff Watson after four months. It was Captain Richman's opinion that he was removed from his position as the Chief Inspector because he did not provide Sheriff Watson with the results the Sheriff anticipated. Captain Richman said, " *I don't know what my purpose was at OPS other than to shut up and stay out of sight, basically. Obviously, I didn't give them the answers that they wanted to hear because I only lasted four months, then I was sent back to patrol."*

Captain Richman advised the state of ASO after Sheriff Watson became the Sheriff, made the decision for Captain Richman to retire much easier for him. " *The command staff was completely shut out with the new sheriff, and a lot of decisions were being made in a vacuum, and it really affected a lot of people. You know, as a captain in the sheriff's office, you think you have some…abilities to be…an agent for change and make the place better…even though I was a Captain, I was not part of the command staff because we weren't given any command control of the agency at all."*

The interview with Captain Richman is attached to the related items section of the case file as INV-20. Camille Rowe's investigation is attached as INV-49, "Subpoena 39 Camille Rowe", "Rowe, Camille 21-FC-12".

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ASO) employees.

ASO Major Dorian Keith was subpoenaed by the State Attorney's Office for the 8th Judicial Circuit to provide her knowledge of any potential criminal activity occurring within the ASO.

On April 19, 2023, 8th Judicial Circuit State Attorney Brian Kramer, OEI Inspector David Snowden, and OEI Inspector Keith Riddick conducted a sworn interview with Major Keith at the Office of the State Attorney for the 8th Judicial Circuit. The interview was recorded and transcribed by Certified Stenographic Reporter Cynthia Leverett from Nature Coast Reporters.

The following is a summary of the interview and is not all inclusive. Refer to the official transcripts for the entire interview.

Major Keith has been with the ASO since 2000. She has spent her entire career in the jail facility starting as a Detention Officer and working through the ranks before attaining the rank of Major. At the time of the interview, Major Keith was the Director of the Jail.

Major Keith was asked about her knowledge of the investigation involving Sergeant Pam James. Major Keith advised she was "somewhat" familiar with the investigation, saying she was a Captain when she learned from Major Robert Stafford that an investigation had been opened on Sergeant James for insubordination. Sergeant James did not work for Major Keith so her involvement in the investigation was limited. Major Stafford told Major Keith that Sergeant James had been insubordinate by being loud. Major Keith laughed and told Major Stafford that Sergeant James was always loud.

Major Keith indicated Major Stafford knew that Sergeant James had a pending lawsuit against ASO. Major Keith also believed that Major Stafford may not have felt insubordination was the most proper charge and that conduct unbecoming was more in line with Sergeant James' actions.

Case Number: EI-14-0186	Serial #: 15
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Activity Start Date: 12/16/2024	Activity End Date:
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Description:Interview with Major Dorian Keith

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Major Keith was promoted to Major shortly after learning about the investigation because Major Stafford left ASO. Major Keith needed to meet with Sergeant James and learned she (Sergeant James) was in the Office of Professional Standards (OPS) because she was scheduled to provide her statement in the investigation. Major Keith thought that was odd since statements were always obtained in "security" if the investigation was done at the division level and not conducted by OPS.

Major Keith called OPS Captain Jon Schabruch and inquired why Sergeant James was being interviewed in OPS instead of in security. Captain Schabruch was unsure but researched it before getting back with Major Keith. Captain Schabruch agreed it was the first time he was aware of a division-level interview occurring in OPS. Major Keith did not want to interfere with the interview since it was already happening, so she did not interject anything further.

Major Keith later talked to Captain Schabruch, telling him that Sergeant James would “feel some type of way” since she was interviewed in OPS when no one else had been.

Major Keith reported that Lieutenant Jamie Scott, who was conducting the investigation into Sergeant James, was seen hanging out with OPS Lieutenant Kyle Salman and opined that Lieutenant Scott was “trying to control the outcome of the narrative.”

Note: Captain Schabruch indicated in his interview (IR#12) that Lieutenant Jamie Scott asked for OPS assistance and to be able to use the OPS interview room for convenience. Lieutenant Scott said in her interview she asked for assistance from Lieutenant Salman because she was not comfortable with the internal investigation process, which is why Sergeant James was interviewed in OPS. OPS Sergeant Peter King said in his interview, “…*[T]he lieutenant* [Jamie Scott] *that was conducting that investigation…wasn't very familiar with the process…she would come up to... OPS and got with Lieutenant Salman because he was from the jail side, and he was in OPS…So, she came up and talked to him to get like guidance on how to do the investigation and stuff like that.”*

Major Keith talked to Undersheriff DeCoursey about her feelings on Sergeant James' investigation. Major Keith later learned that Sergeant James had the charge of insubordination changed to conduct unbecoming.

Note: All records received from ASO indicate that Sergeant James' investigation was nullified and that she was not disciplined.

The interview with Major Keith is attached to the related items section of the case file as INV-25. Sergeant James’ Investigation is attached as INV-49, “ Subpoena 32”, “James Pam”.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ASO) employees.

ASO Lieutenant (Retired) David Tuck was subpoenaed by the State Attorney's Office for the 8th Judicial Circuit to provide his knowledge of any potential criminal activity occurring within the ASO.

On April 19, 2023, 8th Judicial Circuit State Attorney Brian Kramer, OEI Inspector David Snowden, and OEI Inspector Keith Riddick conducted a sworn interview with Lieutenant Tuck at the Office of the State Attorney for the 8th Judicial Circuit. The interview was recorded and transcribed by Certified Stenographic Reporter Cynthia Leverett from Nature Coast Reporters. Lieutenant Tuck was represented by Attorney Stephanie Webster during the interview.

The following is a summary of the interview and is not all inclusive. Refer to the official transcripts for the entire interview.

Lieutenant Tuck worked for ASO for over 25 years and served in various capacities during his tenure before retiring. Lieutenant Tuck was active with the Police Benevolent Association (PBA) and has been employed with them for the last two years. Due to his PBA experience, Lieutenant Tuck was familiar with Florida State Statute 112.532, the Law Enforcement and Correctional Officers' Bill of Rights.

Lieutenant Tuck brought up several instances where he believed FSS 112.532 was intentionally violated by Sheriff Watson and other members of the ASO. Lieutenant Tuck referred to the case against Deputy Nicholas Vickers, who was investigated for an off-duty incident where he euthanized two feral cats on his property in an adjacent county. The OPS investigation was for criminal conduct, which was not sustained by Captain Steve Maynard, Major Scott, and Undersheriff DeCoursey. However, Undersheriff DeCoursey determined Deputy Vickers' conduct was "unfavorable" and gave him two days off without pay. Deputy Vickers was not investigated for unfavorable conduct and was not allowed to contest against it.

Case Number: EI-14-0186	Serial #: 16
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 12/16/2024	Activity End Date:
Approved By: Watts-3793	

Description:Interview with Retired Lt. David Tuck

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Lieutenant Tuck said, "*They sustained it simply on the fact that they believed this was going to be embarrassing to the sheriff's office with no other violation... There were additional charges after the fact. It was never investigated as such. He was never asked any questions such as, 'Do you feel this is an embarrassment to the agency?'*"

Lieutenant Tuck next brought up the OPS investigation against Lieutenant Glen Stanley. Lieutenant Stanley was interviewed in an investigation against Detention Officer Erica Hollingsworth. Officer Hollingsworth alleged Lieutenant Stanley lied when answering a question about her investigation. OPS Inspector Lieutenant Scott Anderson conducted the Stanley investigation (22-00187) and determined the allegation of untruthfulness was unfounded. Chief Inspector Kelvin Jenkins, Captain James Beck, and Colonel Chad Scott all concurred with the findings. Major Dorian Keith disagreed, saying that because Lieutenant Stanley misunderstood a question, he was untruthful for not asking for clarification. The untruthfulness was initially sustained against Lieutenant Stanley; however, a review of Lieutenant Stanley's discipline from ASO after his Loudermill Hearing determined the charge was changed from untruthfulness to a lesser violation of neglect of duty. The 12-month probation sentence was dropped, but the one-day suspension was upheld, and his promotional probation was extended.

The investigation into Captain Latrell Simmons was the next 112.532 violation Lieutenant Tuck referenced. " *What they sustained against him* (Captain Simmons) *was not seeking permission of the chain of command to do what he did when it was absolutely not required by policy, and they sustained the performance of duty based on that."* It was Lieutenant Tuck's opinion that Sheriff Watson and Undersheriff DeCoursey wanted Captain Simmons demoted, saying, "*It was apparent that they were coming after him* (Simmons)."

Lieutenant Tuck also mentioned investigations that were currently ongoing, in which violations of 112.532 were occurring. They included the investigations into ASO Sergeant William "Frank" Williams and ASO Captain Rebecca Butscher.

Lieutenant Tuck brought up his belief that his meetings with some of the ASO members he represented were illegally monitored while they reviewed the evidence against them obtained by the Office of Professional Standards (OPS). Lieutenant Tuck spoke of an incident where he, PBA Representative Chris Dennison, and Deputy Morris-Brown were reviewing evidence in an internal case. Dennison commented on how hot it was in the room. Lieutenant Tuck testified, " *Within 10 or 15 seconds there was a knock on the door... it was Captain Brandon Kutner with three bottles of water… I found that very odd at the time."*

Lieutenant Tuck said it got to the point that during later interviews the OPS Inspectors would disable the cameras within the interview rooms to ensure the deputies and their representatives had privacy. Lieutenant Tuck testified, *"What I was told was, you're being monitored; it shouldn't happen. It's happening, and we're doing this to protect you and your conversations."*

Lastly, Lieutenant Tuck reported that Sheriff Watson possibly violated public records law by failing to allow an application be placed on his agency-issued work phone which automatically documents each call and text sent and received to and from the device.

Lieutenant Tuck provided several documents during his interview.

Case Number	EI-14-0186
IR Number	16

The interview with, and the documents provided by Lieutenant Tuck are attached to the related items section of the case file as INV-24.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ASO) employees.

ASO Captain (Retired) Todd Kelly was subpoenaed by the State Attorney's Office for the 8th Judicial Circuit to provide his knowledge of any potential criminal activity occurring within the ASO.

On April 19, 2023, 8th Judicial Circuit State Attorney Brian Kramer, OEI Inspector David Snowden, and OEI Inspector Keith Riddick conducted a sworn interview with Captain Kelly at the Office of the State Attorney for the 8th Judicial Circuit. The interview was recorded and transcribed by Certified Stenographic Reporter Cynthia Leverett from Nature Coast Reporters.

Captain Kelly retired from ASO in 2021 after serving for 24 years in law enforcement. Captain Kelly's combined time included ASO, Lake City Police Department, and Brevard County Sheriff's Office. During his tenure at ASO, he worked his way through the ranks of Sergeant, Lieutenant, and Captain. He was a detective and he also served in the Office of Professional Standards (OPS).

Captain Kelly was the Chief Inspector in OPS when Sheriff Watson took over as head of ASO. He was there for less than four months before being transferred out.

During his subpoenaed testimony, Captain Kelly verified his office had a television, which allowed him to monitor conversations in the OPS interview room by turning the volume up on the live feed. He indicated he was not aware of anyone monitoring privileged conversations while he oversaw OPS. Captain Kelly indicated there was also a common viewing area within OPS that had the capability to monitor the interview room visually and audibly, but he was not aware of that ever occurring.

Captain Kelly said he was never directed to reach a specific outcome in any of the internal investigations that took place during his time in OPS.

Case Number: EI-14-0186	Serial #: 17
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 12/17/2024	Activity End Date:
Approved By: Watts-3793	

Description:Interview of Captain Todd Kelly

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Captain Kelly advised he was never directed to prevent any FDLE mandated reporting cases (moral character violations) from being sent to FDLE.

Captain Kelly was not aware of anything illegal occurring within ASO, although he felt there were decisions made by Sheriff Watson and his new administration that Captain Kelly considered to be " *bad ideas or bad decisions*."

Captain Kelly indicated his decision to retire from ASO was influenced by Sheriff Watson's leadership of the agency, saying, *"[M]y initial impressions of what that working relationship would be like didn't necessarily align with my personal... goals or objectives…what I saw going forward as a path, I didn't see that being necessarily a relationship that I wanted to be in."*

The interview with Captain Kelly is attached to the related items section of the case file as INV-27.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ASO) employees.

ASO Bureau Chief (Retired) Diana Jacobs was subpoenaed by the State Attorney's Office for the 8th Judicial Circuit to provide her knowledge of any potential criminal activity occurring within the ASO.

On April 26, 2023, 8th Judicial Circuit State Attorney Brian Kramer, OEI Inspector David Snowden, and OEI Inspector Keith Riddick conducted a sworn interview with Jacobs at the Office of the State Attorney for the 8th Judicial Circuit. The interview was recorded and transcribed by Certified Stenographic Reporter Cynthia Leverett from Nature Coast Reporters.

The following is a summary of the interview and is not all inclusive. Refer to the official transcripts for the entire interview.

Jacobs retired from ASO in 2021 after serving for 30 years. During her time there she served in various positions including 911 dispatcher, supervisor, fleet manger, risk supervisor, and bureau chief. She worked for six different administrations in ASO but viewed her interactions with Sheriff Watson as " *very hostile in nature*," saying, "*[Sheriff Watson and I] had a lot of conflict. He didn't like what I had to say* ."

While she could not point out anything that was criminal, some of the conflicts Jacobs encountered was Sheriff Watson not wanting outgoing Sheriff Sadie Darnell's picture on the wall with all previous Alachua County Sheriffs. Another issue included Sheriff Watson directing Jacobs to have one wall painted 13 different times within a short timeframe. Jacobs said there were requests made by Sheriff Watson for items that were either not budgeted, or above the cost of what would normally be paid. This included high end custom-ordered vehicles for both Sheriff Watson and Undersheriff DeCoursey. Another fiscally questionable incident involved Sheriff Watson demanding that the new uniform vests for the ASO deputies be replaced because of the words "Deputy Sheriff" being on them. Jacobs reported that Sheriff Watson said he was the only Sheriff and wanted "Sheriff" removed from the new uniform covers.

Case Number: EI-14-0186	Serial #: 18
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 12/17/2024	Activity End Date:
Approved By: Watts-3793	

Description:Interview of Diana Jacobs

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Jacobs referenced an incident for signage that was ordered prior to Sheriff Watson assuming his position as Sheriff. When the signs arrived, Sheriff Watson was “visibly angry” and accused Jacobs of “disrespecting him” for moving forward with the project.

When Sheriff Watson took over ASO, one of the first things he changed was to get a new fuel provider for the department. Lewis Oil had been the provider for ASO due to them being local. Jacobs reported that Sheriff Watson demanded the change to a different provider because Lewis Oil supported Sheriff Darnell’s campaign. Sheriff Watson said that Lewis Oil should have had a different (candidate) sign if they wanted to keep the ASO fuel contract.

There were other problems that Jacobs encountered with Sheriff Watson, although there was nothing she felt illegal.

A copy of the interview with Jacobs is attached to the related items section of the case file as INV-35.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ASO) employees.

ASO Lieutenant Scott Anderson was subpoenaed by the State Attorney's Office for the 8th Judicial Circuit to provide his knowledge of any potential criminal activity occurring within the ASO.

On April 20, 2023, 8th Judicial Circuit State Attorney Brian Kramer, OEI Inspector David Snowden, and OEI Inspector Keith Riddick conducted a sworn interview with Lieutenant Anderson at the Office of the State Attorney for the 8th Judicial Circuit. The interview was recorded and transcribed by Certified Stenographic Reporter Cynthia Leverett from Nature Coast Reporters. Attorney Stephen Webster represented Lieutenant Anderson.

The following is a summary of the interview and is not all inclusive. Refer to the official transcripts for the entire interview.

Lieutenant Anderson started in law enforcement in 1998 with the University of Florida Police Department. He moved to ASO in November of 1999 and has served in various roles. He spent several years in the Office of Professional Standards and was a current member of OPS at the time of the interview.

Lieutenant Anderson was asked if he was aware of anyone within ASO being solicited to commit perjury. He described an incident that occurred the previous week involving the OPS investigation on Sergeant William "Frank" Williams.

Lieutenant Anderson testified that an affidavit was drafted by General Counsel Rush on April 17, 2023, in response to a Writ of Mandamus and Injunctive Relief filed by Attorney Bobi Frank on Sergeant Williams' behalf. The affidavit was emailed to Inspector Calhoun for him to sign. Inspector Calhoun did not agree with what was written in the affidavit. Specifically, section nine of the affidavit indicated that Inspector Calhoun did not interview Chief Inspector Kelvin Jenkins, who was listed as the complainant on one of Sergeant Williams' notice of administrative

Case Number: EI-14-0186	Serial #: 19
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 12/19/2024	Activity End Date:
Approved By: Watts-3793	

Description:Interview with Lieutenant Scott Anderson

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investigation forms because " *Chief Inspector Jenkins…had no unique information regarding [Sergeant Williams'] conduct*." The affidavit further stated that General Counsel Rush, who was listed as the complainant on the other notice of administrative investigation form, *"[H]ad no witness material to add*." Lieutenant Anderson indicated the facts of the affidavit were not true and if Inspector Calhoun signed it, he would have been perjuring himself.

Inspector Calhoun sought the advice of Lieutenant Anderson, who had much more experience in OPS than Inspector Calhoun.

With assistance from Lieutenant Anderson, Inspector Calhoun provided a corrected statement to General Counsel Rush indicating section nine of the affidavit should be changed to read: "I [Inspector Calhoun] *received the initial evidence from Chief Inspector Kelvin Jenkins who advised he received information from the Office of the Sheriff, requesting an investigation into [Sergeant Williams'] conduct."* The corrected statement also verified that Inspector Calhoun did not interview Chief Inspector Jenkins *"[B]ased on adequate information he* [Jenkins] *provided to me to begin an investigation."*

Lieutenant Anderson advised it was clear to him that Attorney Rush and Undersheriff Joel DeCoursey were unfamiliar with the nuances and guidelines of how internal investigations worked, along what was permitted and what was not. Lieutenant Anderson indicated there was also an issue with the command staff failing to understand the differentiation between what could be done in an administrative investigation compared to a criminal investigation.

Lieutenant Anderson talked with Chief Inspector Jenkins regularly after Chief Inspector Jenkins met with Attorney Rush and Undersheriff DeCoursey. Lieutenant Anderson testified, " *Captain* [Jenkins] *will have meetings with Decoursey and Jake Rush. …he'll* [Jenkins]*…say,'I went to the meeting yesterday, and this is what happened' …and I fall over and say, 'We can't do this. You can't do this. You can't do this. That's illegal. You can't do this.' It's almost daily that that happened. …I express these things to Kelvin* [Jenkins]. *He goes to another meeting, and I kind of wait to hear…are we going to change our mind on any of this. And almost 100 percent of the time the course remains the same no matter what I say*."

Lieutenant Anderson described incidents where violations of Florida Statute 112.532, The Law Enforcement and Correctional Officers' Bill of Rights, occurred during OPS investigations. Some of the violations OPS was able to correct, others were not. Lieutenant Anderson referred to OPS cases against Sergeant Williams and Sergeant Kevin Davis as two of the cases that were not able to be cured.

Sergeant Davis's OPS case that was opened on January 23, 2023. Sergeant Davis was represented by Attorney Frank. Attorney Frank spoke on the phone with OPS Inspector Sergeant Nancy Marzouk regarding Sergeant Davis' investigation.

Attorney Frank alleged that Sergeant Marzouk recorded the call without notifying Attorney Frank she was being recorded. The recording was placed into the OPS investigative file. Attorney Frank brought the illegality of the recording to light after discovering it was in Sergeant Davis' OPS file. This resulted in Sergeant Marzouk being removed from the investigation and disciplined. Inspector Virgil Calhoun replaced Sergeant Marzouk as the primary investigator.
Lieutenant Scott Anderson verified that Captain Jenkins relayed information from General Counsel Rush stating Sergeant Marzouk's work was a "draft" and, " *All we need to do is*

delete it."

Inspector Anderson stated, " *We have evidence that Nancy* [Marzouk] *gathered, these interviews that she did… This is coming from Kelvin Jenkins, but they said, 'Oh, no, you absolutely don't need to provide that* [the recording]*.' …What are we supposed to do with it? And we were told, 'Just delete it.'"*

A copy of the interview with Lieutenant Anderson is attached to the related items section of the case file as INV-28.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ASO) employees.

Previous ASO Lieutenant Kyle Salman was subpoenaed by the State Attorney's Office for the 8th Judicial Circuit to provide his knowledge of any potential criminal activity occurring within the ASO. Although the subpoena was not received by Lieutenant Salman, he was aware of its existence and was granted the immunities and benefits of the subpoena.

On April 20, 2023, 8th Judicial Circuit State Attorney Brian Kramer, OEI Inspector David Snowden, and OEI Inspector Keith Riddick conducted a sworn interview with Lieutenant Salman at the Office of the State Attorney for the 8th Judicial Circuit. The interview was recorded and transcribed by Certified Stenographic Reporter Cynthia Leverett from Nature Coast Reporters.

The following is a summary of the interview and is not all inclusive. Refer to the official transcripts for the entire interview.

Lieutenant Salman was dual certified as both a law enforcement and correctional officer with ASO. He began working there in 2008 and served in the Office of Professional Standards (OPS) on two different occasions as an Inspector.

Lieutenant Salman's wife began a job in Jacksonville in 2010 causing him to travel between there and Alachua County. Even with the extended drive, Lieutenant Salman described his job at ASO by saying, *"[The] Alachua County Sheriff's Office was an agency that just fit me very well, and honestly, I was successful there. I got promoted twice. I felt like the ethics aligned with mine, and all my friends worked there, and it's just where I wanted to work."* However, once Sheriff Watson and his administration took over ASO, Lieutenant Salman did not enjoy the job like he had in the past, which resulted in him resigning from ASO. Lieutenant Salman indicated the decision was based on Sheriff Watson and his administration.

Lieutenant Salman was in OPS during the investigation against Detention Sergeant Pam James for insubordination. Lieutenant Salman indicated that he was advised to assist jail Lieutenant

Case Number: EI-14-0186	Serial #: 20
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 12/26/2024	Activity End Date:
Approved By: Watts-3793	

Description:Interview with Lieutenant Kyle Salman

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Jamie Scott during her investigative process on Sergeant James since Lieutenant Scott was unfamiliar with internal investigations. According to Lieutenant Salman, once the investigation was completed and submitted, it was cancelled by Undersheriff Joel DeCoursey.

There were other investigations completed by Lieutenant Salman where he was directed to "dig further," only to come to the same conclusion he originally found. He said he was never told to sustain any specific charges, but there was a case against Lieutenant Howard Adams, which was later changed after being completed by Lieutenant Salman. Lieutenant Salman completed the investigation, sustaining two of the three violations against Lieutenant Adams, which Chief Inspector Brandon Kutner agreed with.

Note: The investigation was sent back to Captain Kutner, who was ordered to amend the findings of Lieutenant Salman. The investigation resulted in the termination of Lieutenant Adams.

Lieutenant Salman was transferred out of OPS about one month before resigning from ASO. He felt the transfer was a "punishment" for the investigation he completed against Lieutenant Adams, saying *"I considered it a punishment considering, especially, that I was the senior lieutenant in the department. Why is the senior lieutenant, the guy with the most experience, being sent to night shift like that? And I found out I was going to night shift because an agency-wide email was sent out telling everybody I was going to night shift."*

There were several other issues Lieutenant Salman did not agree with ethically that he discussed during his interview that were not criminal in nature, although he indicated they were catalysts for his decision to resign from ASO.

Lieutenant Salman's transcript is attached to the related items section of the case file as INV-30. The investigation on Lieutenant Adams is attached as INV-49, "Subpoena 10, PO 21-153".

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On February 15, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was requested to conduct a criminal investigation into allegations that Alachua County Sheriff Clovis Watson was using his position as a public officer to influence, direct, and intimidate employees under his control in order to harass or retaliate against other Alachua County Sheriff's Office (ASO) employees.

ASO Captain Stephen Maynard was subpoenaed by the State Attorney's Office for the 8th Judicial Circuit to provide his knowledge of any potential criminal activity occurring within the ASO.

On April 26, 2023, 8th Judicial Circuit State Attorney Brian Kramer, OEI Inspector David Snowden, and OEI Inspector Keith Riddick conducted a sworn interview with Captain Maynard at the Office of the State Attorney for the 8th Judicial Circuit. The interview was recorded and transcribed by Certified Stenographic Reporter Cynthia Leverett from Nature Coast Reporters.

The following is a summary of the interview and is not all inclusive. Refer to the official transcripts for the entire interview.

Captain Maynard had been with ASO for 27 years where he has served in various capacities. His current position is supervising both the civil and criminal courthouses, the training bureau, and the warrants bureau.

Because Captain Maynard oversaw the courts for ASO, he was aware of the staffing shortages that necessitated hiring overtime. Deputy Travis DeVinny was one of the deputies that regularly volunteered to work there. According to Captain Maynard, Deputy DeVinny routinely worked there two to four extra shifts per month.

Captain Maynard reported to Major Lance Yaeger. In early March of 2023, Major Yaeger called Captain Maynard into his office and directed him not to allow Deputy DeVinny to work overtime at the courthouse. Captain Maynard asked what was preventing Deputy DeVinny from working at the courthouse. Major Yaeger reportedly said, *"Travis is a cancer here at this agency, and I don't want that cancer to infect other employees in the courthouse."* Captain Maynard told Major Yaeger he was not comfortable doing that without justification and asked what he was to tell Deputy DeVinny. Major Yaeger instructed Captain Maynard not to tell Deputy DeVinny

Case Number: EI-14-0186	Serial #: 21
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 01/01/2025	Activity End Date:
Approved By: Watts-3793	

Description:Interview with Captain Steve Maynard

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anything, just make sure he was not scheduled for any overtime. Captain Maynard told Major Yaeger to be careful because preventing a deputy from working overtime could be very problematic and unethical.

Captain Maynard told his scheduling lieutenant what he had been directed. The issue got back to Deputy DeVinny who lodged a complaint against Major Yaeger. Ultimately, Deputy DeVinny was not prevented from working at the courthouse.

Captain Maynard testified he was also a witness to the disciplinary actions against Captain Rebecca Butscher by Major Yaeger. Captain Maynard heard a rumor that there was the possibility of the investigation based upon Captain Butscher's "tone and demeanor". Major Yaeger verified this when he approached Captain Maynard telling him he was going to conduct an administrative investigation on Captain Butscher and asked for Captain Maynard to be present while the administrative paperwork was delivered to Captain Butscher.

Captain Maynard did not think this was a good idea for several reasons and decided to meet with Major Yaeger over lunch to discuss his thoughts with him. After listening to Captain Maynard, Major Yaeger indicated he was going to continue with the investigation and still wanted Captain Maynard to be present when Captain Butscher was served with the paperwork.

Captain Maynard did as he was instructed and sat in while the paperwork was given to Captain Butscher. According to Captain Maynard, Major Yaeger was visibly nervous and ambiguous in his instructions.

Captain Maynard's transcript is attached to the related items section of the case file as INV-40.

Transaction Date	Transactior	Post Date	Account Nu	Account Na	Card Number	Purchase Transacti	Emboss Lin	Custom Ve	Units
03/18/2023	13:23:24	03/21/2023	[redacted]	lachua Co	*** [redacted]	4355608875	1	1	21.199
03/14/2023	19:49:00	03/16/2023		lachua Co	***	4350526487	1	1	20.711
03/07/2023	12:48:20	03/09/2023		lachua Co	***	4341475031	1	1	21.29
03/02/2023	21:08:28	03/06/2023		lachua Co	***	4335674952	1	1	20.776
02/24/2023	17:29:56	02/28/2023		lachua Co	***	4328740020	1	1	21.123
02/20/2023	19:20:31	02/22/2023		lachua Co	***	4322836791	1	1	19.541
02/16/2023	21:32:00	02/20/2023		lachua Co	***	4318508910	1	1	21.99
02/13/2023	19:35:50	02/15/2023		lachua Co	***	4314157578	1	1	21.211
02/09/2023	19:55:50	02/13/2023		lachua Co	***	4310350300	1	1	20.987
02/01/2023	19:23:00	02/03/2023		lachua Co	***	4300253439	1	1	20
01/24/2023	15:15:00	01/26/2023		lachua Co	***	4289021706	1	1	20.186
01/22/2023	20:26:00	01/24/2023		lachua Co	***	4287309789	1	1	20.29
01/15/2023	21:46:46	01/17/2023		lachua Co	***	4278847376	1	1	20.682
01/10/2023	19:34:53	01/12/2023		lachua Co	***	4272866136	1	1	21.47
01/04/2023	12:58:00	01/06/2023		lachua Co	***	4265729015	1	1	20.51
12/29/2022	20:03:49	01/03/2023		lachua Co	***	4261821159	1	1	21.452
12/27/2022	12:43:48	12/29/2022		lachua Co	***	4258059740	1	1	21.258
12/23/2022	18:22:08	12/27/2022		lachua Co	***	4255797550	1	1	19.457
12/19/2022	18:49:14	12/21/2022		lachua Co	***	4249743289	1	1	20.927
12/13/2022	11:45:00	12/15/2022		lachua Co	***	4242300064	1	1	19.57
12/08/2022	22:41:21	12/13/2022		lachua Co	***	4238236943	1	1	20.177
12/03/2022	19:24:39	12/06/2022		lachua Co	***	4230480807	1	1	20.866
11/30/2022	18:48:07	12/02/2022		lachua Co	***	4226250021	1	1	20.763
11/30/2022	18:37:54	12/02/2022		lachua Co	***	4226300219	1	1	0.036
11/23/2022	14:14:21	11/25/2022		lachua Co	***	4219768358	1	1	21.296
11/19/2022	15:15:00	11/22/2022		lachua Co	***	4214576975	1	1	20.59
11/15/2022	15:01:00	11/17/2022		lachua Co	***	4209524399	1	1	21.983
11/10/2022	18:28:00	11/14/2022		lachua Co	***	4203936717	1	1	21.052
11/05/2022	21:22:00	11/08/2022		lachua Co	***	4197580928	1	1	19.97
11/03/2022	18:57:33	11/07/2022		lachua Co	***	4194922007	1	1	21.076
10/28/2022	20:49:18	11/01/2022		lachua Co	***	4188211694	1	1	20.356
10/24/2022	19:57:00	10/26/2022		lachua Co	***	4181105924	1	1	19.604
10/20/2022	14:32:59	10/24/2022		lachua Co	***	4176611680	1	1	20.723

10/14/2022	19:04:00	10/18/2022	[redacted]	Alachua Co ***	[redacted]	4169420633	1	1	15.053
10/10/2022	21:35:00	10/12/2022	[redacted]	Alachua Co ***	[redacted]	4163145991	1	1	18.105
10/05/2022	20:13:20	10/10/2022	[redacted]	Alachua Co ***	[redacted]	4158652353	1	1	20.638
09/29/2022	19:23:00	10/03/2022	[redacted]	Alachua Co ***	[redacted]	4148991830	1	1	21.124
09/24/2022	17:23:00	09/27/2022	[redacted]	Alachua Co ***	[redacted]	4143109416	1	1	19.583
09/19/2022	20:43:51	09/21/2022	[redacted]	Alachua Co ***	[redacted]	4135855682	1	1	20.202
09/11/2022	20:05:00	09/13/2022	[redacted]	Alachua Co ***	[redacted]	4125388992	1	1	20.693
09/07/2022	22:11:00	09/09/2022	[redacted]	Alachua Co ***	[redacted]	4120969167	1	1	20.186
09/02/2022	16:47:00	09/06/2022	[redacted]	Alachua Co ***	[redacted]	4116411974	1	1	20.84
08/27/2022	10:54:32	08/30/2022	[redacted]	Alachua Co ***	[redacted]	4107998728	1	1	20.075
08/20/2022	16:01:00	08/23/2022	[redacted]	Alachua Co ***	[redacted]	4098851469	1	1	21.28
08/15/2022	19:22:55	08/17/2022	[redacted]	Alachua Co ***	[redacted]	4092102677	1	1	20.72
08/10/2022	13:30:41	08/12/2022	[redacted]	Alachua Co ***	[redacted]	4086087586	1	1	21.505
08/06/2022	15:38:48	08/09/2022	[redacted]	Alachua Co ***	[redacted]	4080930862	1	1	20.966
08/01/2022	19:02:16	08/03/2022	[redacted]	Alachua Co ***	[redacted]	4073864803	1	1	20.913
07/26/2022	17:06:31	07/28/2022	[redacted]	Alachua Co ***	[redacted]	4066444530	1	1	21.389
07/23/2022	19:10:00	07/26/2022	[redacted]	Alachua Co ***	[redacted]	4062913910	1	1	22.17
07/19/2022	21:01:00	07/21/2022	[redacted]	Alachua Co ***	[redacted]	4057106255	1	1	20.79
07/14/2022	19:33:40	07/18/2022	[redacted]	Alachua Co ***	[redacted]	4051440375	1	1	21.214
07/08/2022	21:43:15	07/12/2022	[redacted]	Alachua Co ***	[redacted]	4044045842	1	1	20.824
07/04/2022	16:31:07	07/06/2022	[redacted]	Alachua Co ***	[redacted]	4038138879	1	1	21.367
07/01/2022	12:28:07	07/05/2022	[redacted]	Alachua Co ***	[redacted]	4036332285	1	1	17.781
06/27/2022	18:12:30	06/29/2022	[redacted]	Alachua Co ***	[redacted]	4030018517	1	1	20.943
06/24/2022	07:37:00	06/28/2022	[redacted]	Alachua Co ***	[redacted]	4026625193	1	1	21.06
06/18/2022	18:24:00	06/21/2022	[redacted]	Alachua Co ***	[redacted]	4018947291	1	1	21.053
06/13/2022	14:47:44	06/15/2022	[redacted]	Alachua Co ***	[redacted]	4011400681	1	1	21.194
06/08/2022	07:02:52	06/13/2022	[redacted]	Alachua Co ***	[redacted]	4006436015	1	1	21.151
06/04/2022	10:52:17	06/07/2022	[redacted]	Alachua Co ***	[redacted]	4000493955	1	1	21.675
05/30/2022	16:33:00	06/01/2022	[redacted]	Alachua Co ***	[redacted]	3993870004	1	1	18.857
05/25/2022	15:53:03	05/27/2022	[redacted]	Alachua Co ***	[redacted]	3988286064	1	1	21.479
05/18/2022	14:48:00	05/20/2022	[redacted]	Alachua Co ***	[redacted]	3980008663	1	1	21.176
05/15/2022	19:16:00	05/17/2022	[redacted]	Alachua Co ***	[redacted]	3975288571	1	1	16.977
05/10/2022	19:02:00	05/12/2022	[redacted]	Alachua Co ***	[redacted]	3969116581	1	1	21.144
05/06/2022	17:31:40	05/10/2022	[redacted]	Alachua Co ***	[redacted]	3964849045	1	1	19.177

05/02/2022 07:14:33	05/04/2022	[redacted]	Alachua Co ****	[redacted]	3958753038	1	1	20.727
04/27/2022 11:49:00	04/29/2022	[redacted]	Alachua Co ****	[redacted]	3952677194	1	1	21.28
04/25/2022 19:11:00	04/27/2022	[redacted]	Alachua Co ****	[redacted]	3950200517	1	1	8.974
04/22/2022 14:57:01	04/26/2022	[redacted]	Alachua Co ****	[redacted]	3947272406	1	1	21.289
04/17/2022 16:43:00	04/19/2022	[redacted]	Alachua Co ****	[redacted]	3940012448	1	1	20.861
04/12/2022 14:09:00	04/14/2022	[redacted]	Alachua Co ****	[redacted]	3934682616	1	1	17.25
04/07/2022 21:19:00	04/11/2022	[redacted]	Alachua Co ****	[redacted]	3929085711	1	1	20.487
03/31/2022 21:37:00	04/04/2022	[redacted]	Alachua Co ****	[redacted]	3920431698	1	1	20.47
03/25/2022 18:35:22	03/29/2022	[redacted]	Alachua Co ****	[redacted]	3913006616	1	1	21.712
03/18/2022 17:49:00	03/22/2022	[redacted]	Alachua Co ****	[redacted]	3904763562	1	1	20.901
03/15/2022 19:50:50	03/17/2022	[redacted]	Alachua Co ****	[redacted]	3899965712	1	1	20.171
03/10/2022 08:56:13	03/14/2022	[redacted]	Alachua Co ****	[redacted]	3894078927	1	1	20.721
03/03/2022 21:41:11	03/08/2022	[redacted]	Alachua Co ****	[redacted]	3887011035	1	1	21.934
02/26/2022 12:08:25	03/01/2022	[redacted]	Alachua Co ****	[redacted]	3879230167	1	1	20.98
02/22/2022 14:09:00	02/24/2022	[redacted]	Alachua Co ****	[redacted]	3873528467	1	1	20.68
02/18/2022 10:55:00	02/22/2022	[redacted]	Alachua Co ****	[redacted]	3870236781	1	1	20.561
02/12/2022 19:14:00	02/15/2022	[redacted]	Alachua Co ****	[redacted]	3861629358	1	1	20.553
02/07/2022 19:13:58	02/09/2022	[redacted]	Alachua Co ****	[redacted]	3855283946	1	1	20.23
02/01/2022 20:04:44	02/04/2022	[redacted]	Alachua Co ****	[redacted]	3850366606	1	1	20.362
01/26/2022 19:58:00	01/28/2022	[redacted]	Alachua Co ****	[redacted]	3841837308	1	1	20.79
01/23/2022 16:20:00	01/25/2022	[redacted]	Alachua Co ****	[redacted]	3837464497	1	1	16.491
01/21/2022 09:59:17	01/25/2022	[redacted]	Alachua Co ****	[redacted]	3836326594	1	1	17.476
01/17/2022 17:42:31	01/19/2022	[redacted]	Alachua Co ****	[redacted]	3830718091	1	1	20.469
01/14/2022 00:15:00	01/17/2022	[redacted]	Alachua Co ****	[redacted]	3827331408	1	1	21.197
01/09/2022 17:40:00	01/11/2022	[redacted]	Alachua Co ****	[redacted]	3821410243	1	1	19.55
12/31/2021 18:23:00	01/04/2022	[redacted]	Alachua Co ****	[redacted]	3813286908	1	1	20.74
12/27/2021 13:14:03	12/29/2021	[redacted]	Alachua Co ****	[redacted]	3808382144	1	1	21.101
12/22/2021 13:02:00	12/24/2021	[redacted]	Alachua Co ****	[redacted]	3805213705	1	1	18.29
12/17/2021 17:02:00	12/21/2021	[redacted]	Alachua Co ****	[redacted]	3799994603	1	1	21.48
12/13/2021 20:04:00	12/15/2021	[redacted]	Alachua Co ****	[redacted]	3794294153	1	1	20.566
12/08/2021 14:13:04	12/10/2021	[redacted]	Alachua Co ****	[redacted]	3788490525	1	1	21.923
12/02/2021 18:36:03	12/06/2021	[redacted]	Alachua Co ****	[redacted]	3780936353	1	1	21.766
11/27/2021 17:32:36	11/30/2021	[redacted]	Alachua Co ****	[redacted]	3774826745	1	1	20.007
11/22/2021 18:53:57	11/24/2021	[redacted]	Alachua Co ****	[redacted]	3769757361	1	1	19.948

11/16/2021	13:55:23	11/18/2021	[redacted]	9765	Alachua Co	****	[redacted]	3762072138	1	1	21.159
11/11/2021	15:04:51	11/15/2021	[redacted]		Alachua Co	****	[redacted]	3757312966	1	1	20.702
11/05/2021	15:27:00	11/09/2021	[redacted]		Alachua Co	****	[redacted]	3749443464	1	1	19.918
10/31/2021	18:43:37	11/03/2021	[redacted]		Alachua Co	****	[redacted]	3744233989	1	1	21.581
10/26/2021	19:51:59	10/28/2021	[redacted]		Alachua Co	****	[redacted]	3737668216	1	1	20.597
10/19/2021	19:49:00	10/21/2021	[redacted]		Alachua Co	****	[redacted]	3729625817	1	1	20.941
10/15/2021	18:35:00	10/19/2021	[redacted]		Alachua Co	****	[redacted]	3725521319	1	1	17.311
10/12/2021	20:46:27	10/15/2021	[redacted]		Alachua Co	****	[redacted]	3722420643	1	1	20.021
10/08/2021	13:44:55	10/12/2021	[redacted]		Alachua Co	****	[redacted]	3717170432	1	1	21.243
10/06/2021	10:43:17	10/08/2021	[redacted]		Alachua Co	****	[redacted]	3714235045	1	1	16.53
10/02/2021	14:11:42	10/05/2021	[redacted]		Alachua Co	****	[redacted]	3709765328	1	1	21.719

Unit of Me	Unit Cost	Total Fuel (	Service Cos	Other Cost	Total Non-I	Gross Cost	Exempt Ta	Discount	Net Cost	Reported T	Transactior	Transactior
GA	4.269	90.5	0	0	0	90.5	-3.88	0	86.62	-8.73		0
GA	4.149	85.93	0	0	0	85.93	-3.79	0	82.14	-8.55		0
GA	4.049	86.2	0	0	0	86.2	-3.9	0	82.3	-8.77		0
GA	4.399	91.39	0	0	0	91.39	-3.8	0	87.59	-8.58		0
GA	4.039	85.32	0	0	0	85.32	-3.87	0	81.45	-8.7		0
GA	3.998	78.14	0	0	0	78.14	-3.58	0	74.56	-8.06		0
GA	4.299	94.57	0	0	0	94.57	-4.02	0	90.55	-9.06		0
GA	3.969	84.19	0	0	0	84.19	-3.88	0	80.31	-8.74		0
GA	4.099	86.03	0	0	0	86.03	-3.84	0	82.19	-8.65		0
GA	4.189	83.78	0	0	0	83.78	-3.66	0	80.12	-8.25		0
GA	4.198	84.76	0	0	0	84.76	-3.69	0	81.07	-7.31		0
GA	4.029	81.75	0	0	0	81.75	-3.71	0	78.04	-8.36		0
GA	3.999	82.71	0	0	0	82.71	-3.78	0	78.93	-8.54		0
GA	3.909	83.93	0	0	0	83.93	-3.93	0	80	-8.85		0
GA	4.299	88.2	0	0	0	88.2	-3.75	0	84.45	-8.46		0
GA	3.689	79.14	0	0	0	79.14	-3.93	0	75.21	-8.46		0
GA	3.749	79.7	0	0	0	79.7	-3.89	0	75.81	-8.38		0
GA	3.979	77.42	0	0	0	77.42	-3.56	0	73.86	-6.7		0
GA	3.849	80.55	0	0	0	80.55	-3.83	0	76.72	-8.25		0
GA	3.999	78.28	0	0	0	78.28	-3.58	0	74.7	-7.72		0
GA	3.849	77.66	0	0	0	77.66	-3.69	0	73.97	-7.96		0
GA	3.729	77.81	0	0	0	77.81	-3.82	0	73.99	-8.23		0
GA	4.069	84.48	0	0	0	84.48	-3.8	0	80.68	-8.18		0
GA	4.169	0.15	0	0	0	0.15	-0.01	0	0.14	-0.01		0
GA	4.239	90.27	0	0	0	90.27	-3.9	0	86.37	-8.38		0
GA	4.199	86.46	0	0	0	86.46	-3.77	0	82.69	-8.11		0
GA	4.199	92.31	0	0	0	92.31	-4.02	0	88.29	-8.67		0
GA	4.249	89.45	0	0	0	89.45	-3.85	0	85.6	-8.3		0
GA	4.399	87.87	0	0	0	87.87	-3.65	0	84.22	-7.88		0
GA	4.398	92.71	0	0	0	92.71	-3.86	0	88.85	-8.31		0
GA	4.078	83.03	0	0	0	83.03	-3.73	0	79.3	-2.88		0
GA	4.069	79.77	0	0	0	79.77	-3.59	0	76.18	-2.77		0
GA	3.939	81.63	0	0	0	81.63	-3.79	0	77.84	-2.93		0

GA	4.039	60.8	0	0	0	60.8	-2.75	0	58.05	-2.13	0
GA	4.049	73.31	0	0	0	73.31	-3.31	0	70	-2.55	0
GA	4.049	83.56	0	0	0	83.56	-3.78	0	79.78	-2.92	0
GA	4.099	86.59	0	0	0	86.59	-3.87	0	82.72	-8.32	0
GA	3.989	78.12	0	0	0	78.12	-3.58	0	74.54	-7.72	0
GA	4.099	82.81	0	0	0	82.81	-3.7	0	79.11	-7.97	0
GA	4.049	83.79	0	0	0	83.79	-3.79	0	80	-8.17	0
GA	4.069	82.14	0	0	0	82.14	-3.69	0	78.45	-7.97	0
GA	4.199	87.51	0	0	0	87.51	-3.81	0	83.7	-8.22	0
GA	4.659	93.53	0	0	0	93.53	-3.67	0	89.86	-6.91	0
GA	4.999	106.42	0	0	0	106.42	-3.89	0	102.53	-8.39	0
GA	4.299	89.08	0	0	0	89.08	-3.79	0	85.29	-8.18	0
GA	4.429	95.25	0	0	0	95.25	-3.94	0	91.31	-8.49	0
GA	4.349	91.18	0	0	0	91.18	-3.84	0	87.34	-8.27	0
GA	4.649	97.22	0	0	0	97.22	-3.83	0	93.39	-8.26	0
GA	4.849	103.72	0	0	0	103.72	-3.91	0	99.81	-8.44	0
GA	4.959	109.96	0	0	0	109.96	-4.06	0	105.9	-8.75	0
GA	5.399	112.29	0	0	0	112.29	-3.8	0	108.49	-8.21	0
GA	4.919	104.35	0	0	0	104.35	-3.88	0	100.47	-8.36	0
GA	5.069	105.56	0	0	0	105.56	-3.81	0	101.75	-8.21	0
GA	5.189	110.87	0	0	0	110.87	-3.91	0	106.96	-8.42	0
GA	5.378	95.64	0	0	0	95.64	-3.25	0	92.39	-6.13	0
GA	5.348	112.02	0	0	0	112.02	-3.83	0	108.19	-8.26	0
GA	5.899	124.23	0	0	0	124.23	-3.85	0	120.38	-8.31	0
GA	5.459	114.93	0	0	0	114.93	-3.85	0	111.08	-8.31	0
GA	5.649	119.72	0	0	0	119.72	-3.88	0	115.84	-8.36	0
GA	5.458	115.46	0	0	0	115.46	-3.87	0	111.59	-8.35	0
GA	5.519	119.62	0	0	0	119.62	-3.97	0	115.65	-8.55	0
GA	5.199	98.04	0	0	0	98.04	-3.45	0	94.59	-7.43	0
GA	5.249	112.74	0	0	0	112.74	-3.93	0	108.81	-8.46	0
GA	5.099	107.98	0	0	0	107.98	-3.88	0	104.1	-8.36	0
GA	5.099	86.57	0	0	0	86.57	-3.11	0	83.46	-6.7	0
GA	5.049	106.76	0	0	0	106.76	-3.87	0	102.89	-8.34	0
GA	4.969	95.29	0	0	0	95.29	-3.51	0	91.78	-7.56	0

GA	4.929	102.16	0	0	0	102.16	-3.79	0	98.37	-8.18	0
GA	5.099	108.51	0	0	0	108.51	-3.89	0	104.62	-8.39	0
GA	4.799	43.07	0	0	0	43.07	-1.64	0	41.43	-3.54	0
GA	4.849	103.23	0	0	0	103.23	-3.9	0	99.33	-8.39	0
GA	4.599	95.94	0	0	0	95.94	-3.82	0	92.12	-8.22	0
GA	4.659	80.37	0	0	0	80.37	-3.16	0	77.21	-6.8	0
GA	4.699	96.27	0	0	0	96.27	-3.75	0	92.52	-8.07	0
GA	4.799	98.24	0	0	0	98.24	-3.75	0	94.49	-8.07	0
GA	4.749	103.11	0	0	0	103.11	-3.97	0	99.14	-8.57	0
GA	4.759	99.47	0	0	0	99.47	-3.82	0	95.65	-8.25	0
GA	5.099	102.85	0	0	0	102.85	-3.69	0	99.16	-7.96	0
GA	4.949	102.55	0	0	0	102.55	-3.79	0	98.76	-8.18	0
GA	4.149	91	0	0	0	91	-4.01	0	86.99	-8.65	0
GA	4.559	95.65	0	0	0	95.65	-3.84	0	91.81	-8.28	0
GA	4.199	86.84	0	0	0	86.84	-3.78	0	83.06	-8.16	0
GA	4.099	84.28	0	0	0	84.28	-3.76	0	80.52	-8.11	0
GA	4.189	86.1	0	0	0	86.1	-3.76	0	82.34	-8.11	0
GA	4.249	85.96	0	0	0	85.96	-3.7	0	82.26	-7.98	0
GA	4.249	86.52	0	0	0	86.52	-3.73	0	82.79	-8.02	0
GA	3.959	82.31	0	0	0	82.31	-3.8	0	78.51	-8.21	0
GA	3.799	62.65	0	0	0	62.65	-3.02	0	59.63	-6.49	0
GA	3.798	66.39	0	0	0	66.39	-3.2	0	63.19	-6.88	0
GA	4.029	82.47	0	0	0	82.47	-3.75	0	78.72	-8.07	0
GA	3.799	80.53	0	0	0	80.53	-3.88	0	76.65	-8.36	0
GA	3.779	73.88	0	0	0	73.88	-3.58	0	70.3	-7.7	0
GA	3.779	78.38	0	0	0	78.38	-3.8	0	74.58	-7.99	0
GA	3.999	84.38	0	0	0	84.38	-3.86	0	80.52	-8.12	0
GA	4.099	75	0	0	0	75	-3.35	0	71.65	-7.03	0
GA	3.999	85.91	0	0	0	85.91	-3.93	0	81.98	-8.26	0
GA	3.899	80.19	0	0	0	80.19	-3.76	0	76.43	-7.92	0
GA	3.899	85.48	0	0	0	85.48	-4.01	0	81.47	-8.44	0
GA	3.759	81.82	0	0	0	81.82	-3.98	0	77.84	-8.38	0
GA	4.099	82.01	0	0	0	82.01	-3.66	0	78.35	-6.7	0
GA	4.049	80.77	0	0	0	80.77	-3.65	0	77.12	-7.68	0

GA	3.999	84.61	0	0	0	84.61	-3.87	0	80.74	-8.15	0
GA	3.859	79.89	0	0	0	79.89	-3.79	0	76.1	-7.98	0
GA	3.998	79.65	0	0	0	79.65	-3.64	0	76.01	-6.48	0
GA	3.989	86.09	0	0	0	86.09	-3.95	0	82.14	-8.31	0
GA	3.969	81.75	0	0	0	81.75	-3.77	0	77.98	-7.94	0
GA	3.899	81.65	0	0	0	81.65	-3.83	0	77.82	-8.07	0
GA	3.758	65.07	0	0	0	65.07	-3.17	0	61.9	-5.62	0
GA	3.859	77.26	0	0	0	77.26	-3.66	0	73.6	-7.7	0
GA	3.809	80.91	0	0	0	80.91	-3.89	0	77.02	-8.18	0
GA	3.679	60.81	0	0	0	60.81	-3.02	0	57.79	-6.37	0
GA	3.688	80.12	0	0	0	80.12	0	0	80.12	0	0

Transactior	Transactior	Transactior	Transactior	Transactior	Transactior	Transactior	Transactior	Product	Product De	Transactior	Merchant (	Merchant N
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	MARATHOI	Deer Haver
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	CIRCLE K	Ck. Site #13
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	CHEVRON	Chevron 00
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	MARATHOI	Deer Haver
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	MARATHOI	Deer Haver
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	SHELL	Shell Servic
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	GATE	Gate 1137
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	MARATHOI	Deer Haver
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	ExxonMobi	Exxon II
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	MARATHOI	Deer Haver
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	GATE	Gate 1137
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	SHELL	Shell Servic
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	Circle K	Circle K 129
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	GATE	Gate 1137
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	MARATHOI	Southwest
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	Circle K	Circle K 141
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	SHELL	Shell Servic
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	CIRCLE K	Ck. Site #62
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	MARATHOI	Deer Haver
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	GATE	Gate 1137
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	Circle K	Circle K 141
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	Circle K	Circle K #62
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	ExxonMobi	Fast Track #
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	SHELL	Shell Servic
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	MARATHOI	Deer Haver
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	MARATHOI	Deer Haver
0	0	0	0	0	0	0	0	SUP	Unleaded 4	OP	SUNOCO	Sunoco SR\
0	0	0	0	0	0	0	0	SUP	Unleaded S	OP	Circle K	Circle K 141

0	0	0	0	SUP	Unleaded S	OP	RACEWAY Raceway 69
0	0	0	0	SUP	Unleaded S	OP	RACEWAY Raceway 69
0	0	0	0	SUP	Unleaded S	OP	Circle K Circle K 141
0	0	0	0	SUP	Unleaded S	OP	ExxonMobi Bob's Fuel
0	0	0	0	SUP	Unleaded S	OP	RACEWAY Raceway 69
0	0	0	0	SUP	Unleaded S	OP	MARATHOI Deer Haver
0	0	0	0	SUP	Unleaded S	OP	RACEWAY Raceway 69
0	0	0	0	SUP	Unleaded S	OP	RACEWAY Raceway 69
0	0	0	0	SUP	Unleaded S	OP	MARATHOI Deer Haver
0	0	0	0	SUP	Unleaded S	OP	MARATHOI Southwest
0	0	0	0	SUP	Unleaded S	OP	SHELL First Coast
0	0	0	0	SUP	Unleaded S	OP	MARATHOI Deer Haver
0	0	0	0	SUP	Unleaded S	OP	CIRCLE K Ck. Site #13
0	0	0	0	SUP	Unleaded S	OP	GATE Gate 1137
0	0	0	0	SUP	Unleaded S	OP	GATE Gate 1137
0	0	0	0	SUP	Unleaded S	OP	Circle K Circle K #13
0	0	0	0	SUP	Unleaded S	OP	SHELL Shell Servic
0	0	0	0	SUP	Unleaded S	OP	SHELL First Coast
0	0	0	0	SUP	Unleaded S	OP	Circle K Circle K 141
0	0	0	0	SUP	Unleaded S	OP	MARATHOI Deer Haver
0	0	0	0	SUP	Unleaded S	OP	GATE Gate 1137
0	0	0	0	SUP	Unleaded S	OP	MARATHOI Southwest
0	0	0	0	SUP	Unleaded S	OP	MARATHOI Deer Haver
0	0	0	0	SUP	Unleaded S	OP	SHELL First Coast
0	0	0	0	SUP	Unleaded S	OP	RACEWAY Raceway 69
0	0	0	0	SUP	Unleaded S	OP	Circle K Circle K 141
0	0	0	0	SUP	Unleaded S	OP	MARATHOI Deer Haver
0	0	0	0	SUP	Unleaded S	OP	CIRCLE K Ck. Site #62
0	0	0	0	SUP	Unleaded S	OP	RACEWAY Raceway 69
0	0	0	0	SUP	Unleaded S	OP	GATE Gate 1137
0	0	0	0	SUP	Unleaded S	OP	RACEWAY Raceway 69
0	0	0	0	SUP	Unleaded S	OP	RACEWAY Raceway 69
0	0	0	0	SUP	Unleaded 4	OP	SUNOCO Sunoco SR\
0	0	0	0	SUP	Unleaded S	OP	CIRCLE K Ck. Site #62

0	0	0	0	SUP	Unleaded S	OP	CIRCLE K	Ck. Site #13
0	0	0	0	SUP	Unleaded S	OP	SHELL	Shell Servic
0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	SUP	Unleaded S	OP	Circle K	Circle K 141
0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	SUP	Unleaded S	OP	CIRCLE K	Ck. Site #13
0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	SUP	Unleaded S	OP	CHEVRON	Chevron 02
0	0	0	0	SUP	Unleaded S	OP	CIRCLE K	Ck. Site #39
0	0	0	0	SUP	Unleaded S	OP	CIRCLE K	Ck. Site #62
0	0	0	0	SUP	Unleaded S	OP	MARATHOI	Deer Haver
0	0	0	0	SUP	Unleaded S	OP	SHELL	First Coast
0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	SUP	Unleaded S	OP	ExxonMobi	Fast Track #
0	0	0	0	SUP	Unleaded S	OP	CIRCLE K	Ck. Site #39
0	0	0	0	SUP	Unleaded S	OP	CIRCLE K	Ck. Site #62
0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	SUP	Unleaded S	OP	MARATHOI	Deer Haver
0	0	0	0	SUP	Unleaded S	OP	Circle K	Circle K 129
0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	SUP	Unleaded S	OP	CHEVRON	Chevron 00
0	0	0	0	SUP	Unleaded S	IP	SHELL	First Coast
0	0	0	0	SUP	Unleaded S	OP	SHELL	S and S
0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	SUP	Unleaded S	OP	CIRCLE K	Ck. Site #13
0	0	0	0	SUP	Unleaded S	OP	Circle K	Circle K 141
0	0	0	0	SUP	Unleaded S	OP	MARATHOI	Southwest
0	0	0	0	SUP	Unleaded S	OP	Circle K	Circle K 141

0	0	0	0	SUP	Unleaded S	OP	CHEVRON	Chevron 0(
0	0	0	0	SUP	Unleaded S	OP	GATE	Gate 1445
0	0	0	0	SUP	Unleaded S	OP	ExxonMobi	John Dabou
0	0	0	0	SUP	Unleaded S	OP	CIRCLE K	Ck. Site #62
0	0	0	0	SUP	Unleaded S	OP	Circle K	Circle K 141
0	0	0	0	SUP	Unleaded S	OP	RACEWAY	Raceway 69
0	0	0	0	SUP	Unleaded S	OP	BP PRODU(	BP 184987(
0	0	0	0	SUP	Unleaded S	OP	CIRCLE K	Ck. Site #62
0	0	0	0	SUP	Unleaded S	OP	GATE	Gate 1137
0	0	0	0	SUP	Unleaded S	OP	GATE	Gate 1137
0	0	0	0	SUP	Unleaded S	OP	MARATHOI	Deer Haver

Merchant A	Merchant C	Merchant S	Merchant F	Merchant S	Current Od	Adjusted O	Previous O	Distance Di	Fuel Econo	Cost Per Di	Vehicle De	VIN
9600 NW 1	Gainesville	FL	32653	0115493	56007		55664	343	16.18	0.264	2021 CHEV	
16171 NW	Alachua	FL	32615-639		55664		55349	315	15.21	0.273	2021 CHEV	
20 NE Wal	Gainesville	FL	32641-565	01307	55349		55025	324	15.22	0.266	2021 CHEV	
7500 W Ne	Gainesville	FL	32606-672	000000	55025		54695	330	15.88	0.277	2021 CHEV	
9600 NW 1	Gainesville	FL	32653	0115493	54695		54352	343	16.24	0.249	2021 CHEV	
9600 NW 1	Gainesville	FL	32653	0115493	54352		54053	299	15.3	0.261	2021 CHEV	
13820 NW	Alachua	FL	32615-611		54053		53661	392	17.83	0.241	2021 CHEV	
30001 NW	Gainesville	FL	32609	1137	53661		53343	318	14.99	0.265	2021 CHEV	
9600 NW 1	Gainesville	FL	32653	0115493	53343		53031	312	14.87	0.276	2021 CHEV	
16171 NW	Alachua	FL	32615-639		53031		52736	295	14.75	0.284	2021 CHEV	
9826 S Stat	Macclenny	FL	32063-545	123331	52736		52368	368	18.23	0.23	2021 CHEV	
16171 NW	Alachua	FL	32615-639		52368		52058	310	15.28	0.264	2021 CHEV	
9600 NW 1	Gainesville	FL	32653	0115493	52058		51712	346	16.73	0.239	2021 CHEV	
30001 NW	Gainesville	FL	32609	1137	51712		51365	347	16.16	0.242	2021 CHEV	
13820 NW	Alachua	FL	32615-611		51365		51018	347	16.92	0.254	2021 CHEV	
14300 W N	Newberry	FL	32669-280	1295	51018		50661	357	16.64	0.222	2021 CHEV	
30001 NW	Gainesville	FL	32609	1137	50661		50324	337	15.85	0.236	2021 CHEV	
4793 SW St	Lake Butler	FL	32054-818		50324		50049	275	14.13	0.282	2021 CHEV	
1515 N Ma	Gainesville	FL	32601-436	1416	50049		49699	350	16.72	0.23	2021 CHEV	
13820 NW	Alachua	FL	32615-611		49699		49393	306	15.64	0.256	2021 CHEV	
15089 NW	Alachua	FL	32615	06265	49393		49062	331	16.4	0.235	2021 CHEV	
9600 NW 1	Gainesville	FL	32653	0115493	49062		48718	344	16.49	0.226	2021 CHEV	
30001 NW	Gainesville	FL	32609	1137	48718	49058	48716	342	16.47	0.247	2021 CHEV	
1515 N Ma	Gainesville	FL	32601-436	1416	48716	48403	48402	1	27.78	0.15	2021 CHEV	
4030 SW 1	Gainesville	FL	32608	6270	48402		48090	312	14.65	0.289	2021 CHEV	
3960 SW A	Gainesville	FL	32608-240	122813	48090		47768	322	15.64	0.269	2021 CHEV	
16171 NW	Alachua	FL	32615-639		47768		47370	398	18.1	0.232	2021 CHEV	
16171 NW	Alachua	FL	32615-639		47370		47043	327	15.53	0.274	2021 CHEV	
13820 NW	Alachua	FL	32615-611		47043		46714	329	16.47	0.267	2021 CHEV	
9600 NW 1	Gainesville	FL	32653	0115493	46714		46387	327	15.52	0.284	2021 CHEV	
9600 NW 1	Gainesville	FL	32653	0115493	46387		46099	288	14.15	0.288	2021 CHEV	
4207 NW 1	Gainesville	FL	32609	1600801	46099		45803	296	15.1	0.269	2021 CHEV	
1515 N Ma	Gainesville	FL	32601-436	1416	45803		45479	324	15.63	0.252	2021 CHEV	

16171 NW	Alachua	FL	32615-639		45479		45215	264	17.54	0.23	2021	CHEV
16171 NW	Alachua	FL	32615-639		45215		44897	318	17.56	0.231	2021	CHEV
1515 N Ma	Gainesville	FL	32601-436	1416	44897	44826	44580	246	11.92	0.34	2021	CHEV
16091 NW	Alachua	FL	32615	166581	44580		44232	348	16.47	0.249	2021	CHEV
16171 NW	Alachua	FL	32615-639		44328	44232	43927	305	15.57	0.256	2021	CHEV
9600 NW 1	Gainesville	FL	32653	0115493	43927		43572	355	17.57	0.233	2021	CHEV
16171 NW	Alachua	FL	32615-639		43572		43211	361	17.45	0.232	2021	CHEV
16171 NW	Alachua	FL	32615-639		43211		42910	301	14.91	0.273	2021	CHEV
9600 NW 1	Gainesville	FL	32653	0115493	42910		42586	324	15.55	0.27	2021	CHEV
4793 SW St	Lake Butler	FL	32054-818		42586		42286	300	14.94	0.312	2021	CHEV
3850 W Ne	Gainesville	FL	32607	2577006	42286		41937	349	16.4	0.305	2021	CHEV
9600 NW 1	Gainesville	FL	32653	0115493	41937		41620	317	15.3	0.281	2021	CHEV
20 NE Walc	Gainesville	FL	32641-565	01307	41620		41281	339	15.76	0.281	2021	CHEV
30001 NW	Gainesville	FL	32609	1137	41281		40956	325	15.5	0.281	2021	CHEV
30001 NW	Gainesville	FL	32609	1137	40956		40643	313	14.97	0.311	2021	CHEV
9303 NW 3	Gainesville	FL	32606-734	1311	40643		40262	381	17.81	0.272	2021	CHEV
13820 NW	Alachua	FL	32615-611		40262		39918	344	15.52	0.32	2021	CHEV
3850 W Ne	Gainesville	FL	32607	2577006	39918		39597	321	15.44	0.35	2021	CHEV
1515 N Ma	Gainesville	FL	32601-436	1416	39597		39252	345	16.26	0.302	2021	CHEV
9600 NW 1	Gainesville	FL	32653	0115493	39252		38930	322	15.46	0.328	2021	CHEV
30001 NW	Gainesville	FL	32609	1137	38930		38612	318	14.88	0.349	2021	CHEV
4793 SW St	Lake Butler	FL	32054-818		38612		38339	273	15.35	0.35	2021	CHEV
9600 NW 1	Gainesville	FL	32653	0115493	38339		38007	332	15.85	0.337	2021	CHEV
3850 W Ne	Gainesville	FL	32607	2577006	38007		37691	316	15	0.393	2021	CHEV
16171 NW	Alachua	FL	32615-639		37691		37360	331	15.72	0.347	2021	CHEV
1515 N Ma	Gainesville	FL	32601-436	1416	37360		37043	317	14.96	0.378	2021	CHEV
9600 NW 1	Gainesville	FL	32653	0115493	37043		36679	364	17.21	0.317	2021	CHEV
15089 NW	Alachua	FL	32615	06265	36679		36336	343	15.82	0.349	2021	CHEV
16171 NW	Alachua	FL	32615-639		36336		36057	279	14.8	0.351	2021	CHEV
30001 NW	Gainesville	FL	32609	1137	36057		35704	353	16.43	0.319	2021	CHEV
16171 NW	Alachua	FL	32615-639		35704	35352	34997	355	16.76	0.304	2021	CHEV
16171 NW	Alachua	FL	32615-639		34997		34713	284	16.73	0.305	2021	CHEV
4207 NW 1	Gainesville	FL	32609	1600801	34713		34375	338	15.99	0.316	2021	CHEV
15089 NW	Alachua	FL	32615	06265	34375		34107	268	13.98	0.356	2021	CHEV

20 NE Walc	Gainesville	FL	32641-565	01307	34107		33766	341	16.45	0.3	2021	CHEV
3831 NW 1	Gainesville	FL	32609	2578806	33766		33418	348	16.35	0.312	2021	CHEV
16171 NW	Alachua	FL	32615-639		33418		33275	143	15.93	0.301	2021	CHEV
1515 N Ma	Gainesville	FL	32601-436	1416	33275		32918	357	16.77	0.289	2021	CHEV
16171 NW	Alachua	FL	32615-639		32918		32564	354	16.97	0.271	2021	CHEV
16171 NW	Alachua	FL	32615-639		32564		32317	247	14.32	0.325	2021	CHEV
16171 NW	Alachua	FL	32615-639		32317		32026	291	14.2	0.331	2021	CHEV
16171 NW	Alachua	FL	32615-639		32026		31680	346	16.9	0.284	2021	CHEV
20 NE Walc	Gainesville	FL	32641-565	01307	31680		31338	342	15.75	0.301	2021	CHEV
16171 NW	Alachua	FL	32615-639		31338	31240	30947	293	14.02	0.339	2021	CHEV
5221 NW 4	Gainesville	FL	32606-445	000000	30947		30629	318	15.77	0.323	2021	CHEV
9260 NW 3	Gainesville	FL	32606-733	03912	30629		30325	304	14.67	0.337	2021	CHEV
15089 NW	Alachua	FL	32615	06265	30325		30018	307	14	0.296	2021	CHEV
9600 NW 1	Gainesville	FL	32653	0115493	30018		29704	314	14.97	0.305	2021	CHEV
3850 W Ne	Gainesville	FL	32607	2577006	29704		29360	344	16.63	0.252	2021	CHEV
16171 NW	Alachua	FL	32615-639		29360		29028	332	16.15	0.254	2021	CHEV
3960 SW A	Gainesville	FL	32608-240	122813	29028		28722	306	14.89	0.281	2021	CHEV
16070 NW	Alachua	FL	32615	03911	1	28722	28394	328	16.21	0.262	2021	CHEV
15089 NW	Alachua	FL	32615	06265	28394		28064	330	16.21	0.262	2021	CHEV
16171 NW	Alachua	FL	32615-639		28064		27690	374	17.99	0.22	2021	CHEV
16171 NW	Alachua	FL	32615-639		27690		27411	279	16.92	0.225	2021	CHEV
9600 NW 1	Gainesville	FL	32653	0115493	27411		27151	260	14.88	0.255	2021	CHEV
14300 W N	Newberry	FL	32669-280	1295	27151		26823	328	16.02	0.251	2021	CHEV
16171 NW	Alachua	FL	32615-639		26823		26484	339	15.99	0.238	2021	CHEV
16171 NW	Alachua	FL	32615-639		26484		26185	299	15.29	0.247	2021	CHEV
16171 NW	Alachua	FL	32615-639		26185	26113	25821	292	14.08	0.268	2021	CHEV
15000 NW	Alachua	FL	32615-655	000000	25821		25524	297	14.08	0.284	2021	CHEV
3330 SW A	Gainesville	FL	32608	2576800	25524		25194	330	18.04	0.227	2021	CHEV
13820 NW	Alachua	FL	32615-611		25194		24828	366	17.04	0.235	2021	CHEV
16171 NW	Alachua	FL	32615-639		24828		24468	360	17.5	0.223	2021	CHEV
4221 NW 1	Gainesville	FL	32605-350	01313	24468		24099	369	16.83	0.232	2021	CHEV
1515 N Ma	Gainesville	FL	32601-436	1416	24099		23729	370	17	0.221	2021	CHEV
4793 SW St	Lake Butler	FL	32054-818		23729		23390	339	16.94	0.242	2021	CHEV
1515 N Ma	Gainesville	FL	32601-436	1416	23390		23055	335	16.79	0.241	2021	CHEV

15000 NW	Alachua	FL	32615-655	000000	23055	22686	369	17.44	0.229	2021	CHEV
506 NW 13	Gainesville	FL	32601	0001445	22686	22355	331	15.99	0.241	2021	CHEV
5946 New	Jacksonville	FL	32209-212	524743	22355	22015	340	17.07	0.234	2021	CHEV
15089 NW	Alachua	FL	32615	06265	22015	21679	336	15.57	0.256	2021	CHEV
1515 N Ma	Gainesville	FL	32601-436	1416	21679	21355	324	15.73	0.252	2021	CHEV
16171 NW	Alachua	FL	32615-639		21355	20243	1112	53.1	0.073	2021	CHEV
413 Pecan	Jacksonville	FL	32218	000000	20243	19952	291	16.81	0.224	2021	CHEV
15089 NW	Alachua	FL	32615	06265	19952	19630	322	16.08	0.24	2021	CHEV
30001 NW	Gainesville	FL	32609	1137	19630	19309	321	15.11	0.252	2021	CHEV
30001 NW	Gainesville	FL	32609	1137	19309	19039	270	16.33	0.225	2021	CHEV
9600 NW 1	Gainesville	FL	32653	0115493	19039	0	19039	876.61	0.004	2021	CHEV

Tank Capac	In Service D	Start Odom	Driver Last	Driver First	Driver Mid	Driver Dep	Employee I	Transactior	Currency E	Rebate Coc	Driver Pron	Vehicle Pro
0	########	0	Watson	Clovis		521		87033			000001	
0	########	0	Watson	Clovis		521		00064496			000001	
0	########	0	Watson	Clovis		521		066001075			000001	
0	########	0	Watson	Clovis		521		061014002			000001	
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0	########	0	Watson	Clovis		521		16001			000001	
0	########	0	Watson	Clovis		521		00022900			000001	
0	########	0	Watson	Clovis		521		293006028			000001	

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0	########	0	Watson	Clovis	521	68013	000001
0	########	0	Watson	Clovis	521	00014008	000001
0	########	0	Watson	Clovis	521	00008790	000001
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0	########	0	Watson	Clovis	521	0618280	000001
0	########	0	Watson	Clovis	521	00053519	000001
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0	########	0	Watson	Clovis	521	279001128	000001
0	########	0	KING	STEVEN	521	34028	896630

Departmer	Customer T	Product Ty	EIN Code	Product Ty	Org Code	Expansion	Location Cc	Fuel Type	Organizatic	EIN	License Typ	Federal Exc
521												-3.88
521												-3.79
521												-3.9
521												-3.8
521												-3.87
521												-3.58
521												-4.02
521												-3.88
521												-3.84
521												-3.66
521												-3.69
521												-3.71
521												-3.78
521												-3.93
521												-3.75
521												-3.93
521												-3.89
521												-3.56
521												-3.83
521												-3.58
521												-3.69
521												-3.82
521												-3.8
521												-0.01
521												-3.9
521												-3.77
521												-4.02
521												-3.85
521												-3.65
521												-3.86
521												-3.73
521												-3.59
521												-3.79

521	-2.75
521	-3.31
521	-3.78
521	-3.87
521	-3.58
521	-3.7
521	-3.79
521	-3.69
521	-3.81
521	-3.67
521	-3.89
521	-3.79
521	-3.94
521	-3.84
521	-3.83
521	-3.91
521	-4.06
521	-3.8
521	-3.88
521	-3.81
521	-3.91
521	-3.25
521	-3.83
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521	-3.88
521	-3.87
521	-3.97
521	-3.45
521	-3.93
521	-3.88
521	-3.11
521	-3.87
521	-3.51

521	-3.79
521	-3.89
521	-1.64
521	-3.9
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521	-3.16
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521	-3.79
521	-4.01
521	-3.84
521	-3.78
521	-3.76
521	-3.76
521	-3.7
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521	-3.8
521	-3.02
521	-3.2
521	-3.75
521	-3.88
521	-3.58
521	-3.8
521	-3.86
521	-3.35
521	-3.93
521	-3.76
521	-4.01
521	-3.98
521	-3.66
521	-3.65

521	-3.87
521	-3.79
521	-3.64
521	-3.95
521	-3.77
521	-3.83
521	-3.17
521	-3.66
521	-3.89
521	-3.02
521	

State Excis	State Sales	State Speci	County Exc	County Spe	County Sal	City Excise	City Specia	City Sales E	Federal Exc	State Excis	State Sales	State Speci
0	0	0	0	0	0	0	0	0	0	-0.85	-3.43	-1.91
0	0	0	0	0	0	0	0	0	0	-0.83	-3.36	-1.87
0	0	0	0	0	0	0	0	0	0	-0.85	-3.45	-1.92
0	0	0	0	0	0	0	0	0	0	-0.83	-3.37	-1.88
0	0	0	0	0	0	0	0	0	0	-0.84	-3.42	-1.91
0	0	0	0	0	0	0	0	0	0	-0.78	-3.17	-1.76
0	0	0	0	0	0	0	0	0	0	-0.88	-3.56	-1.98
0	0	0	0	0	0	0	0	0	0	-0.85	-3.44	-1.91
0	0	0	0	0	0	0	0	0	0	-0.84	-3.4	-1.89
0	0	0	0	0	0	0	0	0	0	-0.8	-3.24	-1.81
0	0	0	0	0	0	0	0	0	0	-0.81	-3.27	-1.82
0	0	0	0	0	0	0	0	0	0	-0.81	-3.29	-1.83
0	0	0	0	0	0	0	0	0	0	-0.83	-3.35	-1.87
0	0	0	0	0	0	0	0	0	0	-0.86	-3.48	-1.94
0	0	0	0	0	0	0	0	0	0	-0.82	-3.32	-1.85
0	0	0	0	0	0	0	0	0	0	-0.86	-3.22	-1.81
0	0	0	0	0	0	0	0	0	0	-0.85	-3.19	-1.79
0	0	0	0	0	0	0	0	0	0	-0.78	-2.92	-1.64
0	0	0	0	0	0	0	0	0	0	-0.84	-3.14	-1.76
0	0	0	0	0	0	0	0	0	0	-0.78	-2.94	-1.65
0	0	0	0	0	0	0	0	0	0	-0.81	-3.03	-1.7
0	0	0	0	0	0	0	0	0	0	-0.83	-3.13	-1.76
0	0	0	0	0	0	0	0	0	0	-0.83	-3.11	-1.75
0	0	0	0	0	0	0	0	0	0	0	-0.01	0
0	0	0	0	0	0	0	0	0	0	-0.85	-3.19	-1.79
0	0	0	0	0	0	0	0	0	0	-0.82	-3.09	-1.73
0	0	0	0	0	0	0	0	0	0	-0.88	-3.3	-1.85
0	0	0	0	0	0	0	0	0	0	-0.84	-3.16	-1.77
0	0	0	0	0	0	0	0	0	0	-0.8	-3	-1.68
0	0	0	0	0	0	0	0	0	0	-0.84	-3.16	-1.78
0	0	0	0	0	0	0	0	0	0	-0.41	0	-0.03
0	0	0	0	0	0	0	0	0	0	-0.39	0	-0.02
0	0	0	0	0	0	0	0	0	0	-0.41	0	-0.03

0	0	0	0	0	0	0	0	0	0	-0.3	0	-0.02
0	0	0	0	0	0	0	0	0	0	-0.36	0	-0.02
0	0	0	0	0	0	0	0	0	0	-0.41	0	-0.03
0	0	0	0	0	0	0	0	0	0	-0.84	-3.17	-0.03
0	0	0	0	0	0	0	0	0	0	-0.78	-2.94	-0.02
0	0	0	0	0	0	0	0	0	0	-0.81	-3.03	-0.03
0	0	0	0	0	0	0	0	0	0	-0.83	-3.1	-0.03
0	0	0	0	0	0	0	0	0	0	-0.81	-3.03	-0.03
0	0	0	0	0	0	0	0	0	0	-0.83	-3.13	-0.03
0	0	0	0	0	0	0	0	0	0	-0.8	-3.01	-0.03
0	0	0	0	0	0	0	0	0	0	-0.85	-3.19	-0.03
0	0	0	0	0	0	0	0	0	0	-0.83	-3.11	-0.03
0	0	0	0	0	0	0	0	0	0	-0.86	-3.23	-0.03
0	0	0	0	0	0	0	0	0	0	-0.84	-3.14	-0.03
0	0	0	0	0	0	0	0	0	0	-0.84	-3.14	-0.03
0	0	0	0	0	0	0	0	0	0	-0.86	-3.21	-0.03
0	0	0	0	0	0	0	0	0	0	-0.89	-3.33	-0.03
0	0	0	0	0	0	0	0	0	0	-0.83	-3.12	-0.03
0	0	0	0	0	0	0	0	0	0	-0.85	-3.18	-0.03
0	0	0	0	0	0	0	0	0	0	-0.83	-3.12	-0.03
0	0	0	0	0	0	0	0	0	0	-0.85	-3.21	-0.03
0	0	0	0	0	0	0	0	0	0	-0.71	-2.67	-0.02
0	0	0	0	0	0	0	0	0	0	-0.84	-3.14	-0.03
0	0	0	0	0	0	0	0	0	0	-0.84	-3.16	-0.03
0	0	0	0	0	0	0	0	0	0	-0.84	-3.16	-0.03
0	0	0	0	0	0	0	0	0	0	-0.85	-3.18	-0.03
0	0	0	0	0	0	0	0	0	0	-0.85	-3.17	-0.03
0	0	0	0	0	0	0	0	0	0	-0.87	-3.25	-0.03
0	0	0	0	0	0	0	0	0	0	-0.75	-2.83	-0.02
0	0	0	0	0	0	0	0	0	0	-0.86	-3.22	-0.03
0	0	0	0	0	0	0	0	0	0	-0.85	-3.18	-0.03
0	0	0	0	0	0	0	0	0	0	-0.68	-2.55	-0.02
0	0	0	0	0	0	0	0	0	0	-0.85	-3.17	-0.03
0	0	0	0	0	0	0	0	0	0	-0.77	-2.88	-0.02

0	0	0	0	0	0	0	0	0	0	-0.83	-3.11	-0.03
0	0	0	0	0	0	0	0	0	0	-0.85	-3.19	-0.03
0	0	0	0	0	0	0	0	0	0	-0.36	-1.35	-0.01
0	0	0	0	0	0	0	0	0	0	-0.85	-3.19	-0.03
0	0	0	0	0	0	0	0	0	0	-0.83	-3.13	-0.03
0	0	0	0	0	0	0	0	0	0	-0.69	-2.59	-0.02
0	0	0	0	0	0	0	0	0	0	-0.82	-3.07	-0.03
0	0	0	0	0	0	0	0	0	0	-0.82	-3.07	-0.03
0	0	0	0	0	0	0	0	0	0	-0.87	-3.26	-0.03
0	0	0	0	0	0	0	0	0	0	-0.84	-3.14	-0.03
0	0	0	0	0	0	0	0	0	0	-0.81	-3.03	-0.03
0	0	0	0	0	0	0	0	0	0	-0.83	-3.11	-0.03
0	0	0	0	0	0	0	0	0	0	-0.88	-3.29	-0.03
0	0	0	0	0	0	0	0	0	0	-0.84	-3.15	-0.03
0	0	0	0	0	0	0	0	0	0	-0.83	-3.1	-0.03
0	0	0	0	0	0	0	0	0	0	-0.82	-3.08	-0.03
0	0	0	0	0	0	0	0	0	0	-0.82	-3.08	-0.03
0	0	0	0	0	0	0	0	0	0	-0.81	-3.03	-0.03
0	0	0	0	0	0	0	0	0	0	-0.81	-3.05	-0.03
0	0	0	0	0	0	0	0	0	0	-0.83	-3.12	-0.03
0	0	0	0	0	0	0	0	0	0	-0.66	-2.47	-0.02
0	0	0	0	0	0	0	0	0	0	-0.7	-2.62	-0.02
0	0	0	0	0	0	0	0	0	0	-0.82	-3.07	-0.03
0	0	0	0	0	0	0	0	0	0	-0.85	-3.18	-0.03
0	0	0	0	0	0	0	0	0	0	-0.78	-2.93	-0.02
0	0	0	0	0	0	0	0	0	0	-0.83	-3.01	0
0	0	0	0	0	0	0	0	0	0	-0.84	-3.06	0
0	0	0	0	0	0	0	0	0	0	-0.73	-2.65	0
0	0	0	0	0	0	0	0	0	0	-0.86	-3.11	0
0	0	0	0	0	0	0	0	0	0	-0.82	-2.98	0
0	0	0	0	0	0	0	0	0	0	-0.88	-3.18	0
0	0	0	0	0	0	0	0	0	0	-0.87	-3.16	0
0	0	0	0	0	0	0	0	0	0	-0.8	-2.9	0
0	0	0	0	0	0	0	0	0	0	-0.8	-2.89	0

0	0	0	0	0	0	0	0	0	0	-0.85	-3.07	0
0	0	0	0	0	0	0	0	0	0	-0.83	-3	0
0	0	0	0	0	0	0	0	0	0	-0.8	-2.89	0
0	0	0	0	0	0	0	0	0	0	-0.86	-3.13	0
0	0	0	0	0	0	0	0	0	0	-0.82	-2.99	0
0	0	0	0	0	0	0	0	0	0	-0.84	-3.04	0
0	0	0	0	0	0	0	0	0	0	-0.69	-2.51	0
0	0	0	0	0	0	0	0	0	0	-0.8	-2.9	0
0	0	0	0	0	0	0	0	0	0	-0.85	-3.08	0
0	0	0	0	0	0	0	0	0	0	-0.66	-2.4	0

County Exc	County Sal	County Spe	City Excise	City Specia	City Sales R	Total Exem	Total Repo	Total Reported Non-Fuel Tax
-0.21	-2.33	0	0	0	0	-3.88	-6.19	-2.54
-0.21	-2.28	0	0	0	0	-3.79	-6.06	-2.49
-0.21	-2.34	0	0	0	0	-3.9	-6.22	-2.55
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-0.21	-2.32	0	0	0	0	-3.87	-6.17	-2.53
-0.2	-2.15	0	0	0	0	-3.58	-5.71	-2.35
-0.22	-2.42	0	0	0	0	-4.02	-6.42	-2.64
-0.21	-2.33	0	0	0	0	-3.88	-6.2	-2.54
-0.21	-2.31	0	0	0	0	-3.84	-6.13	-2.52
-0.2	-2.2	0	0	0	0	-3.66	-5.85	-2.4
-0.2	-1.21	0	0	0	0	-3.69	-5.9	-1.41
-0.2	-2.23	0	0	0	0	-3.71	-5.93	-2.43
-0.21	-2.28	0	0	0	0	-3.78	-6.05	-2.49
-0.21	-2.36	0	0	0	0	-3.93	-6.28	-2.57
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-0.21	-2.36	0	0	0	0	-3.93	-5.89	-2.57
-0.21	-2.34	0	0	0	0	-3.89	-5.83	-2.55
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-0.2	-2.15	0	0	0	0	-3.58	-5.37	-2.35
-0.2	-2.22	0	0	0	0	-3.69	-5.54	-2.42
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-0.21	-2.32	0	0	0	0	-3.86	-5.78	-2.53
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-0.21	-2.27	0	0	0	0	-3.78	-0.44	-2.48
-0.21	-2.32	-1.75	0	0	0	-3.87	-4.04	-4.28
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-0.21	-2.3	-1.74	0	0	0	-3.83	-4.01	-4.25
-0.21	-2.35	-1.78	0	0	0	-3.91	-4.1	-4.34
-0.22	-2.44	-1.84	0	0	0	-4.06	-4.25	-4.5
-0.21	-2.29	-1.73	0	0	0	-3.8	-3.98	-4.23
-0.21	-2.33	-1.76	0	0	0	-3.88	-4.06	-4.3
-0.21	-2.29	-1.73	0	0	0	-3.81	-3.98	-4.23
-0.21	-2.35	-1.77	0	0	0	-3.91	-4.09	-4.33
-0.18	-1.07	-1.48	0	0	0	-3.25	-3.4	-2.73
-0.21	-2.3	-1.74	0	0	0	-3.83	-4.01	-4.25
-0.21	-2.32	-1.75	0	0	0	-3.85	-4.03	-4.28
-0.21	-2.32	-1.75	0	0	0	-3.85	-4.03	-4.28
-0.21	-2.33	-1.76	0	0	0	-3.88	-4.06	-4.3
-0.21	-2.33	-1.76	0	0	0	-3.87	-4.05	-4.3
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-0.21	-2.33	-1.76	0	0	0	-3.88	-4.06	-4.3
-0.17	-1.87	-1.41	0	0	0	-3.11	-3.25	-3.45
-0.21	-2.33	-1.75	0	0	0	-3.87	-4.05	-4.29
-0.19	-2.11	-1.59	0	0	0	-3.51	-3.67	-3.89

-0.21	-2.28	-1.72	0	0	0	-3.79	-3.97	-4.21
-0.21	-2.34	-1.77	0	0	0	-3.89	-4.07	-4.32
-0.09	-0.99	-0.74	0	0	0	-1.64	-1.72	-1.82
-0.21	-2.34	-1.77	0	0	0	-3.9	-4.07	-4.32
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-0.22	-2.39	-1.8	0	0	0	-3.97	-4.16	-4.41
-0.21	-2.3	-1.73	0	0	0	-3.82	-4.01	-4.24
-0.2	-2.22	-1.67	0	0	0	-3.69	-3.87	-4.09
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-0.21	-2.31	-1.74	0	0	0	-3.84	-4.02	-4.26
-0.21	-2.27	-1.72	0	0	0	-3.78	-3.96	-4.2
-0.21	-2.26	-1.71	0	0	0	-3.76	-3.93	-4.18
-0.21	-2.26	-1.71	0	0	0	-3.76	-3.93	-4.18
-0.2	-2.23	-1.68	0	0	0	-3.7	-3.87	-4.11
-0.2	-2.24	-1.69	0	0	0	-3.73	-3.89	-4.13
-0.21	-2.29	-1.73	0	0	0	-3.8	-3.98	-4.23
-0.16	-1.81	-1.37	0	0	0	-3.02	-3.15	-3.34
-0.17	-1.92	-1.45	0	0	0	-3.2	-3.34	-3.54
-0.2	-2.25	-1.7	0	0	0	-3.75	-3.92	-4.15
-0.21	-2.33	-1.76	0	0	0	-3.88	-4.06	-4.3
-0.2	-2.15	-1.62	0	0	0	-3.58	-3.73	-3.97
-0.21	-2.28	-1.66	0	0	0	-3.8	-3.84	-4.15
-0.21	-2.32	-1.69	0	0	0	-3.86	-3.9	-4.22
-0.18	-2.01	-1.46	0	0	0	-3.35	-3.38	-3.65
-0.21	-2.36	-1.72	0	0	0	-3.93	-3.97	-4.29
-0.21	-2.26	-1.65	0	0	0	-3.76	-3.8	-4.12
-0.22	-2.41	-1.75	0	0	0	-4.01	-4.06	-4.38
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-0.2	-1.2	-1.6	0	0	0	-3.66	-3.7	-3
-0.2	-2.19	-1.6	0	0	0	-3.65	-3.69	-3.99

-0.21	-2.33	-1.69	0	0	0	-3.87	-3.92	-4.23
-0.21	-2.28	-1.66	0	0	0	-3.79	-3.83	-4.15
0	-1.2	-1.59	0	0	0	-3.64	-3.69	-2.79
-0.22	-2.37	-1.73	0	0	0	-3.95	-3.99	-4.32
-0.21	-2.27	-1.65	0	0	0	-3.77	-3.81	-4.13
-0.21	-2.3	-1.68	0	0	0	-3.83	-3.88	-4.19
0	-1.04	-1.38	0	0	0	-3.17	-3.2	-2.42
-0.2	-2.2	-1.6	0	0	0	-3.66	-3.7	-4
-0.21	-2.34	-1.7	0	0	0	-3.89	-3.93	-4.25
-0.17	-1.82	-1.32	0	0	0	-3.02	-3.06	-3.31
						0	0	0

BUSINESS RECORD CERTIFICATION

Pursuant to Sections 90.803(6) and 90.902(11), Florida Statutes

1. I Vicki Floyd am currently employed with:
(Print name of affiant)

Business Name: Alachua Police Department

Business Address: 15000 NW 142nd Ter.
Alachua, FL 32615

2. I am a custodian of records maintained by our business.

3. The attached record(s) are either originals or duplicate copies described as:
Personnel Complaint Form
Citizen Complaint form

4. The attached record(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters.

5. The attached record(s) were kept in the course of the regularly conducted activity of our business.

6. The attached records(s) were made as a regular practice in the course of the regularly conducted activity of our business.

7. I am aware that falsely making this Certification or Declaration would subject me to criminal penalty under the laws of the foreign or domestic location in which this certification or declaration was signed.

8. I have signed this Certificate under oath.

I do hereby swear or affirm that this certification and the attached records are true and accurate.

Vicki Floyd
(Affiant Signature)

BEFORE ME, the undersigned authority, personally appeared Vicki Floyd, who was duly sworn under oath and who did sign the above Certification on 6/1/23.

The affiant is
✓ personally known to me or
____ has presented _____ as identification.

NOTARY PUBLIC STATE OF FLORIDA

JIMMY J.E. SMITH
Commission # HH 380271
Expires March 29, 2027

Jimmy J.E. Smith
NOTARY PUBLIC (print name)

NOTARY PUBLIC (sign name)
My Commission Expires: 3/29/27

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

STATE OF FLORIDA
INVESTIGATION

Agency Report Number: FDLE EI-14-0186

SUBPOENA DUCES TECUM

IN THE NAME OF THE STATE OF FLORIDA, TO ALL AND SINGULAR THE SHERIFFS OF SAID STATE:

You are hereby commanded to subpoena the **Alachua Police Department, , Attn: Records Custodian, 15000 NW 142nd Terrace, Alachua 32615** if found in your County, to be and appear before **State Attorney Brian S. Kramer** on **June 1, 2023 at 9:00 A**.M., at the Office of the State Attorney, 120 West University Avenue, Gainesville, Florida, person should appear to testify and the truth to speak in behalf of the State of Florida in a certain matter before said Court pending and undetermined.

IN LIEU OF PERSONAL APPEARANCE, RECORDS CAN BE DELIVERED TO Brian S. Kramer, State Attorney, Office of the State Attorney, 120 West University Avenue, Gainesville, FL 32601, on or before June 1, 2023 at 9:00 A.M..

The attached Business Records Certification must be completed, fully executed, and returned with the records. If this document is not returned, a subpoena requiring the custodian to appear may be issued for court.

ITEMS TO BE PRODUCED

Any and all records of any Internal Affairs Investigations and/or Office of Professional Standards Investigations for Joel Coppock.

YOU ARE NOT TO DISCLOSE THE EXISTENCE OF THIS REQUEST. ANY SUCH DISCLOSURE COULD OBSTRUCT AND IMPEDE THE INVESTIGATION BEING CONDUCTED AND THEREBY INTERFERE WITH THE ENFORCEMENT OF THE LAW.

And this you shall in no wise omit.

BRIAN S. KRAMER
STATE ATTORNEY

Gainesville, Florida, Alachua County,
this 3RD day of May 2023

Brian S. Kramer
State Attorney
Florida Bar No. 981265
120 West University Avenue
Gainesville, Florida 32601

COPY

BUSINESS RECORD CERTIFICATION

Pursuant to Sections 90.803(6) and 90.902(11), Florida Statutes

1. I Vicki Floyd am currently employed with:
(Print name of affiant)

Business Name: Alachua Police Department

Business Address: 15000 NW 142nd Ter.
Alachua, FL 32615

2. I am a custodian of records maintained by our business.

3. The attached record(s) are either originals or duplicate copies described as:
Internal Affairs Investigation #2022-IA-001/OFC. Joshua Lamar

4. The attached record(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters.

5. The attached record(s) were kept in the course of the regularly conducted activity of our business.

6. The attached records(s) were made as a regular practice in the course of the regularly conducted activity of our business.

7. I am aware that falsely making this Certification or Declaration would subject me to criminal penalty under the laws of the foreign or domestic location in which this certification or declaration was signed.

8. I have signed this Certificate under oath.

I do hereby swear or affirm that this certification and the attached records are true and accurate.

Vicki Floyd
(Affiant Signature)

BEFORE ME, the undersigned authority, personally appeared Vicki Floyd, who was duly sworn under oath and who did sign the above Certification on 6/1/23.

The affiant is
✓ personally known to me or
____ has presented _____ as identification.

JIMMY J.E. SMITH
Commission # HH 380271
Expires March 29, 2027

Jimmy JE Smith
NOTARY PUBLIC (print name)

NOTARY PUBLIC (sign name)
My Commission Expires: 3/29/27

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

STATE OF FLORIDA
INVESTIGATION

Agency Report Number: FDLE EI-14-0186

SUBPOENA DUCES TECUM

IN THE NAME OF THE STATE OF FLORIDA, TO ALL AND SINGULAR THE SHERIFFS OF SAID STATE:

You are hereby commanded to subpoena the **Alachua Police Department, , Attn: Records Custodian, 15000 NW 142nd Terrace, Alachua 32615** if found in your County, to be and appear before **State Attorney Brian S. Kramer** on **June 1, 2023 at 9:00 A**.M., at the Office of the State Attorney, 120 West University Avenue, Gainesville, Florida, person should appear to testify and the truth to speak in behalf of the State of Florida in a certain matter before said Court pending and undetermined.

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The attached Business Records Certification must be completed, fully executed, and returned with the records. If this document is not returned, a subpoena requiring the custodian to appear may be issued for court.

ITEMS TO BE PRODUCED

Any and all records of any Internal Affairs Investigations and/or Office of Professional Standards Investigations for Joshua Lamar.

YOU ARE NOT TO DISCLOSE THE EXISTENCE OF THIS REQUEST. ANY SUCH DISCLOSURE COULD OBSTRUCT AND IMPEDE THE INVESTIGATION BEING CONDUCTED AND THEREBY INTERFERE WITH THE ENFORCEMENT OF THE LAW.

And this you shall in no wise omit.

BRIAN S. KRAMER
STATE ATTORNEY

Gainesville, Florida, Alachua County,
this 3rd day of May 2023

Brian S. Kramer
State Attorney
Florida Bar No. 981265
120 West University Avenue
Gainesville, Florida 32601

COPY

(INTERVIEW OF SHERRY FRENCH, # EI-14-0186, 02/24/23)

(The following may contain unintelligible or misunderstood words due to the recording quality.)

SF = SHERRY FRENCH DS = INSPECTOR DAVE SNOWDEN
KR = KEITH RIDDICK BF = BOBI FRANK

DS: Today's date is March 9th. Uh, the time is currently 9:27 in the morning. I'm Inspector Dave Snowden of the Office of Executive Investigations. Also present at this time is Keith Riddick and attorney Bobi Frank. We're at the Law Office of Bobi Frank. I'll be questioning Sherry French as a witness in an official FDLE investigation. Case number is EI-14-0186. I am the Inspector in Charge of this investigation. Uh, prior to beginning of the interview, you should be aware of the following: that this interview is being recorded. As a sworn law enforcement officer, I am empowered to administer oath and take statements. In a moment, I'll be taking a sworn statement from you. You'll be under oath. And if you knowingly provide false statements, you can be criminally charged with perjury. You understand each of the above items?

SF: I do.

DS: Please, raise your right hand. Do you swear, or affirm, the testimony you're gonna provide to be the truth, the whole truth, and nothing but the truth so help you God?

SF: I do.

DS: Okay. Um, your full name?

SF: Sherry Lynn French.

DS: And you are currently employed where?

SF: The Alachua County Sheriff's Office.

DS: And in what capacity?

SF: I'm a lieutenant in the Civil Bureau.

DS: And how long have you worked there?

SF: Twenty-seven years.

DS: Okay. And, um, this is the second interview that we've conducted with you. And in the first interview, I read the, uh, letter of immunity, um, that's still, uh, applies in -- in the case that -- that we are, uh, recording today. Um, so when we talked to you last time, uh, you spoke about the -- the iRecord system and iPro. Tell us a little bit about that, how it works, um, and then I'll ask you specific questions regarding that.

SF: Okay. iRecord itself is a system that was put in place for there to be -- it's used in a couple different capacities within the agency. But within the Office of Professional Standards, it is set up in a room maybe about the size of this room that we're in actually. Um, there's two cameras, um, and what happens is there's -- on the TV outside there's the ability for when an interview's being conducted for other inspectors to watch.

That way, if something happens and they catch something that somebody in the room doesn't catch, we typically text and say, hey, ask this, ask that, whatever. So you can watch it and -- and see everything. And that's also the TV where the computer is attached and it -- you hit record to record what's happening in a room. Aside from the TV monitor where you can watch -- you hit the record, you stop, you burn DVDs for people where the computer is on the TV. There is a livestream function where anybody who is within the system that's we -- it's called -- I think we even called it just OPS. Within iRecord, you can livestream on your computer.

So you can sign in like web-based and you can -- you can't function. Like, you can't make it record or do anything. But it's set up so that you can watch it livestream. You can listen to what's happening and then you can go back in and you can just, like, name 'em just basic stuff. Um, within the Office of Professional Standards the one that's set up, it's just set up as the inspectors that are in there. So it would be the captain, um, the inspectors and the administrative assistant doesn't even have access to that one. It's just within the Office of Professional Standards. Um, and so we'd like -- within

the other bureaus, they're using 'em in a different capacity. I'm not exactly versed on how they're using 'em. Um, it's very similar, but I don't know specifically because I've not been in those bureaus to see how they're used. But iRecord is something that's -- it's used in at least two places within the agency in a similar function.

DS: And the logons are all tracked and recorded? Or do you know that information?

SF: I would have to assume that the logons are all tracked and recorded. Um, I tried to actually -- when -- when some of this stuff was happening and -- and things were starting to -- to come to light and I had met with attorney Frank, um, I tried to go in under the admin password and find login history. And I couldn't find it. So I'm sure is something probably on the back end that the iRecord people would probably have to be able to track. But I mean, when you login to the system, you're logging in with your password. So you -- there would be a specific way to -- to see that each one of us signed in to the system on -- on the computer version.

DS: And you -- you said that you tried to login using an admin. Who -- who are administrators in the system?

SF: So the admin password was set up and when we initially moved into that building, uh, the captain knew the admin password. I knew the admin password. And I think, um, Lieutenant Rhodenizer at the time knew the admin password simply because we had to go in, like, if we wanted to remove people, add people, whatever else. Um, I don't know if any of the other guys knew the admin password. But all that that did was allowed you to go into the back end to add, remove people, to change the settings. When we logged in otherwise, we logged in with our own username and our own password.

So, like, when we log in on the computer, you -- you have to log in with your user name and your password. I don't know that even the computer would allow -- actually it did 'cause I tried that. Um, yeah, 'cause I tried it just to find the -- if there was a login record. But for the most part, you should be signing in. But even still, even if somebody were to sign in under the admin password,

you're gonna be able to see it on the computer side. So, like, even when I signed in that day trying to find the login, there's gotta be a way to track it from the computer that I logged in on side of it. Everything's tracked. Like, it's the digital world we're in. I -- I wouldn't believe that it's not.

DS: So you -- you don't know if it would come back if you logged in under an admin, if it would be a, um, come back to a specific computer?

SF: It should.

DS: Okay.

SF: Yeah. So, like, for example, let's just say for argument's sake that Captain Kutner that day, that he -- the least two days that he was logging in. Let's just say for example he logged in under the admin password --

DS: Uh-huh.

SF: -- which I can't imagine that he would have. He should've used his own user name and his own password. Um, there would still be a way to track that he logged in on that computer --

DS: Uh-huh.

SF: -- on that day. Because that's one of things that we do with just basic investigations is we log in and we see on the computers, you know, we -- one of the cases I had was a guy who was logging in and going into David and -- and checking, you know, links and doing all these things. At 2:00 in the morning. He was a dayshift guy. There was no reason for him to be logging in that time in the morning to check those things.

So that was our IT that checked that. So there should still be a record of that. I -- and I don't know how long it -- it gets maintained. I know they maintain our drives for a minimum of, like, I was just told six to eight months of things that are in our drives that we -- that we do when somebody leaves. But the logon stuff, I don't know exactly how long it would take to go back and get that. But I

can't imagine that they're getting rid of that stuff. It -- I think --

KR: You say our drives. You talking about officer --

SF: So, like, what -- what we call our personal drive is a K: drive.

KR: Okay.

SF: So when I save anything that I'm doing, all the -- the basic stuff that goes into my Outlook. It's called my K: drive. Um, we had an instance where we had someone who -- well, actually I think I asked and was told the example of when, um, Captain Kutner left. We were looking for something. And I asked our IT director. I said, "How long do you maintain our drives if we needed to go back and find something on there that he doesn't have?" And he said, "Usually at least six months. And then they put 'em somewhere else." Um, and he -- he -- if I remember exactly what he said, they basically keep 'em in the forefront for, like, six or so months. And then they put 'em somewhere where they still kinda keep 'em I don't know for how long. So I can't imagine that all of that stuff is not still trackable that when the computer that Captain Kutner had that was assigned to just him --

DS: Uh-huh.

SF: -- logged in to iRecord on his computer. I can't imagine they wouldn't still be able to go back and find that. Because I also would -- would almost assume that some of that is still trackable by iRecord as well.

KR: Tell me about iRecord. Is it web-based or is it cloud-based or it -- 'cause you -- you talk about the iRecord people. What -- I'm -- I'm assuming just by, like, most databases nowadays, is it just maintained by them? Or is it -- or is it actually physically possessed by them as far as --

SF: I am --

KR: -- where the data's kept and --

SF: I am not exactly sure whether or not we're putting that information on a server or whether or not they're maintaining that and it's cloud-based. I know that the application that I sign into appears to be -- to be web-based. Um, but as far as who maintains -- like, we -- we have a server for it or whether or not it's cloud-based, I don't know the answer to that.

KR: So when you log into it, you go to Internet Explorer or Chrome or something like that --

SF: Right.

KR: -- there's a --

SF: There's a web address.

KR: A log in?

SF: You put it in and then you sign in with your user name and your password.

KR: Okay.

SF: Uh-huh.

DS: If -- if somebody's watching but not recording, would -- would that be logged that they're logged in?

SF: It would -- it would -- they have to --

DS: -- but --

SF: -- 'cause you can't get into the system. You can't get in without logging in. So you -- like when I pull up my computer, if I'm sitting there and I wanted to watch something that was --

DS: Uh-huh.

SF: -- going on in there or, you know, like, record it or -- or whatever, the only way that I'm gonna be able to watch it and do anything recording it was on the computer with the TV. Just to watch it, to name videos, just very little stuff. I -- I literally only sat there and watched a

couple times when an interview was happening at my computer only because I wanted to have the earphones.

DS: Uh-huh.

SF: Because the room didn't have a lot of insulation when they put up the walls. And so sometimes when we were sitting trying to watch through the TV, I was worried because you could just faintly hear when an interview was happening. You could kinda hear the mumbling of words. So I didn't wanna turn the TV up real loud. So a couple times when there was an interview, I would sit at my computer and watch the interview from my computer just so that I could wear earphones. But I had to login to what -- what pulled up as the iRecord page. I had to put in my username and my password --

DS: Uh-huh.

SF: -- to login to it.

DS: But it wouldn't -- there would be no record of who you were watching if it wasn't recording?

SF: No. Yes and no. The only way that I think that may be possible is if we went in afterwards and titled them as to which interview it was, there may be a way to track because of the date 'cause we don't do a bunch of 'em.

DS: What -- what -- so if -- if there was going to be a, um, attorney came in with one of the deputies and they were gonna review evidence and say that somebody turned on the -- that didn't turn on the record but was in there --

SF: Watching.

DS: -- monitoring what they were doing. Um, is it -- did IA keep track of when these certain events happened? Like, would they keep track of, uh, deputy Smith came in with the attorney?

SF: Yes.

DS: Okay.

SF: So -- so here's what -- here's what I think you're basically wanting to confirm that you -- there would be a way to tell without a doubt that somebody livestreamed, or watched, a specific interview with, like, for example, the ones that happened with attorney Frank. So -- or the reps on the other one. We -- when I was there, we didn't do more than one interview a day. A lot of times, we didn't do more than one interview a week. It just depended on what was happening. So there would be multiple ways to go back and show that when somebody logged in and was livestreaming, or watching something that was going on that day, there is without a doubt, no doubt, who was in that interview room because we kept track of who was in the interview rooms.

We kept track of who was being interviewed because we knew which cases were what. And there would be nobody else that it could've been confused with, much less if, like, we went in and we logged after the interview was over, we logged whose interview it was, that would be maintained with the iRecord video. So there would be a way to connect the dots with that because you wouldn't be able to say on November the 10th, like when we did Latrell Simmons' interview, you wouldn't be able to say that on November the 10th if somebody logged in and was watching Latrell's interview, you wouldn't be able to say that anybody else -- they were watching anybody else's because of that.

DS: Do you --

SF: And they sign into the jail log when they get there.

DS: Okay. Do you know if the -- the suite -- anybody in the suite, the sheriff, the undersheriff, anybody in there, has access to viewing rights?

SF: I don't know if they ultimately have access. But what I do know is that when you logged into the one that was just setup in OPS, there was nobody else's name but the OPS inspectors.

DS: Uh-huh.

SF: So I -- I don't know enough about the backend of that to know whether or not they could've logged in and watched it

themselves. I wouldn't think that they could because their name wasn't attached to the profile for the OPS iRecord.

DS: Would Sherry French, going in as administrator, have to login Sherry French admin password? Or would it be admin -- admin password?

SF: It's -- it's -- so if you -- when I logged in, it was either Sherry French and my password or the admin password was admin and the password was -- it was admin.

DS: So some --

SF: I mean, it was real secure.

DS: -- what -- so they -- so if somebody else had access that you weren't aware of, somebody could login admin and password?

SF: Admin -- oh, yeah, somebody could've logged in admin admin and viewed it. Hm. Yeah.

DS: So that --

SF: Absolutely they could have.

DS: So that specific name, um, you know, like deputy Ryan Smith wouldn't have to be in the system. He -- they could do it as an admin.

SF: You could login as admin admin.

DS: If you had that function on your computer, that -- the, uh, iRecord?

SF: Right, right.

DS: Okay.

SF: That's -- that's -- that may be absolutely possible.

DS: Okay.

SF: That if they'd had been told admin admin and the way iRecord was setup that they could've logged into the link

and they could've used the admin password and viewed anything.

DS: Okay.

SF: I mean, it would still be able to be tracked on their computer. You would know that they logged into iRecord.

DS: Uh-huh.

SF: But and -- and I'm sure iRecord has a log of who logs into their system and they'd be able to see the IP address that logged in. But yeah, I never even thought about the fact that if we would -- somebody would've given somebody the admin username and admin password that they could've logged in to watch it as well.

KR: As far as you know, is it still admin admin?

SF: As far as I know.

DS: But you wouldn't have access now because of your current position?

SF: Oh, I'm -- if it's still admin admin, I could login I'm sure.

DS: So you have the iRecord on your --

SF: The link?

DS: Okay.

SF: I still have the link on my computer.

DS: Okay.

SF: I can check it. I actually brought the computer. It's in the car. I can check that if you want me to.

KR: Well, and the link itself is nothing but a web address --

SF: Right.

KR: -- right?

SF: Correct.

KR: So really all you -- it's not like you have a -- a portal that you have to --

SF: Right.

KR: -- go to --

SF: Right.

KR: -- a --

SF: Because, like, for example, I don't have access to the OPS portal and the M: drive anymore because they removed it when I was removed from OPS.

KR: Uh-huh.

SF: But, yes, the link is still just a link to iRecord. And if the -- if the password's still admin admin, then, in theory, I could actually still login and see.

DS: Other agencies use iRecord, correct?

SF: To my knowledge, yes. I don't know which ones. But I know that other agencies use it.

DS: So did -- did the iRecord that you log into, the -- the site, is that link directly to your sheriff's office?

SF: Yes. I would say that they probably don't have backend permissions for me to, like, login admin admin and see anybody else's videos. I would say it's specific to our agency. But, you know, here's the other thing that's -- that is something that I don't know about the back end of it. Even when I logged in admin admin, I still only saw OPS stuff.

DS: Okay.

SF: So I don't know -- so it's not like I could log -- log in with the admin admin and see what was going on in criminal investigations. It still just only gave me permission

because I think the way the back end was setup --

DS: Uh-huh.

SF: -- I think that it was setup by design so that, you know, vice versa, whatever their pass -- even if they have admin admin, I don't think they can see the OPS stuff. So actually I don't know. Maybe -- maybe somebody can't unless their computer is set up in the way that it needs to be set up. Because I know I couldn't see criminal investigation stuff.

DS: Okay. The, um, were -- you were aware any actual recordings that were made involving attorney Frank?

SF: The only recording was when we actually went forward with the interview. So there was not a -- or at least, I didn't have it. There was not a mechanism to record from within the web-based portal on the computer. I don't know if Captain Kutner had different privileges than I had, but to my knowledge, it should only be that you can view it and then, like, add names to videos and just basic stuff. So if he logged in, no matter how he logged in, I would only assume that he only had view permissions on his computer like I did.

DS: Where would this be? I think you've said this before, but just to clarify where -- how did you record, where was the --

SF: That's on the TV where --

DS: -- access to record --

SF: -- the actual -- there was an actual computer.

DS: Hm. Okay.

SF: So in -- when you walk into the room, there's, like, a little blank space. And then there was a TV set up and a conference table. This TV had an -- a physical computer base where you could make the copies. Um, and on that, the version that was on the TV, you had the functionality of recording, turning it off, labeling it, burning the copies and all of that functionality.

KR: Is that in the same room as -- where the interviews happened? Or --

SF: No. So, like, there's a big room --

KR: Uh-huh. Or would it be in the OPS, uh, squad bay?

SF: No. So, like, there's a whole big room. You come in this door right here or there was a side door right here.

KR: Uh-huh.

SF: So within this room, like, here was the office table, here was the TV. And then there was four desks right here --

KR: Okay.

SF: -- that all faced each other. And then over here is a whole separate room that was walled off very thinly. And then here was what we called, like, a breakroom and this was -- was our interview room.

KR: Okay.

SF: So it's a room within a room.

KR: Okay. So the interview room is within the OPS squad bay?

SF: Yes.

KR: Or -- okay.

SF: Yes.

KR: And then that TV and that computer that -- where you record from is in that open squad bay area?

SF: Yes. On the opposite end of the room.

KR: Okay.

DS: And somebody would have to physically press record?

SF: Yes.

DS: Hm.

SF: We would always -- it was always a game 'cause we'd always run to -- to, you know, like if they peek out or they say they were done or sometimes they'd take a break. And then they go back in and they'd say, okay, we're ready. And then we would hit record and we'd go, okay, we're hot. So that everybody knew that it was now recording.

DS: Okay. Is -- do you remember the name or was that computer labeled a specific --

SF: I -- I don't know.

KR: Is that a desktop --

SF: I'm not sure.

KR: -- or a laptop?

SF: It was a desktop. Yeah. It was a desktop. And when you logged in, there was a few things on a, um, like a, uh, what's the page called? Like your -- your main page when you --

DS: Home page.

SF: -- login on the desk top. And then there was a iRecord -- specific iRecord button, it was a link that you had to click on to open iRecord.

DS: So then that didn't stay on all the time? Somebody had to logon to that each time you wanted to record an interview?

SF: It depended on whether or not we properly shut it down after an interview.

DS: Uh-huh.

SF: A lot of times what we would do is we would just hit the stop button. I was the one that typically would burn a copy.

DS: Uh-huh.

SF: And then, um, we would turn the TV off. And so that was how we got around the next time that we thought Captain Kutner was trying to -- to log in to just live view because we hadn't reset it. So what was supposed to happen is we were supposed to shut it down properly and restart it. But a lot of times we'd just turn the TV off --

DS: Uh-huh.

SF: -- and we wouldn't restart it. And then the one time that he came in and -- and asked Lieutenant Rhodenizer, hey, what's going on with iRecord? We realized that what had happened is it had been -- 'cause like I said, we -- interviews were few and far between a lot of times. Sometimes we'd go two weeks without having one. And so what would happen is because we would just shut the TV off, we would have to go in and restart it or you couldn't even live view because it was, like, hung up. So we didn't always properly shut it down. We just turned the TV off.

DS: Hm.

SF: But what was supposed to happen is yeah, we were supposed to shut it down. But it wasn't recording at the time because we had -- you had to physically click the button the screen to make it record.

KR: Was that computer used for anything else?

SF: Um, not that I know of. I'm trying to even remember any other links that were on it. The only reason that we used the hub was to do the function of iRecord and burn the copies. Um, other than that, the TV was just used for cable. So I don't even remember the other links that were on there. I don't think I ever paid much attention to 'em 'cause we -- we would just sign into iRecord on that computer, or restart it and reboot it.

KR: And you refer to that computer as the hub?

SF: The hub.

KR: Were you there when iRecord was first started, was first --

SF: For the agency? I was there, but I wasn't using it. I was in a different position.

KR: Okay. All right. So you --

SF: Actually, I think when iRecord was brought to the agency, I think CID was the one who started it first. And I think Captain Kutner was there when that was started. So he -- he used it in CID as well and then came over to OPS.

KR: Okay.

DS: Keith, do you -- are you familiar with the IAPro?

KR: I know the old IAPro and I've gotten some use with the new IAPro --

DS: Okay.

KR: -- thanks to my last investigation.

DS: You -- you would -- you would probably be better off to ask the questions regarding that because that --

KR: Okay.

DS: Yeah.

KR: When you first started in OPS, how did you build your files, how did you -- how did you work an IA case?

SF: Okay. So when -- you mean the -- the -- the second time I was there? Just to clarify. 'Cause I was there in 2016 for a year. And then I left -- asked to leave and then I was put back in 2021. So --

KR: In 2016 --

SF: -- but --

KR: -- did you have IAPro?

SF: No.

KR: Okay.

SF: We did not have that until 2022.

KR: All right. So tell me about, um --

SF: So when we -- when I first -- the second time I went back, um, we were still using the same thing we were using when I was there in 2016. We were using a Excel spreadsheet for the log. And we were just doing basic, like, Word, PDF documents for everything. So what would happen is when you would get a case, um, although some of this got lost and we had to bring it back. But what -- what we finally went back to was when you get a case, somebody would call. Um, what was supposed to happen and it -- like I said, it got lost for a little while and then we had to get back to it -- was if somebody called the assistant and said, hey, I have a potential case, they, um, the assistant would give it to one of us.

We did a pre-screening log basically where we asked some basic questions. Um, hey, what's this about? What day did it happen, just making sure you haven't interview anybody yet, you haven't -- just the basic questions to make sure they hadn't already violated 112. And, um, got a -- just a brief synopsis about what it was. Uh, we consulted with him. And then we went on to the Excel spreadsheet that there was tabs for each year. And we would assign a tracking number. And within that, you'd put the tracking number, the date, who issued the tracking number, who requested it, who was the, um, person that was being investigated, who was assigned to investigate it. And then beyond that, there was a whole bunch of information that was put on there, like, um, at -- at the end of the conclusion of it, it was the things like what was the discipline, what was the case about, how many points, when's it due to fall off, that -- just the basic -- all the criteria.

So we had -- we pushed for iPro, um, brought it in and started using it. And in 2022, we finally transitioned completely to just using IAPro. There was a point where we were still trying to back up the files in the OPS drive within the M: drive that we had. That's the one that I'd -- I don't have access to anymore. It literally just goes away when IT pulls it. Um, but there was -- there's --

within the OPS drive, there's still the Excel spreadsheet that has all the old case information. And all the old cases when we were just doing, uh, Word documents and PDF stuff. So then when we transitioned to IAPro, we went through and, um, the assistant and I -- and Captain Schabruch, I think, did some -- I think I did a couple just to -- just to track 'em. We put a lot of the old cases in IAPro --

KR: Okay.

SF: -- so that what -- what would happen is that the assistant could then go in and pull the stats and pull the information, pull the comparables and things like that. Um, so as we transitioned into it, we would just put, like, that we were still using some of the basic Word forms. Um, and we were just putting 'em in IAPro. We would take an iRecord recording or any other kind of evidence that we had and we would just put it all in IAPro. Because within IAPro, you can put all of that stuff. You can put Word documents --

KR: Uh-huh.

SF: -- PDFs, videos, audio recordings, everything that you have is -- was supposed to go into IAPro. And that system was specifically set up for each individual person. And there were permission sets for the levels of the cases in there. And as I was leaving, we had given our, um, I -- I -- I don't know her specific title. Mia [phonetic] English she works in our fleet department. She handles crash documents. And because OPS does crash stuff and has crash review, we gave her permission so that she could then upload for a crash, she could upload estimates for vehicle damage. She could upload insurance stuff so that everything about that crash was in IAPro. But to my knowledge, when I left, she was the only person outside of inspectors that had the IAPro. Everybody else was using what was called BlueTeam.

KR: Yep. That was my next question.

SF: So they would -- they would put -- everybody else would put their information in BlueTeam. They would transmit it. When we were in IA, we could review the BlueTeam entry. We

could either kick it back and say we need something more, or hey, this is good, we're gonna go ahead and, you know, for complaints or crashes was the first thing they were doing, we will go forward, we'll, you know, somebody else is gonna handle this, you're gonna handle this, whatever. We would -- we would delegate that out.

KR: Once you took, uh, once you started using IAPro, solely using IAPro, what happened to any physical documents? Were they kept? Were they destroyed?

SF: They were being kept when I was there.

KR: Okay.

SF: Um, and what Captain Schabruch had us do was every time we had documents -- so, like, if this was my case file for a case, I was responsible for making sure that all of that stuff was put in IAPro and categorized by what it was. I took this file. Then I gave it to the administrative assistant. Um, and she was supposed to -- if we had not already, put it in the OPS drive because the -- he also wanted to maintain a secondary place in case something happened to IAPro. And then she was supposed to be taking all these documents and then filing them in the files for each individual person. So each individual person that had a case has a case jacket in a filing cabinet. And so she was supposed to be filing them in there. Since I left, I'd hope that's still happening --

KR: Uh-huh.

SF: -- and she's retaining the documents. Um, but I don't know.

KR: Okay. You -- you got IAPro in 2022. So I'm assuming it was the one that's now called IAPro Nextgen?

SF: Yes.

KR: Okay.

SF: Yes.

KR: All right. So which is a -- a truly web-based --

SF: Yes.

KR: -- uh, system that you have to have a link to that you have to be invited to use. Um, 'cause they had to add me back to it recently. Um, if -- okay, let's go back to -- to the old days.

SF: Okay.

KR: Let's go back to the spreadsheet. And we've heard testimony in some of the, um, interviews we've done about making that tracking number go away. How was that physically done?

SF: So, for example, on the old spreadsheet, there was a while. And -- and this -- this was always weird to me. And I don't -- I think I touched on it before. But on the actual Excel spreadsheet, what would happen is you go in, you'd assign the next tracking number. And then like I said, you'd put the date, the initials of who did it and all that other stuff. You fill out, like, a section of the line. Um, if we had pulled a tracking number and they said get rid of it, you could've just basically wiped out the majority --

KR: Delete it?

SF: -- of the line and just -- just left it there.

KR: Uh-huh.

SF: Um, I don't know whether or not any of the tracking numbers that we started to assign were ever wiped out and -- and recirculated. There was a point of time in the beginning of the year where I was out 'cause I had a couple surgeries. And but what I do know is that Inspector Kyle Salmon was assigned a case, um, and they were told to pull tracking numbers for people that liked a Facebook post. And there were, like, 10 or 12 tracking numbers that were pulled. When they changed their mind and they decided that they did not want to, um, move forward with just the people that liked 'em and they were -- they said it was okay to do a corrective counseling, Kyle went in and highlighted those tracking numbers and basically just put a note on them

about why they were, um, no longer in use. And we skipped them. He did not delete them.

KR: Okay.

SF: But I don't know if -- if that was done any other time. I don't know if -- if Captain Kutner did that, um, or deleted any. I just know that the one time when I know that we pulled numbers because we were told to look into something, that -- and I don't even know specifically 'cause that happened when I wasn't there. I don't even know if they were told, again, delete them or whatever. I just know that Kyle -- because he -- he -- he knew better. Kyle is, like, is very, very knowledgeable and knows what to do and not to do. He went in and made a note about why we were just were not gonna recycle those numbers. And he didn't delete anything.

KR: Okay. IAPro. Were you ever told, or do you know of being told, to get rid of a tracking number with IAPro?

SF: Yes.

KR: And how --

SF: Those are -- those are the two times were Captain Schabruch was there and he said that he was told, um, by the undersheriff to delete the cases. And that was the Corey Short and the Pam James cases.

KR: All right. Do you know how that was done? How can you delete something --

SF: We didn't -- we didn't delete 'em. He was told to delete 'em --

KR: Okay.

SF: -- but when he came back and said, "I was just told to delete them because they didn't want those cases to be looked into." I turned around and I said, "You're not gonna delete those." And he's like, "Of course I'm not." He goes, "I'm gonna put a note in there as to why this case is -- is stopping. But I'm not deleting anything that's in there." So all of the stuff for those cases is still in

there.

KR: Or should be.

SF: Should be.

KR: Yeah.

SF: Should be -- it was there when I left.

KR: Okay.

SF: So --

KR: When did you leave?

SF: Um, six weeks ago.

KR: Okay. Okay. Um, are there any other incidents that you know of where things were deleted?

SF: In IAPro?

KR: Yes.

SF: The only things that I know that were -- they weren't deleted, they were purged in IAPro was all the stuff that we tested.

KR: Okay.

SF: So, like, if we were putting in a -- a test crash through BlueTeam and we were looking to see how it transmitted and how to send it back and stuff like that, we purged them. But I'm not even sure even with purging that it -- that it really deletes it on the back end.

KR: Right.

SF: Um, I wasn't able to work in the system enough and I didn't have the -- the back end password to get into that. Um, Lieutenant Rhodenizer may be able to answer question about when we purge it what happens to it. But to my knowledge, the only things that we purged were the test cases.

KR: Okay.

SF: The things that we were doing.

KR: Did you use -- like our agency, sometimes we'll get something in and we'll -- it'll be an inquiry, a, uh, an official inquiry that we then turned into a full-blown IA. How did y 'all address that, or did you do inquiries that were turned into full IAs?

SF: We -- so we -- we do. Um, there's two things that typically happen though. A lot of times -- and this is one of the things that Captain Schabruch was trying to implement when we started this system. A lot of times a lot of those inquiries, or just basic complaints that you don't know whether they're really complaint, they come in from patrol.

KR: Right.

SF: So what would happen is, in theory, patrol you'd -- you'd get a call on a screen. Um, it was put in as a message and it would have a name and a complainants phone number. And it would say request for supervisor and we would have to -- the -- we as the shift commander sergeant lieutenant on the road, would call the comps center supervisor and say hey, what's this complaint? Um, we would get the complaint. We would, um, figure it out whether or not we needed to call somebody, watch a video, whatever it was to figure it out, then call the person. Um, and if it was a nothing burger, a lot of times we just closed out the call, maybe or maybe not put a note in the call and just didn't do anything with it.

KR: Right.

SF: What Captain Schabruch was trying to implement -- because the thing is is, like, you may get 300 a year that they're nonsense. It's just a basic inquiry that you're doing on something and it's nothing. What he was trying to implement when we went to IAPro was for them to put that into BlueTeam and say John Smith called in and said that, um, deputy Sherry French cussed him up one side and down the other. I watched the video and that didn't happen. And then what would happen is that Captain Schabruch wanted us

to take all of those and put 'em in there to justify that hey, we're getting 300 complaints a year. And we're only investigating 15 cases because we're doing things right more than people know. I don't know since he left if that's still happening. Um, but that's the bulk of how we get those types of things. If it was something, what they were supposed to do is they were supposed to put it in a BlueTeam, um, call and basically consult with us. They would transmit it to IAPro.

We would have a verbal conversation about it. And then we would say hey, yeah, we're good to go. Either we're gonna take this or you're going to do this. Here's your tracking number, move forward. So for example, I had -- right before I left, I had a -- an incident that was being investigated with our property section. Um, gentleman back there marked off the log that stuff was turned in and he really didn't see the stuff. And it was just because he was, you know, it was lunchtime and he wanted to go to lunch unfortunately. Um, so the supervisor called me and said, "Hey, this is what happened."

Um, and essentially, we -- we put the information in, gave her a tracking number and then put a note that said this is being investigated by this supervisor and basically we would just consult them through the process. If it came directly into us and it was just an inquiry, we would absolutely put it into IAPro, say hey, this is how we got this complaint. Um, I got one of those because we had a -- a social media thing where a deputy sent a picture of himself of -- in uniform clothed, not unclothed. Um, sent a picture of his face in uniform to an underage girl. And when we initially got the complaint, it was because her coach had seen the Snapchat picture and was like, "Who is that deputy and why is he sending you this picture of himself?" Um, and initially, you know, we didn't know what that was gonna be, you know? It was very --

KR: Uh-huh.

SF: -- very odd. Um, we didn't understand why he was sending this Snapchat picture to an underage girl. And so we put it in as a basic inquiry, assign a tracking number, put what it was, and then, um, as we called the coach, um, spoke to the dad and realized it was completely a nothing

burger. He had, um, sent it because he knew the coach and had Facebook friended her. Um, although people Facebook each other and they don't even know each other which is the oddest thing to me ever. Um, but he kinda knew who the coach was, the coach had accepted him on Facebook, thought he was whatever. He had no idea this girl was underage and was just trying to be friendly. And so we still maintained the file but what we did in the summary was put this is basically the inquiry steps that we went through, this is what happened, this is what we verified. And then we just close it.

DS: But it's still documented --

SF: It's still --

DS: It's --

SF: Every bit of it's still documented.

KR: Okay.

SF: And there was quite a few of those whether they came in from the outside or came in from the inside. And like I said, I don't know whether or not they're still pushing patrol where the bulk of those come in to put it in BlueTeam. Um, let us see it, let us assign a tracking number and then let them go through the steps or not. I don't know if that's still being done. I -- I just know that was what Captain Schabruch wanted to have done.

KR: All right. When it came to IAPro, you, Sherry French working a case, you save everything to IAPro. Is that also saved to your K: drive or is that just --

SF: I did. But I'm extra.

KR: So --

SF: Um --

KR: -- you would create your own --

SF: I would create my own file that had my own stuff.

KR: Case file?

SF: And -- and I also had an Outlook file for my cases --

KR: Okay.

SF: -- where I kept everything so that when I scanned it into the printer and then sent it to my email so that I could title it and name it --

KR: Uh-huh.

SF: -- I had an email log of it, I had a K: drive log of it and then it was put in IAPro.

KR: Your computer -- do y 'all have -- you use laptop or desktop?

SF: Laptops.

KR: Laptops. Okay. Once you plug 'em in at the office and you're working at the office, do you leave it there or do you take it home every afternoon?

SF: I left mine during the week. But on the weekends, I took it home.

KR: Okay. How are they backed up to the mainframe?

SF: What do you mean?

KR: Our -- I -- I use a laptop also.

SF: Okay.

KR: I leave mine at work 99 percent of the time unless I'm travelling. It's always plugged in to the intranet.

SF: Right.

KR: Everything that we do within a certain parameter on the computer which is 90 percent of it, our agency every night backs up to what would be considered our K: drive.

SF: Okay.

KR: Um, in case my computer crashes, whatever. They can rebuild everything I have. Does that happen at ASO --

SF: I --

KR: -- as far as you know?

SF: -- do not know.

KR: Okay.

SF: I know that there is a nightly backup from things like SmartCOP and things like that, some of the web-based programs, um, for -- because of reports and things like that. 'Cause I know that every night, you know, for the purposes of links --

KR: Right.

SF: -- everything dumps, um, every night. But as far as our K: drives and all those things, I don't know how often that saves. I mean, I know it saves on a mainframe somewhere because I know they have access to it 'cause they can go in and move it --

KR: Hm.

SF: -- um, or do anything with it. And they maintain 'em after we leave. But I don't know if it's a nightly thing that happens or whether or not once I hit save and save it to my K: drive, I'm -- I'm not sure about how that works.

KR: Okay. Who's your IT person?

SF: Uh, Mike Robinson is right now.

KR: Is the over --

SF: Over the IT --

KR: Okay.

SF: -- Bureau. And he took, uh, John Moorhouse's position who I mentioned before that knew that he was asking, um, for

things to be set up on Clovis -- 'cause I'm sorry, I don't respect him anymore enough to call him sheriff, I'm just gonna call it like it is -- on Clovis' phone --

KR: Uh-huh.

SF: -- to, um, be able to do public record stuff. And supposedly they kept refusing. So Moorhouse is the one that's familiar with that. And Mike took Moorhouse's spot.

KR: When did Moorhouse leave?

SF: Uh, last August.

KR: Okay. So he'd probably know about IAPro --

SF: Absolutely he would.

KR: Uh, iRecord --

SF: Absolutely he would.

KR: -- all of that? Okay.

SF: He would.

KR: And I know we mentioned earlier, and just for the record, I wanna mention. You're not longer in OPS. So we're not asking you to use admin admin or anything --

SF: Right.

KR: -- because that would be probably a violation of your policy.

SF: Right.

KR: 'Cause you're no longer officially allowed in that database. So please don't.

SF: Right, right. Okay.

KR: Okay.

DS: Yeah. I -- I see that you have an additional folder that

you brought. Would you like to talk about that?

SF: I would, please. Um, I just want to impress upon so that the information can get relayed about the importance of this and why this is so critical to not only our agency, but the county. Um, for example, tomorrow we're starting with eight people on the road and have 11 zones. Um, Captain Butscher's here and she'll be able to tell you guys even more. But here's a copy of our patrol operations schedule right now that has all the yellow is all the vacant. And then there's at least one that's deployed. Um, there are 25 people down. Here's a email that just came out where you can see they're begging for help.

The minimum staffing for 11 zones is 13 people. This outlines how many people is working every day if you don't even put overtime in. There's the majority of them are at least four people. Here's a map of our county with the zones. Typically, even on the days where they can get 10 people to work, which is -- is hard to find 'cause everybody's tired, the zone that gets left is the one that we're in right now. This is called Alpha Zone. This is where there's a lot of people that live, but because there's a less of a crime going on in this particular zone, they leave this zone blank. There's a lot of people that live in this area.

Um, and that zone gets left uncovered every day. And when something happens, you know, it takes a good 15, 20 minutes to even get there from where somebody is. And that's running lights and siren. Um, if anybody that you guys have to tell care, here are some documents. This is one that I just did before I went out for medical leave that says that last year we served over 26,000 papers. Um, here's a courthouse schedule that shows every time somebody's in yellow, that means they're there on overtime. And you can see in red there's still vacancies for court rooms. Um, you -- we have to staff the courthouse. We have to.

We just had an incident where an -- an attorney was attacked. And although he said that he thought there was a staffing shortage in that courtroom, there were actually people in there. But, you know, who -- who's to say that based on that if we had had extra people there could've

been an -- an extra one? Um, you know, but you -- you can see here's documentation for whoever needs to see it to show we have an issue. Um, here are a couple documents that I just got where we had a detective who was leaving to go work on his own. He has his own business. But because of the staffing issues and the fact that he knows that people are -- are just, like, overwhelmed and burned out, he wrote, uh, IOC and said, "Hey, basically I resigned. But I'm willing to stay an extra six months. Can you rescind my recision?" And Clovis denied it. Why -- why would do that?

KR: IOC for the record, Interoffice --

SF: Interoffice Correspondence.

KR: Okay.

SF: Um, here's another one where we have a dispatcher. They're 25 positions down right now. Here's a dispatcher that left, went to go work full time doing deliveries. Because the stress and the amount of stuff that they're having to deal with. He's been gone, um, he reached out and said, "Hey, I'm hearing from you guys that things are critical, you don't have staffing. You're working with one call taker on a shift when there should be six and seven."

Um, I'll come back part time. When he initially put in his, um, resignation, there was not an opening. He reached back out to the division commander and said, "Hey, I understand, um, you know, there's an opening." She said, "Yes. We had somebody leave." Um, they said write an IOC even though he's no longer an employee to see if he can come back for part-time. Clovis denied it. Um, here is documents -- or our documents where I got the -- the second week I was in civil, there was a open position posted and they did interviews for deputies to be able to be transferred.

It was dated June of 2022. Clovis signed it on February 1st of 2023 and said that it was not appropriate now. It was obsolete because there's no staffing. Um, here are awards that were submitted in 2021. They sat on Clovis' desk and were just sent to the PIO and opened on

February the 7th of 2023 because they were sent back. Um, here's an interesting little tidbit of one that I have and Captain Butcher can tell you there's more. Um, we have deputies whose wives are having children. And they're asking to have FMLA leave and crazy enough to me, they're willing to burn their -- to use their FMLA leave to benefit of the agency.

Um, and here's one from a deputy that's in the Juvenile Relations Bureau. He was willing to take a few weeks of it just to help his wife get acclimated and then take the rest in the summer so that it was not a burden to the school. Clovis denied it. Can't do that. I called. I checked. He can't deny FMLA leave like that. That's against the law. Captain Butcher has more of them that were done in patrol. Um, you know, here's a interesting little article that I found that talks about why it's so important to be ethical in this job and do your job. Um, I'm sure you guys are familiar with statute chapter 8.38 where it talks about official misconduct and all the things we're supposed to do, uh, the public employee oath of office and here's the Alachua County Sheriff's Oath of Ethics that I was -- I had to sign.

I -- I don't understand why this man is still in charge of our agency when he's not doing any of this stuff. But yet, I'm expected to. I would be hung out to dry if I wasn't doing this stuff. I don't understand what's going on. I know the governor is busy. But I pulled the orders for the suspensions. Here's all the suspensions that he's done this year of people. Here's also the suspension order that he gave for sheriff Daniels in Clay County. And the most recent one from the attorney. What they did pales in comparison to what Clovis is doing to this agency. They're violating people's rights. They're -- they're committing crimes. And I don't understand what it's gonna take to get this man suspended so that you guys can do the job that you need to do.

'Cause people are not gonna be as forthcoming. They're not. And just to tell you, like, how long I've been trying to help stop this, here's the phone number of one of the agents in you all's -- y 'all's division that I spoke to on December 17th of 2021. His words to me were you're telling me a lot of unethical things. But do you

have any crimes? And I said, "I don't know if I have crimes. I know there's a lot of things going on that I don't know." When he didn't seem to think that he could help me, I said, "Okay." I tried to move to the -- the Florida PBA. I sent an email to an attorney on January the 28th of 2022 and a follow-up email on the 31st. Um, on April the 21st, I met with the PBA attorney. And I said, "These things are happening."

At the time, the crime had happened against attorney Frank. Um, she even highlighted that and said to me, "Wow. That's some really bad things." And at the time, I was just pushing for a vote of no confidence 'cause that was the only thing I knew that was an option. Um, and she said, "Okay. This is some really bad things. We'll see what we can do." Nothing happened until I was having an -- an completely other conversation with attorney Frank about a case in the office. And come to find out that yes, all that she confirmed with me that all that stuff had happened and then meets with me November 27th of 2022.

This has been going on for so long that I don't know how much longer. I don't know if the government needs to see his face. But that's Nick Tilliman. He's the one that just took his life. The day that happened, I was having a conversation with another deputy, it's gonna happen again. It's gonna happen again. These -- these young guys don't understand what's going on in the world of law enforcement. They don't understand why we're short staffed. They don't understand all the politics that come with this stuff. They don't get it. They -- all they see is the here and now and what's around 'em. I'm sure you guys know about this new generation of people and it is hard to keep their head above water. I don't -- the governor has go to understand that we are in a dire emergency here. Not only the community, but the agency.

I mean, at what point is the community suffering because the deputies are suffering? They -- you can't convince me that all of them are going out there and doing their best. They're -- they're struggling. It's -- it's crucial that this man get temporarily suspended and we try to get some sense of normalcy back to this agency for the sake of this community that we live in. And if -- and if they can't do it, then there's a whole lot of us that are

gonna -- are, you know, we're -- we're gonna leave. We have to. You know? The -- it's -- it's not healthy to keep doing this. We have five in process with FWC right now, one with the Ag office, one with FHP and one who says he's just gonna leave just because he can't do it anymore. It's -- it's not fair.

KR: Your full strength with 13?

SF: Full -- if you had 13 for 11 zones, you would be at what we consider --

KR: Minimum.

SF: -- minimum staffing.

KR: Okay. How short is patrol total?

SF: They're 25 people down.

KR: Okay.

SF: We've had over -- we've had 302. As of last week, we've had 302 employees leave those since Clovis came in.

KR: Okay.

SF: Out of a thousand.

KR: Do you know how short the jail is?

SF: Uh, 65-ish.

KR: Okay. Patrol's 25?

SF: Twenty-five.

KR: How short --

SF: CID has 12 right now and they usually have 32 to 34.

KR: Are there any units being shut down because of --

SF: No. And it's interesting that you say that. He refuses to shut down a unit because he doesn't wanna give the

appearance of everything that's going on because he's hiding behind it. Like, we have an evening shift that literally on the roster has one person assigned to it. Right now our evening shift is -- one team has a sergeant and one team has a lieutenant and that's it. Because the deputies are having to be reassigned to at least still try to make minimum on the day and the night shifts.

But he refuses to break 'em down. He refuses to move anybody else that he could potentially move because it would give the appearance that things aren't what they are. And Captain Butscher can elaborate on that because she has document after document where she asks to break down evening shift before it dwindled down to nobody. And she kept putting, um, words like liability in the documents. And they flat out told her, and she can tell you this, they flat out told her to stop. They didn't want that stuff to be public record.

KR: Who worked your in-custody deaths?

SF: Depends on whether or not it's because of some type of force or something that they did. Like, if it's an in-custody -- like I had one -- OPS would do it. I had one at a hospital who died. We knew he was having a medical emergency. I mean, we were just guarding him but there was nothing to it. Um, the most recent one that we had where there was a use-of-force and then he died, um, FDLE came in and did it.

KR: Okay. How about in the jail?

SF: Yeah. That's what I mean.

KR: Okay. That was a --

SF: FDLE.

KR: -- use of force in the jail?

SF: In the jail.

KR: Okay. Uh, a regular -- and I -- that's a bad word to use when talking about deaths, but a death in the jail not associated with the use of force, who would work it?

SF: The Office of Professional Standards.

KR: OPS would?

SF: Uh-huh.

KR: Okay.

DS: Attorney Frank, anything you'd like to clarify, anything you'd like to ask?

BF: I just wanted to make sure, Lieutenant, that it was clear if you could please describe on the record, where is the OPS office located?

SF: In the upstairs second floor of the Department of the Jail.

BF: And to your knowledge, everyone, um, there's no other way to get to that office other than to go through the front doors and be screened, correct?

SF: If you're a visitor, yes --

BF: Okay.

SF: Correct.

BF: And so, um, if anybody is coming in, if there's an officer that's coming in for an interview with OPS where it'd be evidentiary review and the interrogation, um, what would be the normal process of that occurring? Where would that individual go and what would be the steps that they would have to take to get to the second floor?

SF: They would have to come in through the front door, sign in just like everybody else and, uh, somebody from the Office of Professional Standards has to come down and meet them and escort them in.

BF: And is it true that they have to be buzzed through all of the security doors?

SF: In the front, yes.

BF: And is it true that they have to be issued a visitor badge?

SF: Yes.

BF: And is it true that once they leave, um, that badge has to be turned back in and the identification that's given at the front desk is then returned to the individual?

SF: Yes.

BF: And that's all documented, correct?

SF: Yes.

KR: Is the building that the OPS housed in connected to the main office of the sheriff?

SF: No.

KR: Okay.

SF: That's in the main -- main building on Hawthorne Road.

KR: Okay. So where's OPS, what road?

SF: The Department of the Jail is on 39th Avenue --

KR: Okay.

SF: -- across from the airport.

KR: I have been there long time ago.

DS: Sherry, we appreciate you, uh, coming back in and, uh, giving additional information. Is there anything else that you can think of that you'd like to add before we conclude the interview?

SF: No, sir.

DS: The time is 10:25.

(CONCLUSION OF INTERVIEW)

Transcribed by: maj/maj/ms

(INTERVIEW OF BECKY BUTSCHER, #EI-14-0186, 03/09/23)

(The following may contain unintelligible or misunderstood words due to the recording quality.)

DS = INSPECTOR DAVE SNOWDEN
KR = INSPECTOR KEITH RIDDICK
BB = CAPTAIN BECKY BUTSCHER
BF = ATTORNEY BOBI FRANK

DS: The date is March the 9th. Time is currently 2:33 p.m. I am Inspector Dave Snowden of the Office of Executive Investigations. Also present at this time is Inspector Keith Riddick and Attorney Bobi Frank. The interview is being conducted at the law office of Bobi Frank. I will be questioning --

BB: Uh, Becky Butscher.

KR: Can you spell the last name for us, please?

BB: B-U-T-S-C-H-E-R.

KR: Okay.

DS: Um, and this is, uh, in reference, uh, to an FDLE investigation case number EI-14-0186. I'm the inspector in charge of this investigation.

Prior to beginning the interview, you should be aware of the following: That this interview is being recorded. As a sworn law enforcement officer, I'm empowered to administer oaths and take statements. In a moment I will be taking a sworn statement from you. You will be under oath, and if you knowingly provide false statements, you can be criminally charged with perjury. Do you understand each of these items?

BB: Yes, I do.

DS: Um, you are here under subpoena. And I also have a letter here from State Attorney Brian Kramer addressed to you and to Miss Frank and it states that, "This letter is to inform you that I, as the State Attorney in and for the Eighth Judicial Circuit, do hereby grant Captain Rebecca Butscher,

Alachua County Sheriff's Office, immunity from prosecution for any testimony or evidence that she provides as part of the above investigation. The immunity exists from this day forward and applies to any investigative interview, grand jury testimony, deposition testimony, hearing testimony, and trial testimony. As you know, immunity does not provide protection in the event that the witness provides false testimony or false evidence. This grant of immunity is not conditioned upon any other agreement between the witness and the State of Florida." And it's signed Brian Kramer, State Attorney.

Um, if you'll raise your right hand, I'll now swear you in. Do you swear or affirm the testimony you're gonna give to be the truth, the whole truth and nothing but the truth, so help you God?

BB: Yes, I do.

DS: Okay. Um, state your full name, please.

BB: Rebecca Butscher.

DS: Will you spell that for me?

BB: R-E-B-E-C-C-A, B-U-T-S-C-H-E-R.

DS: Middle initial?

BB: L.

DS: Current place of employment?

BB: Alachua County Sheriff's Office.

DS: For how long and in what capacity?

BB: 30 years.

DS: Um, you were the subject of a recent investigation there?

BB: Yes.

DS: Tell me about that.

BB: Um, hold on one second. Um, I was -- February the 13th was a Monday. I, um -- hold on one second. Um, can I start at the beginning?

DS: Sure, absolutely.

BB: Okay. I'd like to start at the beginning if I can. Um, yes, I was served with a corrective counseling on Monday, February the 13th. However, um, I have a little pattern of behavior or a history with, um, Major Lance Yaeger. Um, he was my -- one of my field training deputies back in 2004.

Um, most recently we had an issue back in January of 2020. Uh, I was a lieutenant on midnight shift. He was a deputy sheriff. He called me on the phone. His stepdaughter was found with a vape pen that had liquid THC in it. He demanded that I come to the home, arrest her and remove her from the home. It is his stepdaughter, not his biological daughter.

At the time there had been some issues with hemp, um, and so our general counsel at the time, uh, ordered us to -- or through the sheriff, ordered us to take all our marijuana test kits away because there was some confusion in the court system between the hemp -- the delineation between hemp and -- anyway, all of that testing process. So they said, "Take them all away, we're not dealing with that," and we said, "Fine."

So I had no way to test it. I didn't have a Valtox kit. And I said, "Lance, um, I'm not coming to arrest her." Um, she was 17 years old. And I told him that, "She's not your biological child." He said that his wife was in agreement with it. And I told him I didn't have a way to test it. So, um -- and I told him that, uh, we had surrendered our kit test. He knew. And he told me that it didn't matter I didn't have a means to test it. Um, he said that he used to do that when he was on the CHIP Unit, which was our little street-level narcotics unit. I told him that I was not gonna put my 27-year career on the line by arresting a juvenile with liquid THC with no means to test it.

Um, the conversation got a little heated. He didn't agree with me not arresting her. So I told him that I would send my sergeant at the time. So my sergeant responded to the

home, collected it. Um, he gave her -- he documented in a report and he gave her a juvenile civil citation.

The very next day, um, I received -- two days later I received a text message from Lance telling me that he had caught -- her name is Delaney -- uh, on camera hitting vodka in the home and, uh, that there were no consequences, so she has no incentive to stop. And I replied, "You can get an ex parte on her." And he follows and says to me that the intake attorney, Michael Becker, and Rebecca Shinholser, who was the juvenile division chief at the time, um, said that the daughter could have been arrested for the felony. And I replied, "I'm sure they did, but, um, I had no way to test the liquid and I was not gonna put my career on the line."

So that's kind of where it started a little bit with him. He was pissed off from that time. We've known each other for a very long time. Um, my husband previously worked for him in the Drug Task Force. I'm sorry if I get off on a tangent a little bit.

My husband worked for him in the Drug Task Force and, uh, we, um, had, uh -- we had the HIDTA at the time and there was an issue with the, um -- the HIDTA contract not being signed, and obviously it's gotta be signed by the multiple agency heads and there was a period of about 10 months that that agreement was not signed. So come day that, you know, you're supposed to go before the board, you're supposed to bring this contract and it's all supposed to be signed.

Well, my husband had done the legwork, had given it to general counsel and said, "Hey, sign this. We need this signed by all these agencies, the sheriff." And, um, come the day before, they got the contract signed, but it was only signed by the general counsel and the sheriff, none of the other agency heads. So it's an incomplete contract, nonbinding.

So they go to the meeting and Director Perriam [phonetic] says, uh, "David, where is the contract?" He's like, "I don't have it." So basically we lost the HIDTA. And the problem was that Lance was the, um, captain over our Drug Task Force at the time. His best friend is our general counsel. David asked and asked and asked and asked and

asked to go speak to the sheriff. "Look, we need to do this. I gave you -- I -- I sent you the email." He actually authored the document, the contract, to where, um, it was done. All they had to do was get it signed. They couldn't even get it signed. So went before the board, the board voted unanimously, and David got kicked out of the Drug Task Force.

Um, March 25th -- that was September of 2021. Um, he spoke to our -- we call her Mom. She's our secretary in the Drug Task Force. She's been at our agency like 44 years. She tells it like it is. She -- Lance boasted to her that I was singlehandedly responsible for Delaney's drug addiction because I didn't do anything to her that night. So that kind of, you know, chapped my butt a little bit, but I knew that wasn't true. I knew she was given -- she was given the juvenile civil citation, no big deal, but there was some, you know, consequences for what was -- what was done.

Um, March 25th, 2022. My husband's in law enforcement with the Sheriff's Office. I have 26-year-old twin boys that are both deputies at the Sheriff's Office. The whole damn family's there. March 25, 2022, um, my oldest twin son was involved in a shooting in Hawthorne. Um, it was a suicide by cop. He was a single shooter. There were multiple other deputies that were there with him at the time.

Um, we all came back to the station. FDLE came. Um, PBA and Attorney Frank were contacted. Um, everybody was in place and my son pled the Fifth. Lance was irate. He was raising hell. He was mad. He demanded to speak to my son that night, even after pleading the Fifth, and was not going to be told he wasn't gonna speak to him. So, um -- and he didn't like being told that per the PBA attorney or per the -- per the attorney representing my son, he wasn't going to speak. So --

DS: What was Lance's position at that time?

BB: He was the captain over CID.

DS: Okay.

BB: So obviously we know FDLE does -- they're -- they're taking the lead on the investigation.

DS: Uh-huh.

BB: Our CID has a supplemental role to that. Um, however, it was apparent that he was -- he thought he was gonna run the show.

DS: Okay.

BB: Um, that was on March the 25th. So for a period of about seven months, so till October 11th. FDLE came to the station to give their review to exonerate him. Everything was done. He was cleared. It was good. Um, the undersheriff was there. The colonel was there. FDLE was there. Brian Kramer was not invited in enough time. He didn't make it. And, um, Sheriff did not show up.

Um, my son, his name is Carlton. Carlton and Clayton. Carlton was cleared on October the 11th and everything was kind of going a little fine. I didn't hear anything until maybe a month or so later, November-ish. I had a conversation with the colonel and I'm like, "Why" -- so October 11th he was exonerated, he was cleared by FDLE. Um, obviously procedurally it takes a couple weeks to get all that done.

And, um, on November the 16th I went to my colonel and I said, "Hey, what's going on? He's been cleared for a month here." And he says to me, um, "The sheriff's not gonna clear him." And I said, "I'm sorry. What?" "The sheriff's not gonna clear him. He didn't cooperate with the investigation." And I said, "I'm sorry. What?" "Oh, he didn't -- he didn't get interviewed by FDLE." I said, "He pled the Fifth." "Well, he didn't get interviewed. The sheriff doesn't feel he got -- he cooperated with the investigation." And I said, "He is no different than a criminal suspect in the hood that we're dealing with." I said, "We have rights as human beings. You can't take those rights away as law enforcement officers from us." And he said, "Well, I can just tell you the sheriff's not gonna release him. He's not gonna release him back to -- to full duty until he talks to FDLE."

And I said, "Well" -- this is November the 16th. He was cleared on October the 11th and the colonel was there, so

he lied to my face. And I told him, "Well, then discipline him, then." I threw that little dagger out there, "Well, discipline him, then, if that's what you think you're gonna do." Um, he said, "No, no. I don't think it's gonna come to that, but, um, the sheriff believed that he did not cooperate." I was stunned. I was stunned.

So I believe that Lance was the driving force behind that because Lance wasn't allowed to interview my son. Um, my husband was the watch commander at the time who responded to the scene. We did exactly what we were supposed to do. You ask the safety questions like you're supposed to do. You don't go above and beyond. You find where the round is. You make sure your employee's good. You make sure they want their rep. You get them, facilitate them, get them back, all that whole thing. Everything was fine, but he wasn't happy. Um, and then come to find out, the sheriff doesn't think my son cooperated with the investigation, so he wasn't gonna clear him to return to shift. So, um -- and he wasn't cleared for 66 days. He did not return back to his shift until December the 16th. I have a real hard time with that.

Um, I had a little discussion back in September. So Lance was instrumental in implementing our Narcan usage and, uh, we obviously had to establish a policy. It came through the State, and we got all kinds of dosages for free and it was great. And initially our policy stated that the Narcan usage was only gonna be used for law enforcement; it wasn't gonna be used for normal citizens. We didn't want to perpetuate that drug addiction -- you know, that philosophy, so we're like, "Hmm, maybe we'll try this."

So we had a couple deputies that, um, administered Narcan. They responded to an overdose, administered Narcan and ultimately saved this person's life. Well, they were nominated for a life-saving award, and he comes to my office and proceeds to tell me that he in good conscience can't nominate these deputies because they violated the policy. And I said, "Well, you're right, they did." However, we knew when we implemented this policy that it was initially going to say we only use Narcan on us, that somebody was going to -- first of all, we wouldn't take discretion from them, and somebody out there is not going to stand there and watch somebody overdosing on the floor,

not -- you know, it's -- it's for the greater good. They're not gonna step out and say, "Oh, I can't help you. You're dying. I'm not gonna help you 'cause our policy says it's only for law enforcement." So, um -- but it surprised me that in good conscience he said that he couldn't, you know, deviate from the directive because it would save somebody's life.

So, um, we had a little argument about that and I said to him, um, "What would you do if that was your daughter? Knowing the history with his child. And, um -- and he wouldn't answer me and he said nah. And I said, "No, I'm gonna ask you one more time. What would you do if that was your daughter? What would you expect the deputies to do if that was your daughter?" And he goes, "Save her life." And I go, "There you go."

So like two days later we changed the policy. Everything's good. I discussed the statute about, hey, it talks about a person and we just went -- but he was very argumentative that you can't deviate from the policy even though it includes, you know, life-saving measures to save a drug addict.

Anyway, um, that was September 6th of 2022. I'm laying this foundation so you have an idea of what's about to come.

Um, September 24th, 2022, I was on a cruise with my husband and, um -- um, I didn't find this out until October 3rd when I came back to work. Uh, we have two captains. We have a Team 1 captain and a Team 2 captain. So I was on a cruise. My counterpart was handling, uh, patrol while I was gone. And I come back on October the 3rd and I -- my counterpart comes into my office and says, um, "I got a phone call from Lance and he called me to his office on the 24th, um, to talk about you." And I said, "Me?" "Yes, he wanted to talk about you, your demeanor, and why you are the way you are." I'm like, "Oh, great." I said, "I wasn't even here. I couldn't even defend myself."

He said, "We sat in the office, closed door, for about an hour talking about you." I said, "Okay, fine, whatever." My counterpart, to his credit, says, um, "I told Lance that Becky does not like -- does not like aggressive -- passive-

aggressive men." And he told him that if, uh -- he should step to me and have a conversation and not send me emails. Um, I don't appreciate that. I didn't like it. We were equal rank at the time. I think that's very passive-aggressive to act like that. You should be able to step to me, I should be able to have a conversation with you. And, um, I was really angry about him doing that to me. So -- but I credited my counterpart and, uh -- for telling me that.

So he did the same thing on October 3rd. He, um -- he was organizing one of our command staff meetings. And, um, in my opinion, he always wants to make himself look better than everybody else. He didn't earn his rank, and so I felt like he was always trying to overcompensate for trying to show that he was worthy of the rank that he was given.

And he sent his administrative assistant down to me to ask for PowerPoint slides for our command staff meeting. This was a command staff meeting. This is a table conversation. This is nothing more than you have an agenda. You don't need a PowerPoint. You're talking about, you know, day-to-day operations. Totally overkill.

Um, secretary comes down there. I'm like, "Why -- why are you coming down here? I don't work for you." "Well, Lance told me to come down here." And I go, "Okay. Why don't you tell Lance to come down here and ask me?" Um, she started laughing. And, um, she got back to the office and he was there waiting for her when she got back and he said, "What -- what was her demeanor like?" And she said that, um, he asked was I being ugly, um, when I said I'll get to it when I get to it and his assistant said, "No, she's just really busy." So I was like, here we go again, you know. We're equal rank. If you need information from me, bring your butt down here or call me down to your office, I'll come talk to you.

Um, I spoke to my colonel about it at the time 'cause I'm like we're just not really -- we're not getting anywhere. I explained to him, I told him, look, that I -- I was on a cruise. I spoke to the colonel. Um, I told him -- I expressed my displeasure with Yaeger asking his administrative assistant about my demeanor and he asked me, "Well, why would she do that?" Um, I also expressed to him

that I did not appreciate him calling my counterpart down to his office to talk about me, um, because he was our direct report at the time. Um, and I believe that he said that he would have a conversation with him or something.

Um, he's very passive-aggressive. He likes to send emails. He's a gaslighter. He'll send an email, get you stirred up a little bit and, you know, to my detriment, um, sometimes I respond. Um --

KR: And he was chief of CID at this whole time.

BB: He was. Yes, he was. Captain -- chief detective, rank of captain.

KR: Uh-huh.

BB: Um, October the 4th he sent an email to me about -- basically complaining about a patrol response on a death investigation and it was months old. The complaint should have been handled the night of by the road supervisor, by the -- the lieutenant or the sergeant that responded from the Detective Bureau. It was a death investigation. It was a natural death. There was no reason for patrol to be there. He tried to tell me that it was our responsibility to be the scene security on a natural death. I said, "No, it's not."

We had a shooting and, uh, he tried to say that we needed to be at the shooting. It was a -- they sent the wrong detective. They tried -- tried to put the blame on the patrol deputies because they left to go look for the suspect vehicle once we saw the suspect vehicle on camera. Um, complaining. And I said, "Look, again, this is not an issue we need to deal with right now. It should have been addressed the night of. You know, thanks for bringing this to my attention, but, yeah, it's a little too late."

Um, we had an incident the day -- a couple days later with the same suspect. They surrounded an apartment in an apartment complex and, uh, he sent an email about, um -- he says, "On a less-than-recent call, a detective called a patrol supervisor." And he puts in parentheses "same supervisor as the aforementioned to arrange." The aforementioned supervisor he's speaking of is Sergeant

Kevin Davis. We have Sergeant Davis on day shift and we have Sergeant Drew Davis. The day that he is speaking of, the incident he is speaking of, Sergeant Drew Davis was off. It was evident to me, um, that he was after Kevin Davis.

So the detective called a patrol supervisor, says that same supervisor to arrange for an on-scene security and transport. Yaeger was referring to Kevin Davis. However, it was Drew Davis that was actually spoke with the detective -- I'm sorry. Let me clarify that. The detective talked to Sergeant Drew Davis. He was not actually off. Um, but Kevin -- Lance was inferring that it was Kevin Davis in the email.

Um, he's talking about a disconnect, whatever. And I -- I emailed myself. I email myself conversations. I spoke with Sergeant Drew Davis on October the 5th at 2:13, who informed me that he spoke with the sergeant from CID, told him due to staffing that he needed to get another and his deputy needed to get back in his zone for calls. Due to the need of staffing, um, another detective responded and there was no issue. My -- my point being that it was apparent to me that he was trying to dime out Sergeant Kevin Davis.

Um, the same command staff meeting that we were, uh -- that Lance was orchestrating that we were trying to have on October the 25th in 2022, um, Lance had assigned seating. And I was just like, "This is stupid. This is -- we're not in kindergarten." I don't -- I don't want my counterpart, um -- told him, "This is stupid. We don't need to do this. I told him it was stupid, but again it was -- it was his attempt, in my opinion, to elevate himself, um, to justify his position.

Um, something else that -- that happened. So October the 18th, um, the Alachua Police Department sergeant called and they requested the use of one of our LPR trailers. LPR trailers are managed by Patrol, not Criminal Investigations. The sergeant obviously didn't -- he's my neighbor. He knows who I am. Called Lance instead of calling me. Um, instead of Lance deferring that to me to manage that request, he took it himself and basically sent me an email saying that, um, "They're requesting this LPR.

The request has been approved. Can you please ask the person coordinating to contact him, um, to discuss the specifics?" I'm like, I don't stick my nose in your CID business, don't stick your nose in Patrol business. Um, he's been told that multiple times that I -- you know, he's got that follow the chain. We all have our own rules, we have our own responsibilities and he just does it. Um, we, uh -- he knows that I don't like being circumvented because I feel like it's very undermining to my position. Um, I think it's very demeaning to my authority and I -- I don't -- I take a lot of pride in my position as a patrol captain and I -- I think that out of respect for -- for the position that it's his responsibility to notify me of anything involving patrol, not to just handle the things -- the requests that are made through them.

Um, October the 19th, my counterpart walks into my office -- so he had received that email -- and he says, "Well, what -- how do we -- how do you think we need to deal with this?" Um, and I said -- because he's like, "Well, why didn't -- you know, why didn't he defer that down to us instead of just taking care of a problem that's patrol related himself?" And I said, uh, "I think you need to go get him and bring him down to my office and let's have a conversation about it." I'm like, you know what? You're gonna be passive-aggressive.

DS: Uh-huh.

BB: I'm gonna call you down to my office. So he went and it was about 8:30. Um, my counterpart's name is Kelvin. And, uh, he walks in my office and we start talking. He goes and picks up Yaeger and, um, they come back, and Yaeger asks me what the meeting is about and Kelvin tells him the email that he sent to us, um, that we don't work for him and that he should have notified either of us instead of making the decision and telling us what to do.

They both sat down. I asked Yaeger why he called my coworker to his office while I was on vacation to talk about me and, uh, why would he ever try to turn my coworker against me. He had no answer and just looked at me. He went on to say that he doesn't like talking to me and that I'm always mean to him and yell at him. I told him that if he was the leader and the man that he thinks he is, he

should have given me the decency to come into my office to have a discussion with me, not try to turn my coworker against me.

Um, I told him that I'm not mad at him, I'm not angry at him, but when he sends me emails with minimal information, expecting me to give a quick answer, uh, it automatically puts me on the defensive, as I believe that he has all interior motive -- an ulterior motive. Um, I told him -- he says he doesn't have one and he just doesn't like talking to me, so he sends me emails.

Um, I explained to him my perception and why I become defensive and gave an example of when the -- the scene security thing and that I believe that he was specifically targeting Sergeant Kevin Davis, um, by the verbiage that he had put in the email. I go on to talk about that call. And, um, the conversation actually I thought was overdue and it was necessary. In my opinion, um, Lance Yaeger does things to intentionally make himself look better and others look bad. Kelvin discussed that he believes that there is a lack of trust, which I agreed. I told Yaeger that once -- once upon a time I respected him; however, I no longer do, and I will only deal with him in a professional manner, documenting my conversation, as I believe that Yaeger will attempt to use this against me in some way.

Um, we had an officer safety bulletin for threats to kill law enforcement that came out in October. The bulletin comes out of the Criminal Investigations Division by our analysts. The bulletin went straight to Comm Center and to outer agencies. It didn't go to Patrol at all. So we have an officer safety, threats to kill law enforcement, a crazy guy, and, um, I simply said, "Hey, this needs to come to Patrol. You know, there was a lag in time here. Doesn't need to go to Dispatch. They're not dealing with this." And then I -- "Fine. You sent it to the other agencies, but we need it as well." And he made some excuse as to, "Well, I talked to somebody else and it" -- just -- instead of just saying, okay, fine, we'll fix it next, he made some excuse why that wasn't done.

Um, November the 17th. Um, I was on duty and we had two jail employees that were involved in a crash. So it's my team. My team sergeant is on duty. My team lieutenant is

on duty. Two girls that work at the jail, they were headed to work, they were involved in a crash; no injuries, in their personal cars, not in a jail van. He takes it upon himself to call the sergeant directly and ask questions about the crash involving the jail employees. Doesn't call the watch commander, doesn't call the captain. I had been on the radio just a few minutes prior, talking to the sergeant, asking questions about the crash myself, so it should have been readily obvious to him that I was on the radio and it was my shift. Um, any request that he made for information I felt like should have come through me.

So I, um -- I called him on the phone and I said, um -- actually the lieutenant called me because the sergeant called her. The lieutenant calls me and says, "Can you tell me why the Chief Detective Yaeger called the sergeant and asked about a crash? Neither the involved employees work for him, or are they assigned to Criminal Investigations Division?" Um, I'm the captain of Team 2 and I was on duty and I was on the radio, so I felt like that was a no-brainer; he should have known better.

I called him on my -- on his personal phone and asked him if he had called the sergeant about the crash. And he hesitated for a moment, didn't say a word, and he said, "Yes." And I asked him, "Why?" And he says -- he replies to me, he says, "I'm not going to have an adversarial conversation with you." And I replied, "I'm not being adversarial with you. I'm not yelling. I'm asking you why you are sticking your nose in patrol situation by calling the on-scene sergeant."

He then starts yelling at me and says, "What is wrong with you, Becky? Are you having a bad day?" I said, "No, I'm not having a bad day, but this has nothing to do with CID, and you are the chief detective of CID, not patrol. I was on the radio, so if you had questions, you should have called me." He said he had already called the lieutenant, she didn't answer, so he called the sergeant. Again, not his supervisors and not his place. I told him that I don't stick my nose in CID-related issues, I expect him to do the same. I asked if he, uh, had been asked to go behind my back and do my job for me and he said, "No." I said, "I'm the captain of Team 2 in Patrol Operations and I was already on the radio." Um, he said, "We are command staff

and we should be concerned about the well-being of our employees." He continued yelling and then hung up on me.

I called the colonel and I told the colonel, I said, "Listen." I notified him about the crash and my argument with Yaeger over the phone. He told me that he would talk to him. It's a continuation of him going after my family. I will not tolerate him circumventing me in Patrol Operations, as that is what I am responsible for.

Um, I receive a text from him later that day that says that, "If you would like to speak to me later today, I would welcome it so long as it is professional and productive. I don't want you to think that my actions -- any actions that I take are to undermine you. I truly care about the employees and was concerned for their safety. I even reached out to the director at the jail to ask if there was anything I could do since I was in the office." He's the CID captain. Be the CID captain.

Um, December the 7th, 2023 -- I'm sorry, 2022, the Alachua Police Department called us for a domestic violence investigation involving one of their sergeants. Um, the lieutenant, um -- Sergeant Carlos Hunt. Uh, given the sensitivity of the case, I called Yaeger and I asked for a Special Victims Unit supervisor to respond. Obviously the -- the connection between our administration, this agency, um, the fact that it was someone that they would know, I didn't want to muddy those waters at all, so I asked for a supervisor of Special Victims to respond.

Lance responds to me and says, "Why is this not being handled like a normal patrol response?" And I said, well, hmm, okay. We did respond, uh, to take the initial. However, I knew the connection that is there between this agency and I knew that had I not notified him so he could notify, um, the upper chain, the colonel and everybody, that I would have gotten probably in trouble for that.

So we responded. Uh, the initial, um, sergeant called me and said there was obvious injuries, there was a ripped dress. And based on that information at the time, I was under the impression that we were going to make an arrest. I even suggested to the colonel that we call FDLE because we needed an outside entity because we did not need any

collusion, nothing, and I thought that was the better route. Um, Lance texts me and, um, said that there was more to it, that FDLE was not gonna be getting involved. I'm like, "Okay, fine." I knew it was domestic. I know typically FDLE does not handle domestics. However, it was a law enforcement officer.

Um, I called the colonel and I advised him of the situations. I made it, um -- basically the determination was that there was, um, inconsistent statements and arrest was not made. She had injuries to her arm. She had a ripped dress. There was, uh, disarray in the house and, um, a couple days of a battery. I believe that there were phone calls made. And that's fine. It doesn't -- it doesn't matter now, but I really was like I knew had we gone up there and handled that as a normal operation, a normal patrol response, there probably would have been an arrest made and my ass would have been on fire. Um, so I went that route to try to cover my own and tried to involve FDLE, and they were not used and, um, the investigation was documented, there was no arrest made.

Um, December 20th, 2022, my husband was the night shift watch commander. He was informed that Yaeger had called a couple of his supervisors on his shift directly and asked them if they were interested in going to CID. Um, on that same night -- I'm sorry. That was the 19th.

On December 20th, I went to my night shift's roll call so Colonel could present an award to one of the sergeants there. And after the presentation was over I asked the sergeants, "Hey, have you guys gotten a call from Yaeger about going to CID?" And one of them said, "Yes." I said, "All right. Well, tell me about it."

Um, the sergeant text me back and said that, um -- he confirmed that Yaeger texted him on December 11th, telling him to call him back and asked him about his goals at ASO, specifically asked the sergeant, Townsend, if he had aspirations of going to CID, and he replied no, that he was interested in going back to the DOPE Unit. Yaeger concluded the conversation by saying, "Keep this conversation between me and Rob," Rob Townsend. And I'm like, here we go again. You're stepping your -- sticking your nose in my business. You got no business going

straight to my sergeants trying to recruit them over to your division. Really did not like that. Um, I don't do it to his people. I expect my counterpart or my -- my equivalent to not do that to my people.

Again I spoke to the colonel on January the 3rd about the practice and he informed me that he would have a conversation with Yaeger. He encouraged me to have a conversation with Yaeger, as we are equal rank, and I told him that based on our history, that I had been good, I didn't believe that would be a good idea, so I didn't communicate with him.

Um, that leads to where we are. So February, uh -- January the 15th -- maybe it was the 12th. January the 15th I was, um, transferred from the Patrol Captain's position to the Public Information Office. I believe it was the 11th or so. The sheriff called me into the office, to his office. We made a promotion -- he made a promotion. And after the picture and little ceremonial part was done, the undersheriff said, "Hey, the sheriff wants to meet with you." And I said, "Okay." Um, he said, "Hey, do you want to be over the PIO?" And I said -- I thanked him for asking me. That's not something he normally does, but I said, "Respectfully, sir, I -- I'm not interested. I was there before. I'm not interested in going back to the position." He's like, "Okay." Well, obviously they were going to try to make my husband my XO, and I'm like you guys can't do that, that's grievances and policy -- you can't do that, don't do that.

So long story short, I -- I refused the position or turned down the position and, um, I ended up getting it anyway. So January the 15th I was transferred over to the PIO position. Um, and, um, on February the 7th, um, Lance walks past my door, looks at me, looks straight at me, walks -- turns to the left, looks at me, makes eye contact, turns to the right and keeps going. Again, passive-aggressive.

The very next day I get copied in an email from my administrative assistant at the time in the Public Information Office. Lance, unbeknownst to me, had made a request for some awards that we maintain through the Public Information Office from the jail. The awards were two

years old. I wasn't really sure why he was requesting them, but nevertheless, he requested them. Um, instead of going through me, I had been in that position, he went to the person that was previously in the position because there's a friendship there and she does whatever he wants him to do, so he didn't have to deal with me.

Um, so the email comes down by the administrative assistant. At that time is when I'm notified that he's made a request for documents maintained by the Public Information Office and, um -- and specifically he had requested those. Um, I was like here we go again, circumventing me. I'm in my position. I've been here for three weeks.

So, um, I respond back to him and I say, "Major Yaeger, when making requests for awards or any information that is maintained or managed within the Public Information Office, I expect to be copied and/or notified of such request so that I do not receive notification such as this after the fact when copied by my administrative assistant. Your consideration will be greatly appreciated." That is what spawned this investigation.

Um, I copied the person that he made the request through and I copied the, um, sheriff's executive assistant because at the time I was still in the PIO, I was a direct report to him. Um, I knew there was gonna be a little bit of backlash from this, and a couple minutes later I, um -- I called Courtney and, uh, just to give her a little bit of the backstory and just say, "Look, I wasn't just being a bitch. There's a little history here. I'd like to, you know, let you know what's going on."

DS: Who's Courtney?

BB: Courtney's the sheriff's executive assistant. And she answers the phone and her response to me is, "Oh, are your ears burning?" And I'm like -- I said, "I guess so." Uh, I proceeded to explain, "Look, there's -- there's a little more to this situation." She asks if I would like for her to relay that information to the sheriff or would I like to speak to the sheriff. I said, "No, ma'am. I'm a direct report to the sheriff. I'd like to speak to the sheriff and talk to him myself about this." And she said, "Okay,

fine. He's with somebody. I'll let you know when he's available."

To this day I've heard nothing. I never got to meet with him. It was apparent to me by her statement, uh, and his ignorance of replying or agreeing to meet with me that Lance had beat me down to the hall -- down the hall, which is fine. I expected it. Um, it's a pattern behavior.

And, um, I confirmed with the administrative assistant that a text message was sent to her by my previous person, um, that I replaced requesting the information. She responds to me -- and she's a witness in this investigation -- claims, "Oh, it's just confusion; I didn't mean intentionally to do this."

They both know I'm a very chain of command, you do your job; and if you don't do your job, you're held accountable. As you can tell, I'm sure, I'm very matter of fact. I don't play around. We have a job to do and you have to follow the rules. If I have to follow the chain, then I expect everybody else to follow the chain, too. It's just -- it creates so much confusion, inconsistencies, there's -- and obviously it creates personality issues here.

Um, I guess it was a couple hours later, uh, yeah, about 1:38 p.m., Lance sends me an email and says, "Schedule an appointment through Amber," his executive assistant, "to meet with me this week." Um, again, I don't work for him. I didn't respond to the email.

Um, on the 8th I got a phone call to go meet with the colonel. I knew -- I figured I was gonna get my butt chewed that day at that time. Um, so I go down to talk to the colonel and he says, "Close the door." So I did. And, um, he says, "There's a personnel change." I said, "Okay. Where am I going?" I knew. I knew. Uh, he said I was being transferred back to Patrol. And I asked why, assuming it was because of the email that I previously sent to Yaeger, and he said they thought I would be happier there. I told the colonel that if it was because of the email -- I'm sorry. I asked the colonel if it was because of the email. He said no. I asked him if he was aware of it. He said yes. We spoke on -- he tells me that I wear my emotions on my sleeve and that, um, he had to learn

early on in his career that that wasn't effective.

So prior to leaving the office I told the colonel that, um, I had received the email from Yaeger telling me to meet with him and asked him if I still needed to do that because I was a PIO. February the 12th was Sunday. That's when my transfer was effective. At that time on the 12th was when I was gonna report to the colonel. This is key. Um, I said, uh -- prior to leaving I told the colonel, uh, that I I had received the email from Yaeger telling me to meet with him and asked if I still needed to do that and he said no. Knowing the answer, I asked the colonel again if I would be reporting to Lance and he said, "Who?" I said, "No, Lance." I'm doing this right here.

DS: Uh-huh.

BB: Pointing over my shoulder across to where he is. And he said, "No, no, no." I said, "Thank you." I got up, walked out. My transfer was effective Sunday, February 12th.

Monday, February the 13th I got a phone call -- at 1111 hours I got a phone call from the colonel and he says, "Hey." He's asking me about an email that I sent. I said, "The one to Yaeger?" And he said, "Yes." And I said, "Yes?" And he asked me if I ever met with him and I told him no. Well, I could sense where this was going, so I hit speakerphone. We were having a meeting. It was me, Captain Levy, Lieutenant Hood, Sergeant Kinsey.

And, uh, he asked me if I had ever met with him. I told him no. I specifically asked him on the 8th when I was in his office when he was telling me of my transfer, um, if I had to meet with Yaeger and he said no, and he responds back to me, "Well, that was a misunderstanding." I said, "Okay." Um, I said, "I went on to specifically ask you if I would be a direct report to him and you said no," trying to recall -- recollect that conversation. He said no, I needed to speak with him, and I told him that I would not speak with him about a witness and he said that was fine. Um, I told him that I did not want to speak with him -- I did not -- he told me that I didn't have to speak, I could listen to what he had to say and leave.

So direct -- Yaeger is a direct report to the colonel.

He's the major of Support Services and the captain of Patrol. Obviously he now outranks me. Um, he reports to the colonel. I report to the colonel. The discipline comes from Yaeger, not my direct report.

So on Monday the 13th, um --

DS: Let's back up just a second.

BB: Yeah.

DS: So sometime -- we missed when he went from captain of CID to major of whatever.

BB: January the 15th, when I went from the Patrol captain to the PIO, is the same day that he was transferred from Chief Detective of CID to Major of Support Services.

DS: Okay. And the PIO would office reports -- well, they're a direct report to the sheriff.

BB: That's correct.

DS: Okay.

BB: That's correct. That was replaced by another person.

DS: All right.

BB: So I went back to Patrol. He got elevated to Major of Support Services.

DS: All right.

BB: I'm the report to -- even as the Patrol captain, I report to the colonel. He reports to the colonel as the major. So --

DS: Okay.

BB: There's no --

DS: Right.

BB: Um, so I get called into the office and I was -- this was

an hour or so -- just a little after an hour after I had spoken to the colonel. And I was pissed. Um, I felt like he let me down. I felt like if you're gonna tell me that I don't have to meet with him, by God, you better stand on your word and you better stand up for me. Um, that did not happen.

Um, I -- so he says -- and this is a corrective counseling session that he gives me on the 13th and says that prior to February the 7th, which is why I bring all this other stuff because he's referencing history prior to February the 7th.

Uh, he says, "I visited you in your office in an attempt to address any perceived conflicts in order to strengthen professional relationships. On February the 7th, while sharing information with Chief Inspector Jenkins, yourself regarding a noteworthy arrest" -- we had an FDLE -- FDLE -- we had evidence that was intercepted going to Jacksonville to be tested, some weed, and they were making an arrest on the guy. It was on camera and all. It was a slam dunk. So they were making the arrest. Well, Jeff had already called me and said, "Hey" -- a week prior and said, "We're gonna be making an arrest on this guy." I said, "Cool. Your case. We turned it over to you guys. Do you need me to do a press release or anything like that? Is Gretel [phonetic] gonna do a press release?" He's like, "I don't know. I don't think so. I'll let you know." Perfect, done, no big deal. Lance is telling me he's educating me that this is what's happening. That's what this part is about.

He says that, um, "My nonverbal communication and tone of voice indicated that you were displeased with having to converse with me. Despite that conversation being very brief, you interrupted me several times to make unnecessary comments." He says, "On February the 8th, you sent me an electronic mail in an attempt to set your personal expectations of me as a major. A deputy sheriff assigned to the Court Security Bureau is prohibited from being insubordinate to a sergeant assigned to the Uniform Patrol. The same applies for a captain and major, regardless of the departments in which they serve. The ACSO expects you will treat all employees with respect. It is my expectation that you will treat your superiors, me included, in a respectful manner at all times. Future occurrences will

result in progressive discipline." I was like, yeah, I could see the writing on the wall; I know where this is going.

Um, I did make a comment in that that, you know, look, you beat me to the sheriff. You know, look, I -- you know, you beat me to the sheriff. I wanted to go speak to him and explain some of the backstory here, but you beat me to it. Um, I wasn't happy that my colonel did not stand up for me and defend me, and as a result, this is what happened. It sits in my file for a year. I didn't think -- you know, I was -- I was perturbed. People don't typically get, uh, discipline, corrective counselings and they're happy, please, thank you, give me another, you know. No, doesn't happen like that. So, um, I signed it and, um, that was that.

Um, the next day is -- I'm sorry. So I had -- I want to note that there were three documented conversations with Colonel Scott where he told me that he would have a conversation with Yaeger with the knowledge of Yaeger going and violating the chain, circumventing me. It's apparent the conversations I don't believe occurred and Yaeger just disregarded it. Um, in my opinion, he gaslights me because he -- it triggers a reaction. And that's obviously something that I need to learn to manage, but, um, I just -- I don't have any respect for him. Um, he went from the rank of a deputy sheriff to the rank of major in 22 months. Um, I believe that he stepped on a lot of people to get there and I told him that in one of our conversations when -- when I confronted him about calling my supervisor -- or my counterpart in on September the 24th and he -- he says, "I don't have an agenda." But clearly he -- he does and it worked and now he's promoted. Um, so that is the foundation that -- that started it.

So, um, my son is getting married -- Clayton, the second twin, the younger twin, is getting married on the 18th. So I took off Tuesday, Wednesday, Thursday, and Friday. The wedding was on Saturday. Obviously Wednesday, Nick was found dead from suicide and, um, awful, awful, awful. Um, we go to the apartment where Nick was because the shift that Nick was assigned to, my husband and I collectively have supervised that shift for the last 11 years. It was he or it was I. So those were our people.

Um, and I get on scene and I see Lance and I'm civilized. I'm obviously upset, crying, and, um, he's overly sympathetic in which -- whatever. It was fine. The thing that really bothered me the most was that -- at one point, you know, I was having a conversation with someone else. My concern was that it wasn't gonna be treated -- I don't want to say respectfully. Obviously you don't treat suicides like line-of-duty deaths.

DS: Uh-huh.

BB: And I wanted there to be a show of respect for Nick despite the fact he took his own life. I didn't -- I didn't want them to take away from what he brought to our agency. It was a very, very, very traumatic situation for everybody. And Lance was like, "No, no, no, no. We're gonna show up. We're gonna do everything." Fine. He strokes my arm and he's like, "Take care of yourself." He goes, "Go be a mother hen to your deputies." And my husband is standing right next to me. He's like, "I thought you were gonna kill him." And I said, "Nope. I'm good. Got the corrective counseling. I'm good, I'm good, I'm good." So we went about our business. I had no idea that he had launched an investigation on me on February the 14th. I got a phone call and someone said, "Hey, um, he's coming after you. That's all I'm gonna say." And I said, "Okay. All right."

So the 14th, uh -- I'm sorry. I was off that week. Um, this person had said, "Please don't do this. Her son's getting married. Don't ruin" -- family was coming in from out of state. "Um, don't ruin this, um -- don't ruin her week. Family -- it's not the right time."

So I come back to work on the 20th and, um, yeah, I wasn't happy. I wasn't happy at all. I had a suspicion there was something coming, so I -- I sat there and waited. The 22nd was a Wednesday. I got a phone call -- or an email from his secretary and it was titled "Meeting" and it said that, um, I needed to report to a meeting in the suite at 3:00. And -- sorry. Um, yeah, she says that I have a note, uh, request that she reaches out to me to notify me that my attendance is required at a 1500 hour meeting in the admin suite today. She said, "I was unable to reach you at your desk, so I'm sending an email so you have timely

notification." I knew that -- I knew that's what was coming.

So I, um, go down there and I sit outside of his office, and a couple minutes later another captain, uh, Steve Maynard, comes from, um, Judicial Services and Training. He sits next to me. And a couple minutes later, Lance calls him into his office and then he calls me into his office.

So we sit down. Um, and I could see there's a bunch of paperwork laid out. I could see a pocket recorder, virtually identical to that one, sitting right there on the desk in front of me, and, uh, I knew what time it was. So he, um, proceeds to tell me that, um -- hold on one second. I'm referring to my notes that I placed in my phone a couple hours after. Is that okay?

KR: Sure.

DS: Yes, ma'am.

BB: Okay. All right. Suspected the meeting would be for me to be noticed that I was under administrative investigation. I arrived before 1500, sit outside Yaeger's office. Yaeger walks in from the hall. I say, "Hi." He says, "Hi." I reply, "Hi." Proceeds to his office. Steve comes in and sits beside me outside the office. We're called in. Um, I close the door and I sit down. I see several documents on his desk with a pocket recorder. Yaeger turns on the recorder, proceeds to read me the confidentiality agreement and Garrity. He tells me that he will be asking me some questions, and I explain to him that as a subject employee, uh -- well, first I ask him, "Am I under investigation? I never received a notice of administrative investigation." He said, "Yes." And I said, um, "As a subject employee, I will not be making any statements without my representative present." And he recanted, said, "No, no, no. My intent is to not ask you any questions at this time, but maybe in the future." I said that seemed odd to me. I wasn't given a notice of administrative investigation.

So I asked, "Am I under investigation?" He said, "Yes." He gives me the allegation sheet alleging insubordination, uh, with him listed as the complainant and, um, he gives me

copies of the witness statements, my corrective counseling, the email, obviously the accompanying documents, um, that I sent to him, his email back to me. He gives me a blank administrative investigation response form and then tells me that I need to fill that form out and submit it back to him preferably within 24 hours; however, if I need more time, just to email him. I knew that wasn't right. That's not how administrative investigations go. I've handled several and I'm -- I'm not 100 percent, but I'm about 85 percent solid in how administrative -- so I knew immediately, right off the bat, something wasn't right.

So I said, "Okay." I got copies of my documents. Um, even though I don't have my confidentiality and my Garrity copy for some reason, I -- I don't know that I got those. Um, I asked for a copy of the, um, conversation, the -- the -- the interview that we had in his office. He said he would get it to me. And, um, I asked him if that was all and he said, "Yes." And I said, "Okay. Can I go?" And he said, "Sure." So I got up and I left, calm, cool, sweet Becky. I knew what time it was.

Um, I get my stuff and I go to leave and, um -- um, I'm walking out in the parking lot and I'm like, wow, that just happened. I got a corrective counseling on Monday and just a little over 24 hours later, um, he doesn't like my tone, he doesn't like my demeanor, and he launches an insubordination investigation against me. Okay.

I hear somebody holler my name in the parking lot. I turn around and it's Steve Maynard and he's like, "Hey, are you okay?" And I go, "Yeah, I'm good." He goes, "You sure?" And I go, "I'm good, Steve. I'm good." He goes, "Well, I told Lance that I was gonna come out here and check on you." And I go, "I'm good." He goes, um, "I'm very proud of you." And I said, "Thank you." And he goes, "I was sitting there praying don't lose it, don't lose it, don't lose it." And, uh, he goes, um, "As soon as you got up and walked out of the door, Lance said, 'Oh, my God, that was so professional.'" And I said, "Yeah, yeah." So, um, he left. He said, "Go home and, uh, take care of yourself." And I said I would. And, um -- um, he said I did a good job maintaining my composure.

Um, that's where we are. So obviously I contacted Attorney

Frank and I explained to her what had happened, um, and I dropped off my paperwork from the administrative investigation that I had received at that time and, um, she then sends the email with three-day notice for the notice of the 112 violations identifying five of the violations, um, and that they needed to be cured. Um, I believe it was the fourth day that an email was sent for the compliance review and, um, she was since told by our general counsel, Jake Rush, that, um, the violations did not support a compliance review board, and so here we are.

Um, I'm pretty unnerved that I received a corrective counseling because of a personality conflict with someone that I have a history with who does things to gaslight me and, um, create a reaction, um, but I accept responsibility. It's my -- it's my responsibility to not allow that person to do that to me. I recognize that. Um, I did not think that it justified corrective counseling, certainly.

Um, there is a number of other people in the Criminal Investigations Division that also received corrective counselings; however, none of them led to, um, an administrative investigation for insubordination, especially within 24 hours. So I didn't even have the opportunity to correct my behavior, modify my behavior -- modify my behavior. And in my opinion, it was pretty evident that when he served me with the -- or he noticed me -- rather, I asked if I was under administrative investigation and I -- I acted completely calm, that clearly that corrective counseling worked. So really, um, it didn't set well with me that that was the route that he was choosing to take and I felt like it was just some more "I outrank you and, um, this is what's gonna happen."

So, um, that's where we are. I think a lot of this stems from my son's shooting. I think he was hell-bent that he was gonna conduct his self in a certain way and make himself look like he, um, was something that -- that he didn't have a role in. And, um -- um, I think it's pretty -- pretty sad that my son, you know, is penalized and not allowed to return to his shift where he is -- you know, he felt like, um, he had done something wrong. The sheriff never came to see him at the scene. He never came to the station to see him. He never called him to his office to

thank him for doing his job, never engaged him. On January the 10th, 12th, when he told me -- when he asked me if I wanted to be in the PIO position, I told him on that day that it really bothered me that he had never engaged my son, he never thanked him for doing his job; he felt like he had done something wrong. And I'll give him credit. Within an hour he called my son to his office and said, "Thank you for doing your job." Well, it's nine months too late.

DS: Uh-huh.

BB: That's your job. You should have been there the night of. Nevertheless, it was done. Um, that's where we are.

KR: So the major calls you in to notice you of this admin investigation. None of this has ever gone through PSU or --

BB: OPS?

KR: OPS. Thank you.

BB: No, sir. He was the complainant and he was the investigating supervisor. Our policy says that if complaints come in, they can come in in the form of writing, verbal, email, however, um, and that if you receive a complaint, that the complaint is to go to the direct supervisor.

Well, Colonel Scott is my direct supervisor. The complaint -- Lance could have filled out the complaint response form, could have gone straight to the colonel, as it should have. It wasn't. He was allowed to investigate me, be the complainant. It's very biased, very one-sided. Right? So, um -- and the approval chain was the colonel, the undersheriff, and the sheriff. Well, all of them had already known because he told me during the, um, corrective counseling that they had all been made aware of what was going on naturally by -- by the executive assistant's, "Oh, are your ears burning?" Clearly they had already been -- they knew what he was doing.

DS: Uh-huh.

BB: Um, which proves his intent in my opinion. Um, it should have been the colonel's responsibility to take care of it, but he didn't, um, and, in my opinion, wasn't given the -- afforded the opportunity to do it.

Um, yesterday -- so the three days and the 10 days and the compliance review and all of that, um, occurred and yesterday I was at work and, uh, the lead inspector of the Internal Affairs, OPS, called me on the phone and said, "Hey, are you in the office?" I said, "Yes." He said, "I have some paperwork to give to you." Well, I thought it was for Sergeant Davis. I said, "Okay." He said, "I'll be there in a minute." All right.

So he comes over and, um, hands me a sustained, uh, notice of administrative suspension, um, from the sheriff to me sustaining insubordination, uh, with two days' suspension and 12 months of disciplinary probation. Um, it is -- it is incredibly suspicious to me that the witness statements that were given in the corrective counseling are pretty spot on, but there is a lot of information that is included in these witness statements in the investigation that appear to be very embellished, uh, in order to portray one side of this.

Um, I'm pretty -- I'm not quite sure how, um, an investigation is complete and thorough if you don't investigate a subject employee. That's really -- I mean, you don't -- you don't handle investigations like that on the street typically, so I'm not quite sure -- when I'm protected under 112, I'm not quite sure why that's -- that's how they're choosing to operate during administrative investigations either. So, um, it's troubling. It's very troubling to me.

So I, um -- that is Kelvin. He was my former coworker. Obviously he is aware of the history and pattern of behavior here between Lance and I. And, um -- um, I asked him if I would be fired if I refused to sign it and I told him -- I -- I said, "I'm not gonna put you in that position. I'll sign it, no big deal." Signed it. And, um, he gave me a hug, several hugs, and said take care of myself. I told him I would and he left.

So, um -- um, that's where we are. Obviously I have three

days to meet with the undersheriff if I wish to have a Loudermill. And, um, coincidentally, um, the chain of command, um, Captain Jenkins recommended two days. Colonel Scott recommended two days, no -- no probation. Um, Lance Yaeger recommended termination, termination. Uh, the undersheriff recommended 80 hours without pay and 12 months disciplinary probation, um, citing that as a member of the command staff, which I recognize that I am, that I am held to a higher standard and I need to treat everybody just so, but that I don't have any -- you know, it made me feel like, well, I don't -- that's a two-way street. That's a two-way street. You don't get to treat people just however you want because you hold a higher rank and then -- you know, then you get to potentially ruin their career.

So, uh -- and the undersheriff concurred. He -- he gave two days and 12 months disciplinary probation. I also find this suspect because the day that I spoke with the sheriff when he offered me the PIO position in January, he said to me, "Becky, I really like your style. I really like your style." He said, "You're a no-nonsense kind of person and you don't take crap off of anybody." And I said, "Sheriff, why should I? That's not how I operate. I appreciate that." It made me feel good that he knew that I could handle my own, I can run the Patrol Division and there was no issues, yet now I have a guy that has a higher rank than me and he's being allowed to come after me, potentially ruin my career.

I just entered DROP a month ago. I'm in my first month of DROP, so I'm a little, uh, passionate when it comes to my money and my retirement and my 30 years of service here. My family collectively has given 65 years of service to this agency. I have been here since I was 22 years old. This is my home. These people are my family. Um, and as difficult as it is in law enforcement, I think you have to establish yourself and not tolerate being harassed by anybody. So --

KR: Did they do the compliance review on the, uh, 112 violations?

BB: The -- the -- it is -- it is in the works. An email was sent, um --

DS: But they disciplined you without -- without, uh --

BB: They didn't cure the 112 violations.

KR: Cure the 112.

BB: There were five total, correct. That is --

DS: What was the initial thing that he gave to you, um, before -- before he called you in?

BB: Before he called me in?

DS: Right, to notify you that, uh, he was --

BB: I received an email from his secretary telling me it was a meeting.

DS: But when you -- he gave you a corrective counseling?

BB: He did. He gave me a corrective counseling.

DS: Okay. Is that not, um, in your -- in your hierarchy of discipline?

BB: It is. Yes, it is.

DS: Okay.

BB: It is a form of informal discipline, yes.

DS: Okay. So you received that discipline regarding your -- the claimed insubordination?

BB: That was titled "communication with superiors."

DS: Okay.

BB: The corrective counseling was titled "communication with superiors." The investigation 24 hours later was insubordination.

DS: Okay. Was it two -- two different issues or -- that he -- that he's claiming?

BB: I would say no, they're not -- they're not different at all. He's referencing -- he's referencing, you know, prior to February the 7th, in my opinion, he's -- he's bringing up a whole bunch of situations --

DS: Uh-huh.

BB: -- and he's combining them into multiple situations here to show a pattern. Um, he talks about February the 7th he visited my office, um, to address perceived conflicts. Um, then he's talking about the -- the noteworthy arrest where he did not like my -- he says my nonverbal communication and tone of voice indicated I was displeased with having to converse with him, that I interrupted him as well. That's what he is saying. He's titled it "communication with superiors." Go ahead.

DS: Is there something that you'd like to add, Miss Franks?

BB: Thank you.

DS: Frank.

BB: Captain Butscher, isn't it true that continued within the corrective counseling document with -- first of all, is there anything in your policies that's titled "communication with supervisors"?

BB: No.

BB: And isn't it true that the statement of insubordination is in the final paragraph?

BB: Yes, it is.

DS: So you were disciplined for the same issue and within 24 hours --

BB: Yes.

DS: -- called in without any additional incidents between -- or alleged incidents between you and Major Yaeger?

BB: Yes. Correct.

DS: And the investigation launched.

BB: So I saw him on February 13th, that Monday when I got the corrective counseling.

DS: Uh-huh.

BB: I was off from work --

DS: Uh-huh.

BB: -- until February the 20th. So there was a week I didn't speak to him; I didn't see him; I had no interaction with him at all. All of this -- the investigation -- insubordination investigation occurred when I wasn't even at work. So there was no -- there was no --

DS: But after you had received the counseling?

BB: Corrective counseling, that is correct, is when he launched the investigation, yes. And these are -- actually, not that it really matters, but these were handwritten notes from the moment that I was there, um, in the office. It just says the date and time.

DS: Uh-huh.

BB: Confidential, uh, I asked for a rep and, uh, Garrity read. Uh, he told me he wasn't gonna ask me questions but that he would later. Um, I really would like to have a copy of that recording because I think there's some pretty telling information that's gonna come out in the administrative investigation because there is some very embellished statements, um --

KR: Have you ever been given the opportunity to review?

BB: No. Review the -- the --

KR: The evidence.

BB: The audio? I -- I was --

DS: And any of the evidence.

BB: I -- go ahead. Go ahead.

DS: Miss Franks?

KR: Miss Frank?

BB: Have you ever been noticed, Captain Butscher, that you've been under administrative investigation?

BB: No, ma'am.

BB: Is it true that you have -- that you've specifically requested the audio recording of the interaction between you and, uh, Major Lance Yaeger?

BB: Yes, I did.

BB: And isn't it true, pursuant to Chapter 112, you shall be provided within 72 hours?

BB: Yes, ma'am.

BB: Have you ever been provided that?

BB: No, ma'am.

BB: Um, isn't it true that it's vital for you to receive that audio because there -- you've been served with a final investigative report by Lance Yaeger? Is that true?

BB: Recommending termination, yes, ma'am, that is correct.

BB: And within that, um -- from a cursory review of that final investigative report, uh, do you believe that you have a good-faith, reasonable basis, uh, that there could be perjury statements contained in there by, uh --

BB: Yes, ma'am, I do.

BB: -- Lance Yaeger?

BB: Yes, ma'am, I do.

BB: And of course, that would, in addition, be falsification of an official document. Correct?

BB: Yes, ma'am, it would be.

KR: So they -- just to reiterate in layman's terms, um, they call -- or the major calls you in. I guess the captain was there as a witness?

BB: He was, yes. And at the end of it, he noted on record that he was only there for the procedural aspect of it. So --

KR: Okay. Major calls you in, tells you he's initiating an internal -- or an administrative investigation against you after turning on a tape recorder, then tells you -- how long was this meeting total?

BB: 15 minutes.

KR: Okay. Does he let you read the statements that he has on --

BB: Yeah, he hands them to me. Yes, he hands them to me.

KR: Okay.

BB: Yes.

KR: And were they -- but they were also audio interviews that he had done?

BB: No, there were no audio --

KR: It was all written? Okay.

BB: Yes, written statements. Yes.

KR: Okay. So he let you read the written statements. And then basically the next thing you know -- I mean, you asked for a rep. The rep notices the 112s, and the next thing you get is a notice of discipline.

BB: That's correct.

KR: Okay. And when did you ask for the audio?

BB: Immediately at the conclusion of the -- the -- at the

conclusion of the, um -- the interview. After I had signed all the documents.

KR: Uh-huh.

BB: I requested my copies. He provided the copies. I said, "I would also like a copy of the audio recording." He said, "I'll give it to you." I never got --

KR: And that --

DS: Was that on the recording as well?

BB: Yes, that's on recording. Yes.

KR: Okay. And how long ago was that?

BB: That was on February 22nd.

KR: Okay.

BB: Um, a very troubling statement in here if I can talk about this, one of the statements. It says at the bottom, page number 3, it says, "Once dismissed, Captain Butscher left abruptly." Captain Levy, who was there as my witness, exited; and before getting to the door, Captain Levy looked back at Captain Behl, who was sitting in the chair, and I, while offering a facial expression which indicated he was shocked by Captain Butscher's behavior.

Um, additionally, Captain Behl made a comment that, um, on February the 14th, while dropping off her witness statement, Captain Behl verbally expressed her disappointment in Captain Butscher's behavior during the corrective counseling session, adding she would never treat an animal in the manner in which Captain Butscher treated me. Captain Behl noted Captain Butscher staring at me intensely, adding she believed Captain Butscher was going to knock over the plant on my desk to come over my desk where I sat. Captain Behl provided a two-page witness statement from which was digitally signed. So it goes from --

BB: Are -- are any of those comments contained within that written statement, Captain Butscher?

BB: No, ma'am. No, ma'am. No, ma'am. Um, in fact, Captain Levy points out that, um, Major Yaeger started the conversation -- this was during the corrective counseling session -- um, to inform me that -- about a discussion from the command staff meeting. That was the February 7th -- felt that Captain Butscher was slightly aggressive towards him, felt her nonverbal and verbal communications were disrespectful from her position as a captain to his, a major. Major Yaeger stated he was going to document this in a corrective counseling session. Captain Butscher scooted her chair up to his desk to accept the paperwork to review it. Major Yaeger stated he would read it to her. Captain Butscher stated she could read it herself.

It's pretty demeaning to me as a 30-year law enforcement veteran, you're gonna read to me as I'm a five-year-old child? I didn't appreciate that. Nevertheless, he said, "I'm gonna read it to you anyway." And he did. Um, I signed it and, um -- when it was done. Um, Major Yaeger sat down after he brought me my copy and, uh, stated that he wanted this working relationship to be professional, and Major Yaeger stated even though he's not in my chain of command, he is a major and I am a captain and respect needs to flow both ways. Well, I have that same expectation of him.

Um, Major Yaeger gave Captain Butscher a copy of the corrective counseling and we both left. During the time of the meeting, Captain Butscher was already upset prior to walking into Major Yaeger's office because he had told me I didn't need to speak to -- did not need to speak with him. It is my understanding there are some past issues between both Captain Butscher and Major Yaeger. During the meeting, I don't feel that Captain Butscher was being insubordinate but upset with the situation. There were other issues going on in the near time frame with transfers and poor communication with Captain Butscher that Captain Butscher felt Major Yaeger did when Captain Butscher was the PIO.

Um, Captain Behl says that while she does not know the intimate details of why Major Yaeger and Captain Butscher do not get along, it is no secret they do not appear to like each other. I also understand Captain Butscher is

likely under a high degree of stress because of several factors, such as staffing shortages, experience in Patrol Operations, and a high degree of organizational changes, such as only being in the PIO role for a couple weeks. We are all human and at times we react -- we can react negatively even in what should be a professional environment. She says, However, I also believe the sheriff holds his command staff in a higher level of authority and responsibility. We are required to be polite and professional, have the ability to set aside personal feelings in order to interact in respectful way even if others do not. Captain Butscher did not overtly refuse to sign or comply with Major Yaeger's corrective counseling; however, I do not consider Captain Butscher's verbiage, demeanor, tone, and body language during the meeting to be at all professional or respectful of his superior rank or position.

That's a far cry different from what she wrote in this other investigation, that I was gonna come across the table.

DS: Uh-huh.

BB: So, um --

BB: And Captain Butscher, isn't it true that you've never received an audio recording of -- of any form of statement from Behl?

BB: Correct.

BB: The only thing that you've been provided merely is a --

BB: Written --

BB: -- written statement from --

BB: That's correct.

BB: -- Behl. And just to clarify, the written statement that Behl signed is grossly different than the assertions and the statements that Major Lance Yaeger placed within his own investigative report?

BB: Very much so. Very, very much so. Very much so. Um, can I proceed?

DS: Sure.

BB: Um, this is -- I'm not sure that this is completely relevant, but in my opinion it's relevant. This is an article that's written by a sergeant from a law enforcement agency. It's called "Bullying in Law Enforcement." It's an "End of Silence." And this is what we're dealing with right now at the Sheriff's Office. There is no, um -- it's agencywide and it's coming from the top and it's coming most specifically from people like Major Yaeger. Um, he is well aware that he is not respected, he is not liked, he did not earn his rank, and he is hell-bent that he will discipline you if you do not respect him, period.

Regardless, there have been multiple conversations with people, there have been multiple counseling sessions, there's been multiple, um, closed-door conversations that you will engage him and, um -- and if you don't, there will be consequences. Um, we are -- he's a bully and, uh, it affects morale. Um, it doesn't only affect individuals, but the entire department in terms of morale, productivity, recruiting difficulties, and litigation. That is where we are. That is where we are. We've been dealing with this for two years, um, and it's destructive. It's a very toxic work environment. Nobody wants to come to work. Um, people are medicated more than they've ever been.

If there's one positive thing that has come from this, it is that we have all like (sound effect) come together. It is like camaraderie like I don't know. We obviously had a suicide. Two of the things as the Patrol captain that I feared the most were suicide and a line-of-duty death. Well, shit, we've already had one. We've had one. I'm not gonna settle for a line-of-duty death. I'm not gonna -- I'm gonna do everything I can.

I've reached out to many people. I genuinely care about my people. I'm called Mama Bear. Um, I don't coddle them. I hold them accountable. I love them. If I love them, good. If I don't, I tell them; they know it. It's a tough love kind of mentality. It's a woman thing, too. So, um, I'm proud of it and I love it and I've been doing it and I feel

like it's worked. Um, that's where we are.

Um, one of the very first things that happened, uh, when the sheriff came in was that we -- we didn't have a swearing-in ceremony. He came in. Nobody was sworn in. Uh, we have deputies to this day that went through field training, um, and have not been sworn in. We've not had an oath-of-office ceremony. Nobody's sworn in. And --

KR: Were you called in to sign new oath of offices?

BB: No. No. Um, one of the very first things that occurred was we, um, right off the bat -- June 15th, 2021, I was in the Civil Department at that time. Um, excuse me. Um, we were told -- so we have our over-vests that we wear. Right? And there's a Velcro patch on the back historically says "Sheriff." All 67 counties wear them. They say "Sheriff." Until now.

Uh, we were told that there's only one sheriff and, um, it's Sheriff Clovis Watson. Um, they stripped us of our sheriff Velcro patches off of our vests and they were replaced with deputy patches. Um, that occurred in June. People were like, what is going on? We all know who the sheriff is. It's a matter of identity for us. All the other 67 counties and their deputies all -- everybody wears sheriff everything. What is this about? People were very pissed off about that. There was no justification for it at all.

So I sent an email to my people, "Hey, you have your new deputy Velcro patches that will replace the sheriff. It's currently affixed to your vest. Please get with me when you come in." That was June 15th. November 20th, 2022, we got an email back. I guess they had an epiphany and decided, gee, maybe we shouldn't do this to these people, and we got all new sheriff patches again. So we wasted about $2600 purchasing brand-new sheriff, uh, Velcro placards to put on the back of our vests when they shouldn't have taken away. It was said to me that, um, just that, that there's only one sheriff and, um, so they strip us of that.

Um, staffing is awful. Uh, oh, here's one other thing. So September 23rd, 2021, we had an officer-involved shooting

in the city of Newberry. Um, our deputy shot and killed a guy. And that very same night, everything was fine. Our deputy was good. The suspect was dead. FDLE got called. And within probably three hours of that call, um, Nassau County Sheriff Bill Leeper called, said, hey, they had a line-of-duty death. One of their deputies was on a traffic stop. He got shot in the face. He was in critical condition and later died. Bill Leeper called sheriffs' offices, said, "I need everybody from all the surrounding counties, send your SWAT teams to me. I gotta find this guy." Everybody went from the surrounding counties but Alachua County Sheriff's Office. Sheriff said no. We were like, what the hell? So we didn't go. So right off the bat we were like -- people are like, what is going on?

We have been a premier agency for a long time. We're part of RDSTF. We're part of the HIDTA, the whole TFO stuff with the FBI, all kinds of stuff. We -- we have been functioning like a well-oiled machine until two years ago.

Um, our staffing is awful. We have lost close to 300 employees in the last two years. We have lost 80, we call them gun-toters, law enforcement officers. That's just on the patrol side. In our county we have 969 square miles to manage, we have 11 zones, and we're approximately 300 short. In the Patrol Division right now we are 25 bodies short. Um, we are robbing Peter to pay Paul every day and every night and they're exhausted. It's been two years.

Um, we -- we have an evening shift that, um, we had seven FTEs each shift, so 14 deputies. We have two on each currently. I have been begging and asking to either disband the evening shift, um, and absolve them into the day shift and the night shift. It's only two. We started out with seven and now everybody has left and we're now down to two. We can't do it as a campaign promise. I have been allowed to temporarily reassign them but only for a brief period of time, not for any lengthy period of time. Well, that doesn't really do me any good. This is a long, protracted event. Nobody's coming into this profession. Nobody's coming to our agency. And it's causing --

KR: Let me get some clarification. You have a night shift and a day shift. So you work twelves.

BB: Yes.

KR: And this evening shift would be a high-profile for the lapsed hours or anything or --

BB: Just a two-to-two overage, coverage.

KR: Okay.

BB: That's all that it is.

KR: Just to put extra people out --

BB: Yep.

KR: -- during the busy time.

BB: Correct. We had a CHIP Unit, which was prior administration. We had a PCIU, which our Police Criminal -- uh, Patrol Criminal Interdiction. It was dissolved so they could come back to the road. We had an Intelligence-Led Policing Unit in our Criminal Investigations Division. They were dissolved, came back to the road. Um, the only proactive unit that we have now are our Traffic Unit. We have a HIDTA Unit on the Interstate. Not a HIDTA. It's our Interstate guys.

KR: Uh-huh.

BB: Um, and we have two Rural Services deputies. I've been desperately begging to dissolve those units. We cannot justify having -- we're functioning with 11 deputies and sometimes we're functioning with nine. We have 11 zones to cover. That is critical staffing.

KR: Uh-huh.

BB: Minimum staffing per our directive is 13. We're rarely at 13. So when you have 11 and it's covering 11 zones, well, if you have somebody that wants to take off, somebody's sick, somebody's got training, you're automatically behind the eight ball and you have nobody covering. I have a huge issue with us not having zones covered. As a taxpayer in this county, I have a huge problem with that, huge. I live in the -- in the -- in the zone that, um, has been left

unmanned, if you will, because of staffing.

Um, and the deputies are -- you know, the deputies can't get time off because of staffing. The deputies that are working, um, are constantly being asked to cover the other shift because of staffing. They're wore out. They're exhausted. They're physically, mentally, psychologically burned out. And I don't really have the autonomy to do anything about that. I can't move evening shift. I can't dissolve traffic. I can't dissolve the Rural Services, uh, which is what I want to do, um, to backfill to give them some relief. There's no relief.

KR: What was this campaign promise you mentioned?

BB: So the campaign promise was the evening shift. That was promised throughout the campaign. Well, that's great. That's great. Our little Patrol Criminal Interdiction Unit, uh, was not necessarily a campaign promise, but it was a specialized unit. You can't justify -- it looks terrible when you're running with zones uncovered and when you have two deputies, which most times what we're doing is we're backfilling on days and nights anyway, and it's just -- it's ineffective.

Um, all of the transfers that -- so as the Patrol captain, you should have the autonomy, and our directive says that I have the ability to move people and move cars. Um, we had a command staff meeting back in October and the undersheriff announced that all transfer of any personnel, uh, will be approved by the sheriff. So I had like two, four, six -- I don't know, 12 transfer IOCs in our office correspondence requesting to go different places within the Patrol Division. I could not make that decision myself to do that because that had to go to the sheriff to make that decision. So here we sit.

We have internal office correspondence that comes down that is submitted in May, May 9th of 2022, I don't get a response back until February 6th of 2023. Months and months and months and months and months we sit here, there's no communication. We're like, what do we do? Approvals are not made. Um, appointments to special teams are not made in a timely manner at all, yet we -- we have to make sure that our staff is sent up to them quickly, but

their response back down to us, it's -- it's ineffective. Um --

KR: Is your SWAT team full?

BB: No. Um, as a matter of fact, my son is on the list right now. I believe it was back in July, August maybe, uh, an IOC was sent up appointing a certain number of them to the SWAT team. He's on the list, has yet to be appointed. Um, and for instance, it's -- it's -- it's -- it's difficult to function when you don't have the means, um, to function.

Uh, we have a field training sergeant position, and this sergeant was requested, um, to be the Team 2 field training sergeant. That request was made August 22nd of 2022. We didn't get approval back until, um, February the 1st, 2023, six months later. By that time, the sergeant that we were going to place on this team had already moved to another team. So it's completely a waste of time and it's obsolete; it doesn't matter. There's no timeliness to anything coming back down.

Um, we do have a Co-responder Mental Health Unit. That's a contractual, um, situation. We -- we -- we appointed one deputy to that position and then we went for a period of 10 months with the second position unfilled. I'm like -- I noticed the -- the colonel and I said, "Look, we gotta fill this. This is a contract here. We're gonna lose this contract if we don't fill it." It took 10 months from the time that I noticed him to get this position filled when we had one applicant, one deputy from Patrol, that put in for the position. I said, "Cool. This is easy. We can just have a conversation with him. We can just submit his name up. We can get him appointed. We can -- let's just get this ball rolling." "No, you gotta interview him." The undersheriff said, "No, we gotta interview." We're gonna interview one guy who applied for one position. Um --

KR: Who's the contract with?

BB: It's with Meridian Behavioral Health.

KR: Okay.

BB: So he ended up getting picked, naturally. Um, and again, just another ineffective practice that is just bogging -- it's bogging the system down.

KR: Are those positions still filled?

BB: Yes, they are.

KR: Okay.

BB: Yes. And they're good. They're effective. Again, but those are two bodies that we could use on Patrol. I get the contract. Same thing with our School Resource deputies. There were several School Resource deputies that were transferred out of Patrol into the schools and the excuse was the contract. I understand that. Uh, we're now -- and -- and thankfully, um, some of the supervisors are covering the schools, so it's helped a little bit, um, but Patrol is suffering. Patrol is suffering terribly.

KR: Have you had to change your recruiting, um, qualifications?

BB: Uh, I'm not involved in the hiring process. I don't know.

KR: Okay.

BB: Um, that's another point of contention that I have. I was the Patrol captain and I think that -- at one point I was involved in the, um, law enforcement oral boards. Um, there was a couple captains in there. There was a lieutenant, sergeant, so -- including the field training sergeant who's over the Field Training Program. Um, there was a particular guy that came in, um, wanting to be a deputy sheriff, and at the end of his interview he asked, um, "If you were involved in a shooting, would the sheriff back you?" And one of our sergeants -- that's a very odd question.

KR: Uh-huh.

BB: And she was kind of like -- she said, "No comment." She felt like that was appropriate at the time. The field training sergeant was sitting there and he was like, "We're not gonna talk about that." And, um, that got back to the sheriff, and because no one stood up for him and defended

him, they wiped the oral board clean. Removed the field training sergeant from the oral board. He wasn't part of it at all. Removed the captain. I wasn't even at the meeting. I got removed. Um, and replaced them with two-year deputies out of our schools who are contractually bound to be there. They're not supervisors. They're two-year deputies. They hardly have any experience. They're not in a supervisory role, so how are you going to give, you know, a good judgment assessment of someone that's trying to be a law enforcement officer? Um, but I was wiped from that, so I'm like, "Okay, fine."

So, um, we have had -- specifically about that, our HR director, there was a female, a black female that was on night shift. She did not want to be a part of the oral board because she was on night shift. It was too difficult for her to be there at 8:00 in the morning, 8:30 in the morning. So she said, "I really don't want to be a part of this." And I said, "Okay, fine. Perfect, fine. I'm your captain. I can, you know, make -- I'll ask the colonel." And I went to the colonel and I said, "This is -- you know, please, she doesn't want to be a part of this." And he said, "Okay, fine." So she wasn't a part of it anymore.

Next thing I know, um, I walk into one of the -- the oral boards and I'm like, "What are all these people doing?" They had not told us when they wiped the board clean. So there's all brand-new people in there, including the people that we thought we were supposed to go back in there. She's sitting in there. And I said, "What are you doing in here?" "Well" -- I said, "I went to bat for you and I argued to keep you off of this because you're on night shift." And she's like, "Well, I don't want to cause any problems." And I go, "Look, you either want to be on this board or you don't." "Well" -- and I said, "Okay, whatever, fine."

So I emailed the HR director and she said that they were looking for diversity. And I said, "Okay." I said, "Well, how about Heather? She's a white female lieutenant." "Nope. She was on the board last year." I said, "All right. How about Sandy? She's a white female lesbian." She said, "Okay." Never saw her on an oral board. The black female's still on the oral board.

Um, morale is horrific. I've never seen it. I've never seen this. People are beat down. Um, days off are not approved, uh, again, having to cover other shifts as well as our courthouse because they're about 25 bodies down as well. So we're covering each other shifts because most times you can't get a day off unless there's someone that's willing to swap with you. You have to cover the courthouse. You have to go to in-service training. If you're on a special team, you have to go to special teams training. You have to go to court. Um, and it's just -- it's -- it's -- no one can transfer out of Patrol because we don't have the bodies. So we're not gonna make this problem any worse by allowing other people. So they've continued to hold interviews for open positions and then they'll select somebody, but then they'll sit on a list for months and months.

We have a guy that's waited over two years to go to the Interstate because we can't support leaving him -- taking him off the shift. Um --

KR: Are they leaving CID --

BB: They are.

KR: -- special units?

BB: They are. We have a detective right now who, um -- he was going to leave, um, in August. So with our deputy that just died --

KR: You say leave.

BB: He was going to resign. He's gonna resign.

KR: Oh, okay.

BB: Yeah. He's got a business. He was gonna do his -- his political stuff. So he, uh, was going to leave in August. Um, after the situation with Nick occurred, he decided, "You know what? I want to go back to the road. I want to try to help maybe some of the deputies that -- I can maybe reach them. Maybe" -- it really bothered him that Nick died in the manner that he died. So he said, "I want to go back to the road and maybe help them out. I'll stay a

little bit longer if I can do that." Sheriff denied it, so his last day is tomorrow. So we have an opportunity to have another person here in place, um, to help out with staffing, but he denies it. He says that the, um -- the -- the resignation has already been approved. There is -- I have documentation from a command staff meeting where it says once it's in green ink, it's a done deal. There's no -- nothing.

KR: How long had he been there?

BB: He's been on the shift -- well, he's been at the Sheriff's Office for five or six years.

KR: Experienced.

BB: Yes. Yes, a good employee. Uh, we have had multiple people that we have had an opportunity -- so obviously retention is a problem. Recruitment is a problem. My priority is retention. I think you need to be taking care of the bottom right now before any more leave. 300 employees, that is unprecedented for the agency. I get it's a nationwide problem, but when you're not doing a damn thing to take care of what you have, you can't -- you can only work these people so much. You can only -- they have to have relief. They have to have a break. And when it's day in and day out and day in and day out, in two years they are worn out. Morale, productivity, you know, all of that, it all comes into play. Um, we've had the opportunity, um, to keep some people and they've just flat out said no, no. Um --

BB: Captain Butscher, can you please clarify, do you recall which month in 2022, uh, Carlton Litzkow's officer-involved shooting occurred?

BB: March 25th.

BB: Do you know what day Carlton Litzkow was put on administrative leave, suspension? Was it the same day?

BB: I would believe so. There was no email that was sent out notifying anybody of that, so, um, I believe it was that same day, yes.

BB: So Deputy Litzkow was placed on administrative suspension from March 25th, 2022, until December 16th, 2022?

BB: Well, he was placed on administrative duty. He was out for a brief period of time and then he was -- he went to the Training Bureau.

BB: Do you recall ever being involved in a chain of command staff meeting where they discussed, um, what shall be the universal process in handling first-time social media violations?

BB: Yes.

BB: Can you tell us about that?

BB: Yes. So, um, I have documentation from a meeting, um, social media violations would be dealt with. First -- first offense would be a corrective counseling, and progressive from there.

KR: That was a memo or -- or --

BB: It was notes that I took from a meeting --

KR: Okay.

BB: -- that was -- it was -- it was either a command staff meeting or it was a commander's meeting that was handled with the colonel.

KR: And the colonel is the number three at the SO?

BB: Yes.

KR: Okay.

BB: Yes. Um, I believe that that also occurred when our former major, Corwine, was here as well, 'cause I have some printed notes and that's not -- that's not how our colonel currently operates. So, um, I believe that that occurred twice, but yes.

Um, I also know -- if you want to -- if I can chime in on that a little bit. Um, January the 12th I was having

lunch. This pertains to Sergeant Davis. And I received a phone call from Colonel Scott and he asked me if I had seen Sergeant Davis' Facebook post and I said, "No." Um, I was having lunch." "I don't know. What's it about?" Something about cronyism and racism. And I said, "Okay." I said, "I can have a conversation with him," I said, "but, um -- um, you know, First Amendment, it's a little bit of a slippery slope there." I said, "I don't know that -- you know, I could take a look at it, but I'm at lunch." And I said, "But, um -- and have a conversation with him, but," I said, "you have a meeting scheduled with him on January the 17th. Would you like to -- at 10:00 in the morning." I said, "Would you like to" -- I said -- you know, he said to me, um, Jake Rush had brought that to his attention, our general counsel.

DS: Uh-huh.

BB: I said, "Okay." I said, "You have a meeting coming up next Tuesday, uh, on the 17th at 10:00. Would you like to address that with him at that time?" And he said, "Sure, sure, I'd like to do that." I said, "Okay, fine. I'll leave it at that." Spoke to Sergeant Davis after he met with the colonel, not a word was said about it.

Um, I'm also aware of the other situation with the hotdog bun and Major Yaeger. My husband was on scene at that party. He did not see it firsthand. It was a running joke at the time. There were several other employees that were there. The colonel mentioned this while we were speaking and I said, "I am aware of that." Um, there are several current employees that were there that night that witnessed that." And I said -- and, uh, at that time my husband was on evening shift with Lance Yaeger, and Lance -- David stepped to him their next night that they came to work and said, "Did you really do this?" And he goes, "Yeah, I did it. I was walking around telling people to put ketchup and mustard on it." And so it was a running joke, and now all of a sudden it's a terminable offense. Um, yeah.

Um, we are unstable. We are unstable for multiple -- our agency is unstable. We, um -- since January of 2021 we've had 146 transfers, 60 promotions, six demotions. Um, we are unstable; and I say that not mentally; but professionally. We are not able to settle, to learn our

jobs, to be effective employees because you're in position for a very brief period of time and you're moved. Um, there were -- the last two sets of promotions were not necessary. We are very supervisory heavy.

KR: Are the motions -- or not the promotions, transfers a result of the short staff, or why all the transfers?

BB: No.

KR: Sorry?

BB: No, they're not a result of the short staff. No.

KR: Okay. Are they -- is there a reason for the transfers given?

BB: No. A lot of the moves are -- so for instance, Internal Affairs, uh, they have been -- I think they've had four overhauls. Um, investigations go up. It's -- it's apparent. Investigations go up. Recommendations are made. Allegations are made. Investigations are conducted as -- and the recommendation of discipline that comes back down if that is not favorable or it's questioned or not the way someone may perceive it should have gone, they remove the inspector. There are also some investigations that have come back down that have, um -- were not favorable, um, specifically my son's shooting. I think I can talk about that.

Um, the investigation was in process and, uh, based on the statement that he was not going to be allowed to return to work by the sheriff, uh, until he spoke with FDLE, after he was cleared by FDLE, um, they felt like there was a supervisor on scene that specifically told them to not speak to FDLE. And so the undersheriff, um, ordered discipline for the people that did not speak, and the inspector at the time, chief inspector, um, conducted an inquiry and reinterviewed all the witnesses again, trying to find out which supervisor, presumably my husband -- he was the watch commander that was on scene -- there was a sergeant on the scene -- um, if they had told them to not speak to FDLE. They were headhunting, my opinion, um, I think at the direction of Lance Yaeger because there's -- there's no -- the sheriff -- the sheriff would not -- I

don't think he would have come up with that thought on his own.

And, um, so they reinterviewed them all over again. My son was never interviewed. Um, there was a question that the undersheriff was like, "What? You guys never interviewed him?" They don't understand the investigative process. Clearly they don't understand it and, if I can speak freely, um, I don't think they care about it. It's their way or no way.

KR: Who was the chief investigator that reinterviewed all those people?

BB: That was Captain John Shawbrush [phonetic].

KR: Okay. Who's since left the agency.

BB: No, sir. He's the --

KR: Oh, he's still --

BB: He's our CID captain right now.

KR: Okay. Okay.

BB: Yes. Yes. Um, yeah. Um, very troubling to me that -- that the concern -- the -- the -- the concern was the sheriff's feelings over my son's rights. I have a huge problem with that. We all raised our right hand. Right? We have to uphold the Constitution. So does he. You can't take his -- you can't strip him of his rights because he's an employee. That doesn't supersede -- his employment status doesn't supersede your constitutional rights.

Um, that is very troubling to me, very, very troubling to me, because everyone knows what happened. Everyone knows that he pled the Fifth, and now I don't know what impact that is gonna have on a deputy that's involved in a shooting in the future. Are they gonna be scared to plead the Fifth? Are they gonna say something and make an incriminating statement against them self that could potentially hurt them? I don't know.

Um, that's part of the instability. We have directives and

policies that are in place. The day-to-day operations are not -- they're conflicting. The verbal direction conflicts with the written direction. So we're constantly like, well, what do we do? What do we do? We're not quite sure. The rules of engagement vary from day to day, um, which makes my job very difficult.

Um, we had multiple -- there's a lot of -- again, the morale stuff. There's a lot of, um -- the sheriff won't show his face.

In November of 2022, we had a Thanksgiving luncheon because they -- we had a Thanksgiving luncheon out behind the back of the building and nobody came. Nobody wants to be there. Nobody wants -- nobody wants to be there. Um, people were getting food and, uh, Mom, the Drug Task Force secretary who's been there for 42 or 44 years, was walking, pushing her little walker and Lance was carrying her food, and I happened to meet them at an intersection coming down the hallway and, uh, she's like, "Where is the sheriff? Where is the sheriff?" And Lance said, "Sheriff" -- I mean, uh, "Mom, the sheriff don't like to be around people that don't like him." And she said, "Well, that's stupid. He should be here. This is his agency. These are his people."

I had live-saving awards to present to a night shift. Happened to be on October, um -- hold on. It was October the 11th because that's the same night that my son was cleared by FDLE. So when I found out that afternoon -- that morning that he wasn't, um -- that the sheriff did not show up for the meeting, um, I had already scheduled -- our awards have to be sent to the sheriff's secretary in order for him to decide whether or not he wants to come and present them or not. He has yet to present them. He's presented a medal of valor for a shooting and that was all that he's presented.

Um, that particular day I was baffled. I'm like, why is he not here? The PIO at the time, Captain Behl, came to my office and said that he was in the building. He came in at 1:30. So I thought to myself, okay, he's gonna come in here, he's gonna sign off on Carlton being cleared. No. She went in the office at 5:30 to have a conversation with him and he totally ignored her, played on his phone. The secretary said, you know, "Look, um, sorry if the sheriff

doesn't respond to you in a timely manner in your text messages. Um, if he doesn't respond to you in a timely manner, he doesn't value you or doesn't view what you're saying to him is important." She's like -- she's a direct report as the PIO. She was dumbfounded.

Um, she comes down to my office and she's like, "You're not gonna believe what just happened." So she told me and I'm like, "Wow, that's crazy." I said, "So he is in this building." So he was there on October 11th and could have signed to have my son come back to work but didn't. He also could have shown up that night because that was the same night that I had scheduled for him to present life-saving awards, five of them to one particular shift. I arranged four times for him to present life-saving awards on this same shift, never showed up. So the deputies are like, "Where's our boss? Where's the sheriff? Why is he not showing up?" So I said, "I'm not making arrangements. I'm not scheduling this anymore. I'll just go present them myself." And that's what ended up happening, because they felt let down. They were like -- oh, they were excited. They came early, they shined their boots, they looked good, and he wasn't -- he wasn't showing up. So, you know, we want to see our -- we want to see our leader. Right?

KR: Uh-huh.

BB: He's the leader of the agency. We need to see him.

Um, we implemented the evening shift back in March of 2021 and it was great. At that time we had two vacancies patrol-wide. They took the ILP Unit out of Detectives and they brought them back to -- I think it was five or six deputies. They helped backfill.

KR: ILP?

BB: Intelligence-Led Policing Unit.

KR: Okay.

BB: Uh, brought them back to the road, which only -- which put us down two. That's two years ago this month. We are now down 25 positions. I have five in process with FWC right now. I have one in process with the Department of Ag. I

have one in process with, um, an outside business. So that's seven right there. We have seven trainees that are getting cut loose May the 7th. Well, there's a lot that can happen from now till May the 7th. We are approximately 100 down sworn gun-toters agency-wide. There's not a lot that seven are gonna do to backfill that. So --

KR: 25 are in Patrol. Where are the other gun-toters?

BB: Um, the courthouse, um, Civil, and, uh, the Detective Bureau. We have 12 detectives in our Detective Bureau right now. We have no crime analysts. One of our crime analysts was doing the job of two crime analysts, and she submitted an IOC requesting to be compensated for doing the work of two people and Major Yaeger denied it. So she quit. She's in the private sector. Her last day was last Thursday.

So again, instead of making concessions and trying to help with retention, they're just letting people walk out the door. Obviously when you're recruiting law enforcement, from the time you get hired through the academy, if you make the academy, through field training, through the mini academy, I mean, you're talking a year at best. Um, we have, um, an academy that's coming out. I think there's seven of them. They're coming out in April. Well, they won't be available for a year. They're just coming fresh out of the academy. Their graduation's in April. So we'll be -- um, just trying to stop the bleed, it's -- it's very difficult when you don't have the ability to do so. Um, it's -- and they're not doing anything to retain employees.

Uh, we had a deputy that -- I'm sure this guy's already been spoken of. He was -- he was the deputy with us. He retired. He became a green coat at the courthouse. It's within those two years, so he was able -- his standards were still active and he was able to, um -- he decided he wanted to come back and work in the courthouse. Well, typically we don't hire directly in. Um, however, in this situation, he's a good guy, he's a body. We're at that point where it's a body now. And he, um -- because it was within the two years, by contract and by directive he could come back at the rate of pay that he left at. And he questioned the HR director, and the HR director said she couldn't make that decision, that it would have to go to

the sheriff. And the fact that that was questioned, the PBA contract was quoted, they terminated him, said he didn't the meet the standards of his probation and terminated him within -- he's one of these transfers -- within two days. Again, there's a body.

We have a guy that had a massive stroke. He worked at the Gainesville Police Department, retired, 20 years at the Gainesville Police Department. He came to the Sheriff's Office. He said, "I got a little more life in me." He had a pretty nasty stroke, nearly killed him, but he recovered. He came, he went through field training. Um, he -- he was hired on the heels of the previous administration, so our sheriff currently was not involved in that process from the beginning. Um, it was understood that he was gonna go to the courthouse. By God, he did 20 years at the Gainesville Police Department, he'd had a near fatal stroke, we're not gonna stick him on midnight shift in Patrol. Yes, let him go to the courthouse. He's a body.

KR: Uh-huh.

BB: Um, he gets through like two phases of field training and they say, "Hey, we're gonna let you go and -- but you gotta go to Patrol first." He's like, "What?" "You've gotta go to Patrol. You've gotta fulfill your obligations in field training. You know, go to Patrol and work a little bit and let's see how you do and then we'll send you to the courthouse." He's like, "I'm not doing that. I've already done nights at GPD. I know how this works. I came here with the expectation and the understanding that I was gonna go to the courthouse." Captain Maynard said, "Yes, this is good." The sheriff said, "I wasn't a part of that process. I didn't agree to that in the beginning." Denied it. He quit. So he wasted all that money, field training, hiring, all of that, everything. Pissed it away, gone. We're dysfunctional at best.

Um, I can leave, but I'm not. I'm not leaving my flesh and blood here. I'm not going to allow this. I -- I am doing everything I can to help. Um, I mean, these are -- these are staffing. This is staffing. Sometimes we have 10; sometimes we have 11; sometimes we have eight.

I mean, here's emails back to Major Corwine back from

November 15th of 2021. "In light of our critical staffing in Patrol, I'm gonna send you an updated list of weekly numbers to ensure you're in the loop. Currently Team 2 days has the most vacancies, and I feel passionately that eventually a serious discussion needs to be had about consolidating the evening shift sooner than later. We are encroaching on a busy holiday season, which for many reasons is stressful for many people, including our employees, and it's important that our shifts are staffed with more than less if possible."

November 15th, 2021 is when I sent that email. Here we are. Here we are. I asked to consolidate the evening shift backfill. I provided a, uh, roster showing what that would look like. I was told it was confusing. I said, "If the sheriff would love for me to explain it to him, I'll be glad to come down and explain it." He never seen me. We are offering options to resolve some of these problems and they're falling on deaf ears.

Um, light duty. Deputies are getting injured, have been injured. We have what's called a TRD committee. Historically when you have -- uh, when you have deputies that are injured, um, the Patrol captain should be involved in that process of either approving them to come back to light duty, offer them something to do, or just being a part of the process.

There's a TRD, called a TRD committee that meets Monday and Wednesday. It's the HR director, it is the colonel, it is the chief of staff, um, I believe it's the undersheriff. That is it. No Patrol captains, no Patrol supervisors, no nothing. The phone call that I get is from the colonel that says, hey, do you have a job that you can -- that so-and-so can do? Yeah. Why can't I be -- I've begged. When Major Corwine was here, I said, "Why am I not a part of this process? I'm the Patrol captain. This deals with my people, where I could potentially put them. They're injured. I need to be aware of this." They won't let you guys be a part of it.

KR: When is the last time were you full?

BB: Hmm. Full?

KR: Or at least operationally full.

BB: Five years ago.

KR: Okay. But you said in -- you mentioned having only two openings on Patrol when they took the Intelligence people out.

BB: That's correct. They brought them out of the Detective Bureau.

KR: When was that?

BB: That was in March of 2021.

KR: Of 2021.

BB: March 28th, 2021 they brought them back, yes.

KR: And when did Sheriff Watson --

BB: January 6th, 2021.

KR: Okay.

BB: Yes. Major Corwine was amazing. Um, he was run out. Um, he was very instrumental. He was -- he communicated well. He followed up with us a lot. He met with us a lot. He asked us our opinions and we -- we felt valued because he asked our input. Um, we were -- we were operating as captains as we should.

KR: Uh-huh.

BB: And, um, we don't have that. Major Corwine recognized the -- the problems with staffing, um, and actually admitted to me at the end that, um, the undersheriff told him that we don't put anything in writing and that, um, the staffing reports that were being -- that I was sending to Major Corwine, he wasn't forwarding up. So we had a conversation -- that's probably a month or so, couple months maybe afterwards. I'm like, "What is going on here? I'm sending you emails. I'm offering you solutions to help with the staffing situation here and nothing is coming back. No approvals, no nothing. I'm offering you solutions here."

He's like, "I was told not to send them." And I'm like, "Why?" So he got pissed off. We had a little argument and he got pissed off and he hit "send" and they went up.

So, um, we're trying. We're desperate. We're holding on. A lot of caged animals. We feel like we're on the edge and, um, we're just trying to hold on. Uh, we need relief and we need it now.

Um, you still have very good people that are still driven, that want to do a good job. And, um, I mean, we've never lost 87 gun-toters. We typically will lose maybe one a month or so, 12 a year. We've lost 40, 300 percent. That's crazy. We can't recover from this. And my fear not only is a line-of-duty death. Where the hell are we gonna be in two years from now? If we are at this point right here -- they're taking a lot of the people from the jail. So the recruiting, I blame the recruiting.

Early on, Marion County came up. Billy Woods sent his recruiting team up here to our academy. I didn't know nothing about it. They said, "We're gonna offer you a $5,000 signing bonus. We're gonna give you a conditional offer of hire. We're gonna give you this nice little T-shirt and this nice little cup and come work for Marion County." I'm like, "What the hell are they doing up here?" I said, "Major Corwine, this is what's going on here. What -- what are we doing? Marion just came and took five recruits out of our academy. That should not happen."

And, um, I went to the HR director. We had a staffing -- a recruiting meeting and she said to me, "Sheriff doesn't believe in conditional offers of hire and he doesn't relieve -- doesn't -- does not believe in signing bonuses." And I'm like, "What the hell are we doing here, then? What are we doing here?" So now all of a sudden -- with the commission meeting that we had a couple months ago, now all of a sudden signing bonuses. Now all of a sudden that our former jail director has exposed all of the vacancies at the jail. Now all of a sudden a bonus is -- a signing bonus is -- is a priority. It's not happened yet, but now all of a sudden -- this was mentioned months ago, years ago. Um, and so they're taking people from the jail. So we're just doing nothing but robbing Peter to pay Paul. They're taking bodies from the jail.

We have five right now. So we started with nine -- nine -- we started with 10. We lost two, so we're down to eight, eight recruits right now that are -- they are gonna be solo in May. Five of them have come from other divisions, Comm Center, Fleet. Three of them came from the jail. So what does that do to those other divisions? We're shortcutting our other divisions to make it look like we have staffing in Patrol. That's not -- that's not recruitment. That's not -- that's not recruitment. Um, we're not taking away from what's happening across the country. We understand. We understand what's happening. Uh, it does not negate our responsibility to try to do everything we can to recruit.

Um, I think the word is out. I don't think that we are -- we are revered as we once were. Uh, I think there's a -- our sheriff could do a lot better, and I don't think he's doing his part, and it hurts me terribly because I changed my party affiliation to vote for this man. It troubles me terribly. I have higher expectations of him. So what else?

DS: Miss Frank, anything you'd like to add?

BB: No. Thank you for the opportunity, though.

DS: You've given us a lot to digest.

BB: I'm hurting like everybody else. Right? I bleed just like everybody else. I may hold the rank of captain, but these are my people, and I'm not foolish enough to recognize or foolish enough to think that these people can carry on like this for much longer.

Um, you know, Nick's death was -- not that a -- not that a suicide is ever, um, positive, but it couldn't have happened at a worse time. It just exacerbated the existing environment and it made it worse. It made it worse. There's a lot of things about that case, um, that I don't think are being handled properly, but I'll leave it at that. Um, we don't need another one of those. People are exhausted. They're tired. They're stressed out. And you know as well as I do with your history in law enforcement that you can only manage that for so long. So you're gonna self-medicate with alcohol or you're -- and all other destructive ways. You have to manage it. I'm so thankful

for our psychotherapist. He's been amazing, but we're burning up his phone. So, um, I don't want to -- I don't want to lose another employee. We're better than that and we should be taking care of our people and, um, I'm choosing to stay here to help facilitate that. So --

DS: Well, we thank you for taking the time to sit down and talk to us today.

BB: You're welcome.

DS: Um, is there anything else that you would like to add before we conclude?

BB: Intermittent FMLA. He won't allow us to do intermittent FMLA. Um, obviously you're afforded by federal law 480 hours of intermittent FMLA. Historically how that has gone is that we have, um -- an IOC comes up from an employee requesting FMLA and, um, it goes through Human Resources with the accompanying documentation. Historically it just comes back down, an email comes down saying, hey, this person is approved for intermittent FMLA. Um, supervisors manage the hours. Right? It's not -- it's not a big deal. You're not gonna bust the 480 hours. However, um, intermittent FMLA is denied. Sheriff doesn't believe in it and we -- they don't allow it.

We've had several cases come back down denied. So what do they do? Instead of -- and -- and there has been a lot of, you know, um, articulation saying that, look, if I work these days, it helps my shift. I can -- on my days off I can be with my family. They're trying to help their shift and take care of their family and children at the same time. Nope, not doing that. So they say, well, okay, I'll burn my full 12 weeks.

I had three deputies on one day shift that all went out on FMLA 12 weeks. I submitted a two-page IOC to the sheriff saying, "Please, I need you to reconsider this. You are creating a staffing conflict by not allowing intermittent FMLA." Nope, denied. So I don't know where he's coming from. Um, I wish he would ask. I wish he would trust our decision-making. We've been here. We've been here a lot longer than he has and I just wish that it's -- it would be -- it's -- it's so counterproductive, um, and that's why

people are leaving. They don't want to be in this environment. It's not healthy. Why? Why when we can go somewhere else? You can go to Marion right now.

KR: Uh-huh.

BB: With less than five years, you can get a 7 grand -- $7,000 signing bonus. You can live in a contiguous county. So you can live in Alachua County and drive to Marion County every day. Now, I'm not foolish enough to think that every agency doesn't have their problems, but I can't help but think that they're not of this magnitude. So staffing being the greatest. I think -- you know, everybody says patrol is the backbone of every single agency, they should be -- we should be coddling those deputies in Patrol. And they're leaving. They're leaving in record numbers. So that's all I have.

KR: I'm good.

DS: Okay.

BB: Thank you.

DS: Thank you again. Thank you.

BB: You're welcome.

DS: Um, it's been a long day.

BB: Yeah.

DS: The time is now 4:35 and we are going to conclude the interview.

(CONCLUSION OF INTERVIEW)

Transcribed by: lam/lam/ms

SWORN STATEMENT

of

GEORGE CORWINE

DATE TAKEN: April 19, 2023

TIME: 8:56 a.m. - 10:10 a.m.

PLACE: Office of the State Attorney
Gainesville, Florida

Examination of the witness taken before:

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WHEREUPON,

GEORGE CORWINE

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. Mr. Corwine, can you please state your full name?

A. George John Corwine, C-O-R-W-I-N-E.

Q. And even though I know you, and I know your history, for the record purposes that we're creating, I would like to review with you your educational and employment history. So if you could start by telling me how you're currently employed.

A. I'm currently employed with the Florida Police Benevolent Association. I'm the chief labor negotiator, and I do the union contracts for Ms. Webster.

Q. Briefly describe your educational background.

A. My educational background is, I've got a BA in criminology. I then went on to get my masters in business administration, and I'm currently finishing my masters in nonprofit at Notre Dame.

Q. Are you currently a certified law enforcement

officer in the State of Florida?

A. Yes.

Q. And would you briefly review for me your history in law enforcement?

A. So I went to the police academy here in Gainesville, and I was subsequently hired by Sheriff Oelrich. I started at the courthouse. I was a bailiff part-time, if you will. Part-time was 39 hours a week at that time, making $9 and something an hour, but that was -- it was a time when it was very competitive to get into law enforcement.

So I started under Sheriff Oelrich. I worked in the courthouse for about a year and a half. Then I went full-time, went over to the road. I was road patrol. I left road patrol, I went to traffic. I was a motor cop for about five years. After that, I went to warrants. I worked in warrants about a year and a half or so, got promoted, went back to the road as a sergeant. I was on the road as a sergeant for a little bit and then went back to motors as a motor sergeant. You can kind of see the pattern there.

Then I was promoted to the rank of lieutenant. I was patrol lieutenant for a while, and then I went over to patrol support division where I was engaged much more in purchasing and budgeting and

things -- more administrative and things of nature. During that time I also became the union president, which this will all kind of tie in later.

I was eventually then promoted to the rank of captain. And then ultimately a good friend of ours had passed away that worked for the union. The union asked me, said, "Hey, come down and work for us." And I was nearing 22, 23 years at that point. I was in the investment program, so I wasn't really tied into the pension.

I left. I went to work for the union, and I was doing basically IAs and mostly contracts, but some IAs. And then I was there until such point in time where I went back to the sheriff's office when Sheriff Watson was elected.

Q. In what capacity were you initially employed by Sheriff Watson?

A. Rank of major.

Q. And what were your responsibilities?

A. I was the -- there was two of us, so you have department of support services, which basically handles CID, the courthouse, training. And then I was the director of operations, which basically encompasses patrol and school resource and K-9, SWAT. And at that time, when I was first brought on, there

were two majors at the time; one was Latrell Simmons, and the other one was a David Clark.

Latrell Simmons was moved over to the jail, and somewhere along the line he was subsequently demoted by the sheriff to the rank of captain. And then Major Clark was eventually demoted to the rank of captain, and I was left holding the bag for the entire agency -- which was, as you can imagine, a major undertaking of work -- until such time as Arabella Blizzard was promoted to the rank of major.

Q. When you were in command as a major, who was the captain over in the OPS division?

A. It changed. It changed a lot because that was one of the things that happened, is he made a lot of moves and, you know, lengthy moves, multiple-page personnel orders. So initially, I don't recall. I don't recall who was there when I first got there. I just can't remember.

Q. That's okay. Do you remember any of the individuals who were the captain over OPS while you were employed with the sheriff's office with Sheriff Watson's office?

A. Brandon Kutner was there. Josh Schabruch, I think, was moved. I think that was after I left.

Q. Okay. I want to talk about Brandon Kutner

for just a moment. Were you ever involved in a conversation with any of the administration at the sheriff's office regarding Brandon Kutner and either his promotion, demotion, or changes in his position with the sheriff's office?

A. I was not. So I assume you're going to have a follow-up question to that.

Q. Not if you have something more to tell me.

A. Okay. So there was a conversation that was kind of a joking conversation -- so there was a point where -- first of all, we have to scroll back to Bobby Stafford. Okay?

So Bobby Stafford was rank of lieutenant, and he was promoted to the rank of captain; which means he could no longer be the union president, so he had to resign. That position became vacant. Jody Brannon was running for that position, and Brandon Kutner was running for that position.

When Brandon Kutner was promoted to the rank of captain, I think it was myself, Stafford, and DeCoursey, and somebody made a comment, and I don't remember who it was, said, "Well, now you can't be the union president anymore," but that was after the promotion had already occurred.

Q. Okay.

A. And Brandon Kutner wanted to be promoted to the rank of captain. It wasn't like he didn't want it.

Q. Right.

A. He was always wanting to move up. And, in fact, him and I had a couple conversations about moving up. He was always looking for that next rung, if you will.

Q. And how does one achieve that, promoting to captain? Is that a test or --

A. It's appointed.

Q. Appointed. Okay.

A. So basically, you call me in and say, "Hey, George, I like what you've been doing. Congratulations. I'd like to promote you to the rank of lieutenant."

There's no testing process, there's no submission process, there's no resume, there's no CV, there's none of that.

Q. Is that normal?

A. Yes, that's normal.

MR. KRAMER: Do you gentlemen have anything to follow up on that question?

INSPECTOR SNOWDEN: Not just yet.

BY MR. KRAMER:

Q. And let me just ask you about Latrell Simmons. Do you know why Latrell Simmons was demoted from major to captain?

A. I would assume -- again, I have no first-hand knowledge of this; but I would assume it was probably because he was a high-ranking official under the Darnell administration, and the sheriff wanted to put his own team in place.

Q. Are you aware of an OPS investigation that was conducted regarding Latrell Simmons?

A. I am.

Q. Can you tell me what you know about that investigation?

A. It had something to do with him maybe not completing his duties at the jail and maybe had a whole bunch of unread directives and whatnot.

Q. So would the individuals who conducted that investigation, would they have been under your command at that time?

A. They were not.

Q. Explain to me whose command they would have been under.

A. They were directly under the sheriff. So the captain of OPS reports directly to the sheriff. It's always been that way until -- excuse me. I don't have

dates. At some point Sheriff Watson moved the responsibilities to the undersheriff, which historically has never happened. That has always been a direct report to the sheriff.

Q. Is there a reason for that? Well, first, let me back up. Is that normal that the --

A. That is not normal.

Q. -- that the captain over OPS would report directly to the sheriff?

A. It is not normal. Oh, it is normal to go directly to the sheriff, yes. It is abnormal to be directed to the undersheriff.

Q. Why? What is the issue there? Why would that be a direct report?

A. It always has been. I don't know. Same thing like the PIO. The PIO is a direct report.

Q. Were you ever aware of -- it would have been outside of your responsibilities to be aware of Latrell Simmons' demotion and why that occurred?

A. That is correct.

Q. And were you ever present for any conversation related to why that would have occurred?

A. I think Brandon had called me one time on the phone, and he was frustrated. He felt like it was unfounded. He had reported those findings, but he was

sent back with a different direction to try to find something that was -- could be sustained to make that demotion; but that's all -- you'd have to call Brandon and call him in and ask him about that. This is just a third party here.

Q. But I want to understand the timing of that conversation between you and Brandon Kutner with regard to the Latrell Simmons investigation. Is the investigation complete but yet not finalized as far as what the department is going do to Latrell Simmons when that call occurs, or was this after?

A. My understanding -- and again, you'd have to verify with Brandon -- is that they had reported the findings to the sheriff, and he said, "No. Go back." And that's when the conversation occurred between Brandon and I. So it was after the initial findings but before the final discipline.

Q. Got you.

A. So it was in that window.

Q. And let me ask you this. Is it normal or acceptable for the sheriff to direct what the findings of an investigation will be?

A. Absolutely not.

Q. Has that ever occurred prior -- I mean, you have an extensive history in law enforcement. You've

been an administrator at the sheriff's office for many years. Are you aware of that ever occurring previously?

A. I am.

Q. And when did that occur?

A. That happened with the Rich Howell investigation where he left the football game, and he was in the APC.

Q. I don't -- first of all, whose administration is this?

A. Sheriff Darnell. So this was years ago.

Q. Okay.

A. So the SWAT team is always at the University of Florida. They left. They noticed a couple performing a sexual act at 13th and University, if my memory serves me correctly. They stopped the car, and there was some interaction. It turned into "I got stopped by a tank," which then was referred to as "Tankgate" for many years after that.

Then there was some -- it was unfounded. It was a lawful reason for the stop, and she said, "No, I want something."

Q. So two instances in your career of the sheriff directing that the results of an OPS investigation be changed?

A. And keep in mind all that is rumor, rumor that it was directed to be changed with Rich Howell.

Q. With Rich Howell.

A. But you could certainly ask him.

Q. And that's fine. It's just that, with regard to the current administration, your knowledge is not coming from rumor; it's coming from an individual who was involved in the changing of that document over that investigation. Is that correct?

A. That's the best of my knowledge, that --

Q. Brandon Kutner would be involved in that change?

A. Brandon Kutner, who could direct you to that conversation.

INSPECTOR RIDDICK: Mr. Kramer, can I follow up, please?

MR. KRAMER: Yes.

BY INSPECTOR RIDDICK:

Q. Major, in your position with PBA, I'm sure you deal with more than ASO, GPD, all that. Have you ever seen that happen in any other agencies, or have you heard of that happening in any other agencies as far as the admin ordering a change on an IA?

A. Personally, I have not. Again, the majority of my work is contractual, and we defer disciplinary

cases to another person. Obviously, you can imagine I don't want to be at the table asking for money, "Hey, I need this. I need this. I need this," and then the next week saying, "You can't fire this person for this."

So in order to remove that conflict, we defer it to somebody else; but there was a short period of time where I was kind of doing both, but that was not -- that's not normal, no.

INSPECTOR RIDDICK: Thank you, sir.

THE WITNESS: You're welcome.

BY MR. KRAMER:

Q. I may just not understand, so pardon me. If the sheriff has the authority to simply demote Latrell Simmons because he doesn't want him as a captain anymore, as a major part of his administration, because he's changing administrations, is there some necessity to have a sustained investigation against him?

A. I don't believe so. There's a career service board, I think it's like 86-342 or something.

Q. That he can contest that demotion?

A. Well, he could if -- he could with the career service board if he went the disciplinary route; but if he just elected his authority to demote him, then

he wouldn't be able to do that.

Q. Okay.

A. Then I think the things is, now you're putting a mark on this guy's record unnecessarily. He should have went the other route and just said, "Hey, look, you know, I understand you were a major over here. I'm going to put my own team in place" and just been done with it.

Q. Are you aware of any motivation why the sheriff or his administration would take these actions against Latrell Simmons?

A. The answer to that is no, and that plays into a lot of other movements that I'm sure we're going to end up talking about.

Q. Well, let's talk about them. How does that play into movements within the sheriff's office, and why?

A. First of all, I'm going to start with, there's a lot of good people at the sheriff's office as there are in any organization, right? But we all have people that have strong points and people that have weak points. I'm sure within your organization you've identified those.

Within your organization, you identify those, right?

So the question is, do you move somebody from Point A to Point B where they've got zero experience? And a logical person would say, "No, you don't do that." You don't remove somebody who's got a lot of experience especially without some sort of type of transition, and that seemed to be kind of common.

You know, we've heard the term -- I'm sure everybody in the room has heard the term "negligent retention," right? But I felt like there were some promotions and transfers that I would consider like negligent transfers, negligent promotions, things of that nature.

Q. And is there some motivation behind those that you were able to determine?

A. I was not.

Q. Can you give an example of -- or one or more examples of negligent transfers within the agency?

A. Negligent promotion, Cleveland Cox. He was promoted to the rank of sergeant. He had numerous, numerous disciplinary issues. He just didn't have his act together. And quite frankly, a lot of people are like, you know, this guy is barely holding it together as a deputy sheriff. How can he be promoted to the rank of sergeant? Like it was just --

Q. My understanding is that in order to be

promoted in those levels of ranks, there's testings, it's competitive.

A. There are. He was on the list.

Q. What does that mean?

A. He had taken the test. He was on the list of eligible to be promoted, but you and I both know that you can take a guy -- like Rain Man, for example, when he said 242 toothpicks when the toothpicks dropped, right? He can pass a test, but he doesn't -- he can't apply the common sense in the field, right?

So he just was not the best pick; let's just put it that way. He should not have been picked.

BY INSPECTOR SNOWDEN:

Q. Is he an individual that was involved in a domestic violence situation?

A. Yes.

Q. Do you know if any discipline ever came about that?

A. I think there was, but I'm not 100 percent sure.

Q. And that was prior to his promotion?

A. It was, and it was actually pretty significant, if my memory serves me correctly. There were threats made and whatnot against the spouse, but certainly you can pull the OPS investigation and dig

through that.

But he had a rather spotty background. It's not the type of person that you want to represent to the troops as a supervisor. It sends the wrong message.

Q. Did you have any input? Was there run through you any discussion on who the promotions would be and they wouldn't be?

A. It's interesting that you say that. So when we first -- I say "we." When the sheriff first took office on January 5th, he brought me in. And then up until the 4th of July, when that -- I would have you ask for the personnel order that was effective July 4th, if my memory serves me correctly, of 2021, and that was the last round of any type of promotions or decisions that I had any type of input in.

Q. That's when Brandon was promoted, correct?

A. Brandon was promoted. I believe Bobby Stafford was promoted. There was some other people. Becky was promoted, I think. Becky Butsher was promoted. And then after that -- so let me -- let me stop there for just a second.

When I had first went back to the sheriff's office, the sheriff was in the office routinely 5:00, 6:00 in the morning, and we were there until 8:00 or

9:00 at night. There were long days, long days. He was trying to understand, you know, why this policy is like this, why is business done like this. Like everything seemed normal.

And then after that round of promotions on the 4th of July, a couple days later, it was either the 6th or 7th or something like that, the undersheriff, Joe DeCoursey, took us to The Clock restaurant for a chew and chat, as he likes to call them, and told us transition is over. You're never -- you don't meet with the sheriff in the morning. And I kind of felt like what was happening is, he didn't agree with some of the things that were happening, so he interjected himself back in, said, "You're going through me, chain of command, that's it."

Q. Joel DeCoursey didn't like the way things were going, or the sheriff didn't?

A. Joel DeCoursey didn't like the way things were going. See, Joel DeCoursey is -- in my opinion, he operates in the 1975 police world. He's under the assumption that if you work for this county, then you have to live in this county, period, point blank, and there are no exceptions to that. And we may get to that later down the road when we get to some other bargaining and items, if that comes up.

So he didn't agree with certain things like vehicles being taken home out of county, so somehow he interjected himself. He convinced the sheriff that transition needs to be over, we need to go back to strict chain of command. The minute that happened, we were 33,000 feet, and the plane lost fuel, and we went straight down to the ocean; and that was it.

So I kind of felt like I was on a train going to a destination and said, "I'm going to the wrong destination. I need to get off at the next stop." And it didn't take very long before I -- in fact, October 18th, which we'll get to at some point, October 18th was the needle -- or the straw that broke the camel's back that actually had me call Kaz, which is all of our bosses, he's the state president, and said, "Can I come back to work for you?"

BY MR. KRAMER:

Q. What happened on October 18? And if you need to walk back and talk about what led up to it, that's fine.

A. How about we finish the negligent promotions and all that? But just make a note we need to go back to October 18.

BY INSPECTOR RIDDICK:

Q. Major?

A. Yes.

Q. Where was that particular sergeant on the list? Are we talking second, third, or --

A. He was in the top band; but where he was, I don't know. It was a band of five.

Q. Does this policy allow the sheriff --

A. Pick anyone in the top five. So we could be -- like when I first promoted to sergeant, there was two points that separated five people; but then, you know, you could have a band that had more points.

Where he was, I don't know. I don't think his score was that good; but again, I would just ask for the records, and you could dig into that.

Negligent promotion, in my opinion, was Lance Yaeger.

BY MR. KRAMER:

Q. Was he promoted while you were still there?

A. Yes, he was, which we had no input in, zero input.

BY INSPECTOR RIDDICK:

Q. What was he promoted from and to?

A. He was promoted from the rank of deputy sheriff to the equivalent of captain.

Q. Skipped sergeant and lieutenant?

A. Correct, because sergeant and lieutenant are

tested positions. Captain is an appointed position. So, you know, tomorrow, boom, you could be promoted.

There's only one other time in history that I know something like that happened, and that was when Sheriff Oelrich promoted Jim Eckert from the rank of sergeant to major after the election. That was before my tenure, so it was a long time ago.

Yaeger had no supervisory experience, and he was promoted. Not only was he promoted, essentially, a captain, they named it Chief Detective; but if you go back and you pull the pay grade, and you look at his pay raise, it was captain.

He, in my opinion, had no business being promoted to that rank. He had no understanding of even the basic things of supervisory, of payroll approval, FMLA, return-to-work status, I mean, basic front-line sergeant duties, much less requisitions and second- and third-level signings of requisitions and things that would now be his responsibility. So he was trying to -- he did micromanage, and there's a lot of people that were impacted by that in a negative light by his actions.

Q. Other than patrol experience, did he have any investigative experience?

A. He did. He was in CID. And when he was in

CID, he was always kind of known as that guy -- he was good at his job, but he always kind of pushed against his supervisors and would just push that envelope as far as he could go to get the job done as far as -- not that he did anything illegal, but it was constantly like "Why didn't you tell me you were going out and doing this" kind of thing.

Q. A supervisor's nightmare.

A. A supervisor's nightmare. And I'm sure there's other people that you're going to be talking to; and if you ask them the same thing, they'll probably have the same opinion.

John Hoover. And this is after I left. This has been recently, but he was promoted, from my understanding, from the rank of detention officer to captain of the jail. Why would you promote somebody from a detention officer to a captain?

BY INSPECTOR SNOWDEN:

Q. Were you at the sheriff's office when John Hoover was there prior?

A. I was.

Q. What was the story with him? Was he terminated? Was he --

A. My understanding is, he was terminated; but again, that was a department of jail function, and

that was just as far off my radar as -- I was in my own silo at the complete other end of the building. This was another building.

My interaction with John Hoover was, I was the union president at the time. Brandon -- let me scroll back one step further.

Brandon was the union president. I was the treasurer. And we had major pay issues, and we had devised a step pay program. We got it implemented. Brandon ended up resigning. I took over the presidency.

And then John Hoover called me one day on the phone and said, "Hey, can I get a copy of the Excel spreadsheet?"

And I said, "Aren't you guys FOP?"

He said, "We are FOP."

And I said, "Are you doing it for the FOP? What's going on?"

He's goes, "No. The captain wants me to get it. I'm working on it for the captain."

So I said, "You're working on it for the administration?"

He said, "Yeah, I'm working on it for the administration."

I said, "Don't you think that goes

against your union? Don't you want to discuss that with your union?"

He said, "Yeah, but I want your spreadsheet."

I said, "I'm sorry. That's intellectual property. I'm not sharing it with you."

So my impression of John Hoover was that he didn't really follow protocol to begin with, but that's really the only interaction I had with him.

Q. Do you know why he was let go?

A. I don't. I don't. I had heard it was something for a truthfulness issue, but I don't know. That's rumor mill, and you know what happens. Something happens at the water cooler; and by the time it gets down the hall, it's got four variations of it. You'd probably have to pull the OPS investigation for that.

Reshone Flanders was promoted to HR director. He probably should not have been promoted to HR director. In fact, there was a point in time where right before Christmas, a couple weeks before Christmas, the sheriff was going to demote her. And Joe DeCoursey said, "We shouldn't do that. It's right before Christmas. Don't demote somebody right before Christmas," and then it never happened.

So I don't know if Joel got in there and was

able to --

BY MR. KRAMER:

Q. What position was she in before the demotion?

A. She was the second in command. Susan Wiley was the one who was in charge. When Susan left, they kind of put her in that place, and then I think they realized that she had no idea -- like she couldn't even write a personnel order. I had to write the personnel orders. That's not my job. That's an HR function.

So they were going to demote her. In fact, I was thinking about this last night. Luckily, before I left, I saved all of my network drive, my K drive, and I brought it with me. I could probably go back and find the personnel order where he was going to sign it to demote her, but I'd have to go back and look.

Q. Is there anything on that drive that you would consider to be privileged communications between you and your lawyer?

A. Possibly. Without going and looking through it -- I would have to understand more legally what would be considered privileged and not privileged. I mean, I can certainly confer with counsel with that.

Q. Okay. I may issue a subpoena to either you or your counsel requesting that you hand over that

drive through your counsel for the purposes of investigation.

A. Okay.

Q. But I'll confer with your lawyer with regard to that.

A. Okay.

Q. All right. Are we complete on this issue, ready to move on?

A. No.

Q. Then continue, please.

A. Bobby Stafford.

Q. I understand he was a sergeant and was promoted directly to be in charge of the jail, which would be a major?

A. So it did not happen like that. So Bobby Stafford was a sergeant. He was then promoted to lieutenant. He went back, and he worked the road. A very short time had passed, and then he was promoted to the rank of captain. I would say a short time, probably 60 days, roughly somewhere in there, because he was promoted on the 4th of July, if my memory serves me correctly -- go ahead and pull that personnel order.

And then a short time after that -- either a short time after that or short time before that, the

sheriff had let Director Woody go, Robert Woody, who was running the jail, and --

Q. Was Mr. Woody competent to run the jail?

A. He was out of touch. I don't know if he was competent because I don't really know much about jail operations. That would be like putting me in some art room and asking me to evaluate art. It's a different realm, right? So I would never want to work out there, but it's -- I don't know. The short answer is, I don't know.

So he had left. There was a conversation that happened between the sheriff and I about what's going to happen at the jail. I said, "Sheriff, I think you need to do a search and find somebody who's competent to take that position."

And he said, "Who can we fill in in the short term?"

I said, "I don't know." I said, "The closest person, I think, that maybe you could put for a very short time until you can find a person through a nationwide search would be Brett Rhodenizer," who was a lieutenant at the time. He was a lieutenant colonel in the guard. He's now a full-bird colonel, so he understands organizational structures and whatnot.

I felt that that would be a very, very

short-term fill, only enough to make sure that payroll gets processed and the things that he understands as a lieutenant, that at least those things could keep moving until that person could be appointed and put in place.

BY INSPECTOR RIDDICK:

Q. And he was lieutenant in the jail?

A. He was a lieutenant on the road. The only thing that we were drawing from was his vast supervisory experience in command structure from the military. And even then, that was kind of stretching that, but we were literally at a point where we didn't have anybody.

I told the sheriff, I said, "Let me call Bobby and see what his thoughts are."

And Bobby came down. We were talking, and Bobby looked at him and said, "Sheriff, if you need me to go out there and hold the range down until you can get this nationwide search done, I'll be happy to do that; but it just needs to be a temporary thing."

And right then and there, to both of our surprises, the sheriff said, "Okay. I'm going to move you out to the jail. You're promoted to the rank of major."

And he looked at me and said, "How do you

feel about that?"

I said, "I don't really want to lose him from patrol because he's an operationally strong guy, and I don't want to lose that."

And he said, "Well, if you have to pick his replacement, who would you pick?"

And I said, "Becky Butsher."

So that was one of the very few promotions that I felt like I had any true input on. I said, "I want Becky."

He said, "Okay. I'm going to promote him, and you can have Becky."

BY MR. KRAMER:

Q. That moved then Sergeant Butsher to Lieutenant Butsher?

A. No, Becky had already been a lieutenant for a significant amount of time before she was promoted. Becky is very strong-willed, as you know her. She run a tight ship, she run a tight shift; and I felt like I would like her to expand that to the other three shifts, but that comes with a whole -- sometimes maybe she was a little tighter than you needed to be, but she was my best option. And I said, "I want Becky."

He said, "Okay."

But again, let me make it perfectly clear

that the majority of the decisions -- almost all of the decisions are not determined until the sheriff signs the green ink.

In fact, there was a conversation that was -- I believe Ms. Webster was in there, and the undersheriff said that the sheriff makes all the decisions. It's very clear the sheriff makes all the decisions.

I had less decision-making authority as a major under the Watson tenure than I had as a lieutenant under the Darnell administration, which is completely backwards.

So I say -- I reference Bobby as kind of a negligent promotion to the standpoint of he was put in a position where he didn't really know anything about that; and he should have just left him out there as a very short interim thing to make sure payroll gets processed and paper gets moved and directives are followed and whatnot, but he should have never been promoted and left there in place.

So that's what I have for negligent promotions.

Negligent transfers. Recently Yaeger was transferred to the chief of staff, and he supervises civilians, notably accounting and budget. And to my

knowledge, he has no accounting classes. He doesn't know what a debit and credit is, what side of the sheet it goes on. He probably can't read a profit-and-loss statement, and he's going to supervise the CPA.

So, in my opinion, he's supervising people that he has zero knowledge of. You're talking about fleet, communications, records. Does he even know what 119 is? You know what I mean? There's just a whole slough of things. So, to me, that was silly.

Pat Ford Thomas, she was brought over to communications. How is he going to supervise her?

Kelvin Jenkins was moved to OPS as a captain. Kelvin Jenkins was in OPS as a lieutenant; and he was removed from OPS as a lieutenant for some truthfulness issues that never really made it to the documentation process, but there was a lot of strong speculation that he was untruthful about some things.

BY INSPECTOR SNOWDEN:

Q. That was during your tenure?

A. That was under the Darnell tenure.

Q. But while you were working there?

A. It was. I was a lieutenant at the time, if my memory serves me correctly.

So he was removed from OPS. So now Kelvin is

now promoted to the rank of captain under Watson, and he's now moved over to OPS. And Captain Jenkins is probably the last person that needs to be in charge of OPS out of all that.

Brandon Kutner was promoted. And when he was promoted -- Brandon, as you know, is very detail-oriented, and he is very good at his job. That was a good promotion, I felt like. Kelvin Jenkins, that was just -- I felt like that was negligent, to move a person over there who was in charge of people's careers. 112? I don't even think he knows what 112 is, so how are you going to put him in charge of investigators that are responsible to adhere to 112?

Again, Lance Yaeger to CID as captain, that was negligent. I mean, he had no supervisory experience.

Sheriff Watson moved Nancy Marzouk and Pete King to OPS, and they had no formal training in 112 or any type of internal affairs matters. Nancy Marzouk was a detective. From my understanding, she was a good detective; but just to go over there and hand her a caseload and say, "Here you go" with no, "Hey, we need you to go to class. We need you to do this. here's a training. Here's a transition time."

Just drop somebody in there and say, "Here

you go. Start investigating internal affairs."

Q. You said he was removed from OPS due to truthfulness issues, but it never rose to any type of internal investigation that you know of?

A. It was all speculation. It was under the Darnell administration. So again, that's -- it's -- to the best of my knowledge, I'm just speculating he was removed because this was some -- something that came up, and Darnell didn't want to put it on paper.

It's enough when people -- it was significant enough when he was moved back over as a captain, it's like, wait a minute. Why is that guy going over there?

So as far as the negligent promotion, negligent transfers, that's as far as I've got on that. So now do we want to go back to October 18th, or do we -- where do you want to go?

BY INSPECTOR RIDDICK:

Q. Before we leave that, was there any common denominator to why these people were promoted in such a manner, or transferred? Is there anything that can be assigned to that, or does it just seem like it's bad decision after bad decision?

A. I would encourage you to pull all of the promotions and transfer orders, all the personnel

orders, and probably pull an employee picture with it also. I'll give you an example, and I would encourage you to pull all that.

There was a promotion that was made of Monica Herrera. Monica Herrera was on the list, and I felt that she was the correct pick. She was -- while young, she was very dedicated. She was a very hard worker. She worked for me when I was the night shift lieutenant. She worked overtime details. She saved her money. She's like the first person in her family to buy a house. She's Hispanic. She basically had her act together, I mean, zero problems. It's like a shift lieutenant's -- you know, I don't have to do anything. Like she just runs herself kind of thing, right? Almost like Darren Patterson. You know, Darren is a guy that just runs himself.

I felt that was a correct pick for promotion, but that's not how the sheriff arrived at that. He asked his admin assistant to print out all the pictures of everybody who was on the list; and I believe if you are to request a copy of that document, if it -- they claim it exists -- which they may claim it may not exist -- you'll find that she was probably the only minority that was on that list. And he literally picked up the list and went, "That one right

there. That's who I want," and it was Monica.

It was the correct pick in my opinion, but how he arrived at that pick was completely inappropriate.

BY INSPECTOR SNOWDEN:

Q. Were you there when he did that?

A. I was.

BY MR. KRAMER:

Q. I do want to move along while we're on this issue and you've raised it. Are you aware of any record that the sheriff's office had that they intentionally destroyed which should have been retained as part of the ordinary course of business of the sheriff's office?

A. In other words, did he destroy any official documents?

Q. Correct.

A. Not that I'm aware of. And I will tell you there was an investigation that I was involved in that surrounded Lewis Oil when I was captain under the Darnell administration; it was not sustained. And the sheriff did want me to have an attorney, i.e., Bobi Frank, write a letter asking that that be opened; and he was going to open it, and he was going to unfound it and move it along. In other words, he was going to

go back and --
BY INSPECTOR SNOWDEN:
Q. Retroactively?
A. Move it from not sustained to unfounded. And that's going to come into play, probably, when we talk about Chad Scott.
Q. What was Lewis' last name?
A. Chad Scott?
MR. KRAMER: Lewis Oil is a corporation that provides fuel to the sheriff's office.
THE WITNESS: Correct. It was a vendor contract for Sheriff Darnell. And you're certainly welcome to pull a copy of that OPS investigation.
BY MR. KRAMER:
Q. I think we touched on this briefly earlier. Ordering or directing that a closed investigation be changed is not normal protocol and, in your mind, inappropriate?
A. Inappropriate.
Q. Okay. At any time were you instructed by any person at the sheriff's office not to put anything in writing or to not put something in an email?
A. Absolutely. Absolutely. That was general protocol.

Q. Can you describe who made those directives to you, and what were they in reference to?

A. It was in reference to almost everything, and it was Joel DeCoursey.

Q. Give me specific examples of particular things where you were instructed not to put them in writing.

A. One of our tasks and one of his campaign promises is that he would put an evening shift back. We operated day shift and night shift, 06 to 18, 18 to 06. Sheriff Darnell, under a different philosophy, as her right, said, "I want this unit. I want this unit. I want this unit."

You only got so many FTEs. Those are always pilfered from patrol, and then patrol is whittled down to bare bones. Our philosophy was, we need to put some of those people back, and we need to help out patrol.

So I ran the numbers, and I said, okay, how many calls for service? What hours were they happening? What types of calls are happening? And what we found is that the majority of the calls, it was like 60 or 70 percent of the calls that required three deputies or more were happening from approximately 4:00 to midnight, somewhere in that

range. Well, if I've only got 11 or 12 people working, and I've got two calls that require three, that's 50 percent of my staff on two calls. So we basically said we need to have an evening shift.

We got all the bodies together, we put them on evening shift. People started leaving because they didn't agree with the sheriff's philosophy. We started getting more and more and more shorthanded.

Becky Butsher would give me a staffing report. She would email me a staffing report. I'm sure all you've got to do is ask for a copy of my emails. And I would have those discussions with the undersheriff, say, "Hey, listen, Undersheriff, we're getting critically low on patrol. We need to deal with this. It needs to happen."

And he was just like, "No. If they want to leave, just let them go somewhere. Let them go. Let them go."

He had no care in the world as to what the staffing was and what responsibilities were being shoved. I mean, we're turning fewer and fewer and fewer people out, and you know that that's not safe, you know.

So he instructed everything was not in writing. If I emailed him something, it was, "Why are

you sending me this?" basically. That was the feeling that I got.

So as I was -- I had already decided I was leaving. I had put in my resignation. And the staffing reports kept coming from Becky, and I just started going "forward, DeCoursey, send; forward, DeCoursey, send; forward, DeCoursey, send." And then I would follow that up with -- after I sent that email, I would then send that email to Arabella Blizzard; which you could pull her emails and see where that trail started happening to basically document that, hey, we've got a staffing issues, and you're still not doing anything about it.

Very few people were hired in that year. Go and pull the record for how many people were hired in 2021, deputy sheriffs, and compare them to the other years, and you'll see what I'm talking about.

Q. Okay.

A. But it was common practice, you don't put anything in writing. Paperwork was always sent up to the suite to be signed; it was never dealt with. Rarely was paperwork ever -- just basic course of business and responsibilities as a sheriff to process basic paperwork, like secondary employment forms left unanswered for months and months at a time. And the

problem is, anytime you questioned, hey, where is this at? How come this hasn't been signed? You better stand by. You know what I mean?

It's almost like -- it's like you don't question the boss. The loyalty is one direction. You give your loyalty to the sheriff, and there's no expectation that the loyalty is back this way. And if you ever questioned or crossed that, you were whacked, if you will. And I say "whacked" as in you were either transferred somewhere or you were run off or you were terminated.

INSPECTOR SNOWDEN: Retaliatory?

THE WITNESS: Very much so.

BY MR. KRAMER:

Q. Before we move on to the October issue, I want to ask you this. Are you aware of any person, either a civilian -- any person who wasn't a suspect in a crime being recorded in the sheriff's office?

A. There were rumors about it, but I have no first-hand knowledge of it.

Q. Do you know whether or not officers who were meeting with their union representatives who were under OPS investigations were being recorded or being listened to live? I'm sure there's a better word for that.

INSPECTOR SNOWDEN: Monitored.

MR. KRAMER: Monitored. Thank you.

BY MR. KRAMER:

Q. Eavesdropped upon, I don't know, any of those things, during their meeting with their union representatives during the course of the OPS investigation where they were required to be there?

A. There were rumors of it. I have no first-hand knowledge. I was not part of OPS, but there were a lot of strong rumors. That's as far as I know.

Q. Let's then go to what happened in October and anything that led up to that.

A. So I have -- first of all, we had union negotiations, and it was very difficult. The undersheriff had gotten involved in that, and this all surrounded take-home cars. And everything was pretty much -- all the other articles were pretty much good; we had those hammered out, but the take-home cars were a big issue.

The undersheriff was trying to take away take-home cars if you didn't live in the county, and that's actually in reverse of what everybody else in the rest of the state is. They're trying to expand their take-home program to try to recruit and retain

people, and the sheriff was going back the other way.

In fact, there was a conversation -- can I confer with her for just a second?

MR. KRAMER: Absolutely.

(Off-the-record discussion was had between witness and his counsel.)

THE WITNESS: There was discussion about folks moving -- the undersheriff wanted people to live in the county in which they served, and it caused some problems to the point where we weren't reaching an agreement; which was pretty embarrassing to me because I had been doing union contracts for a long time, I had been doing the sheriff's contract for a long time, and now for the first time I felt like we were in a position where I can't get a contract past my own agency.

BY MR. KRAMER:

Q. I want to make sure I understand. You're now working on the contract on behalf of the sheriff?

A. That's correct.

Q. Not on behalf of the union, correct?

A. Correct.

Q. Okay.

A. So we had reached an agreement. We finally reached an agreement.

MS. WEBSTER: Could I just --

MR. KRAMER: Yeah.

(An off-the-record discussion was had between the witness and his counsel.)

THE WITNESS: So when I was the union rep, I was obviously on the union side of the table. As part of Watson's management team, he appointed me as part of -- basically, I was essentially to lead the union negotiations. Even though DeCoursey was at the table, I was the spokesperson; but DeCoursey kind of continued to get in the way even though I was the spokesperson for the group.

So we had -- it was an interesting dynamic because I was on one side of the table, and then, you know, a handful of months later I'm on the other side of the table. And we all have the same common goal in mind, but DeCoursey kept getting in the way of that common goal. So there was some differences of philosophy, but it was kind of an executive session, so I -- I can't reveal that, right?

MS. WEBSTER: No, you can.

THE WITNESS: I can reveal --

BY MR. KRAMER:

Q. The only thing you can't reveal is attorney-client communications, so nothing that your attorney has said to you, nothing that you have said to your attorney in seeking or gaining advice. Those type of things have no privilege under the law.

A. We were in a -- we were in a caucus, and we were discussing take-home cars. The undersheriff said, "I want everybody moved back in the county. That's what we want. We want everybody to move back in the county."

And Jake Rush says, "Okay. Well, how about we just write it where everybody has three months to sell their house and move back in the county?"

Three months. Now, think about this. This was in 2021. What was the housing market in 2021? Everything was hot. You couldn't buy a house. People were trying to get out of the county, paying taxes, and they were going to whack everybody. Again, this is what we want, whack, and bring everybody back in.

I said, "Look" -- Bobby and I kind of pushed back on it. I said, "You can't do that. Somebody may not be able to sell their house. They may not be able to financially afford to move back in here. What are you going to do when they can't sell their house? What's the discipline from it? Are you going to take

their car? Are you going to fire them?"

There were so many things that came up with it, it just got dropped; but it was a point of contention, the take-home car. So kind of moving forward, we reached an agreement. It had a lot of issues with the take-home cars.

Generally, the protocol is this. Once we tentatively agree on articles, we will generally hold a vote, in my world, in two weeks. We'll send out all the information, send out all the TA articles to everybody who's a bargaining member. They can look at it. They have the opportunity to ask questions. Sometimes if it's something like a pay plan or something like that, we'll hold some meetings and say this is how it's going to happen, this is how it's going to get implemented, A, B, C, D.

Because the cars were such a controversial issue, Jody elected to push the ratification vote back just a little bit. We just have to do it in a reasonable time frame. Now you start opening the door to what's reasonable time frame. You know, 30 days -- 30 days always seems like a reasonable time frame. Like if I make a public records request, 30 days should be the time I should get that back, right?

So on October 18 Bobby and I were playing at

the BJ Classic. We were on the second or third hole, and I got a call from the undersheriff. The undersheriff said, "Hey, I just want let you know that the sheriff is rescinding all the articles."

The vote was going to happen -- this was a Monday. The vote was happening on Thursday and Friday; and they knew the vote was happening on Thursday and Friday, but he called me and said, "Hey, we're rescinding the articles."

I say, "Whoa, whoa, whoa, whoa. You can't do that."

He said, "I'm just telling you, this is what's happening."

And we had a brief conversation. I was around quite a few people, so I kind of had to step aside. And I ended up sending him text messages, which I have printed out here. I'll be happy to provide them to you.

Q. Can you hand those over?

A. I'll kind of read them to you. It says -- I said "Let me call you when I'm not 1012," which means I'm with somebody. I said -- I wrote "they," but I meant "this may cause us some issues. We knew the vote was this week. I'm around people where I can't talk."

His response is "The sheriff is typing up the rescind now and will deal with any issues. He's going back to the original plan. I think the union will lose public relation issues."

At this point I know I'm arguing for -- I can't argue with the guy, and I just said, "Okay. Is Tara going to contact Jody?"

"No, we will handle. The sheriff will sign the rescind contract today. General counsel will contact Jody."

My response was "Okay."

So later that evening I got frustrated. And I got home, and I said "I found this, which sums up what I was trying to explain earlier," and it's a clip from NLRB, which is National Labor Relations Board. And I put -- I highlighted -- took a screenshot of refusal to bargain.

"An employer will be in violation of the NLRA if a company either, (a), refuses to bargain collectively with representatives of the employees; refuses to recognize a majority union; (c), takes unilateral action," which was him just stripping this without consulting his team. Oh, he was just going to do it. Which I felt (c) applied. "Refuses to provide necessary information to union representatives," which

didn't happen; but more importantly, "(e), refuses to sign a written contract in which an agreement is reached."

We had already reached an agreement; and he was taking unilateral action to rescind all the articles knowing that the vote was coming, and he was going to refuse to sign the contract.

And I put "Specifically sections (c) and (e)."

Later that night, October 18th, at 2100 I get the text message that says "Major Corwine, your text is not" -- "your text about the union contract is not consistent with the decision our sheriff made. I disagree on your interpretation."

So this is an example of the sheriff just completely disregarding what the procedures are. Whether they be internal procedures, whether they be National Labor Relations Board, it was just a complete disregard.

If he felt disrespected, that was it. And I'm sure you're aware of an incident that happened just a month or two after we were back in office.

Q. Of course.

A. You want me to --

Q. No. It's all right. I mean, it's not

relevant, really, to this situation.

A. It's not, but my point --

Q. We've got to move along, and I'm --

A. What I'm saying is that -- is that that disrespect that came from that, my ass got chewed time and time and time again from it; and that is consistently what happened all the time.

(Exhibit 1 was marked for identification.)

BY MR. KRAMER:

Q. Is that what causes you to resign, this situation, or were you just moving towards that?

A. That was the straw that broke the camel's back. Here's the best way to put it. Do you play Black Jack?

Q. I'm aware of it, but I don't gamble.

A. Dealer's got a nine, you got two kings. What do you? You hold, right? Because more than likely, he's got 19, you've got 20. You're going to win the hand, right? The person who's sitting in the last seat at the able is either going to make or break or the table, right?

The sheriff, you know what he would do with two kings? He would double down and pull another card knowing that there's only four cards in there that could provide a winning hand in the other 48 cards.

Those are the types of decisions that he makes. They're in my opinion careless, and they're reckless.

BY MR. KRAMER:

Q. So that leads me to my next set of questions, which is, other than what we have described -- or what you have described already, are you aware of any person in the sheriff's office who has committed a criminal act?

A. I mean, Cleveland Cox would be one of them. He threatened his spouse. Are you talking about any person?

Q. I mean anyone who is currently an employee of the sheriff's office who has committed a criminal act that has been unreported to law enforcement.

A. I would have to give that some thought.

Q. All right. And if you come up with anything that you think warrants answering that question after having the opportunity to cover with your lawyer, I'd ask that you notify either me or either of the inspectors who are present.

A. Yes.

Q. I'm going to read to you the definition of what is a misfeasance. A transgression, especially wrongful exercise of lawful authority. That's sort of the standard definition of misfeasance. And you have

described a lot of activity which may meet that definition.

Is there any other action which you are aware of that you haven't discussed here today that meets the definition of misfeasance -- I will also define for you the definition of malfeasance, which is wrongdoing, especially by a public official -- that you have not discussed here today that you are aware of that occurred at the sheriff's office either while you were employed there under Sheriff Watson or since that time?

A. Are you going to read the definition of malfeasance?

Q. It's very short. I did. Wrongdoing, especially by a public official.

And understand I'm not saying you haven't already done that. I'm just asking you to be sure that there is nothing more that you're aware of that you have not told me about or that my questions have failed to elicit from you.

A. Okay. So let's kind of scroll back to there's some -- again, no first-hand knowledge of it, but there's some questions about the burning of the campaign headquarters. It's just a rumor that they were burned down, and that he had something to do with

that; but that's as far as I know.

There is some rumors and discussion -- again, we don't know. You can probably pull her Internet activity and her work tasks, which probably would be good for you guys to pull for Michelle Sherfield.

The sheriff hired Michelle Sherfield. She really has no defined role, and she's paid well into the 70,000 and some change. I'm sure you could pull her salary from a records request. But there's a lot of speculation that she works on future campaign things for the sheriff in her office. He also hired her son, who's Brandon Johnson, and it seems like he has no defined role.

There are some questionable practices, in my opinion, as far as the hiring practices. I understand to some degree that -- let me kind of scroll back to me.

When I retired under the Darnell administration, I was moved to reserve status, and I maintained a reserve status. I held an active bond card, badge. I went to in-service training. I kept all my standards, and I was in that status when I was brought back. So all I was done -- for me, personally, it was a change of status through what's call an inner office correspondence. I went from

full-time to reserve, reserve to full-time, but I never really technically separated from the agency, if that makes sense.

Joel DeCoursey was brought in without an application process. To some degree, I understand that because he's number two in command.

Danielle Judd, Jacob Rush, but now we get into Tara Malone, who is his admin assistant. I don't believe there was an application process or anything completed for her.

Courtney Ferrera, maybe, who took Tara's spot, but then we get into Chad Scott, who was brought in without an application process.

Director Woody, Pat Ford Thomas, Michelle Sherfield, Brandon Jones, Joel Coppock. And then I don't -- I don't have the names of the -- there's a couple deputies, a Lamar, maybe, something; Brian Osgood; Denise Scott, which Denise Scott is the ex-wife of Chad Scott. And then there's another one that kind of sticks out. I apologize. I don't know his name, but he is the gentleman that had the ballot scandal up in Alachua. I don't remember his name. I could get it to you later. I just call him the ballot tamperer.

I'll have to send you his name later, but

there was some speculation -- and I am not 100 percent sure on how the whole election rules work; but Watson was a democrat, and Darnell was a democrat. And my understanding is that if only those two were involved, that everybody could vote in the primary. And then there was another person, and I can't remember his name -- Brinkman magically put in to run as a republican, which would have eliminated the republican vote in the primary between Watson and Darnell. And shortly after the primary was decided, he pulled his -- his ticket, which left Watson the de facto sheriff.

Q. Is there anything about Chad Scott that you have brought up that we haven't discussed? You mentioned several times a Chad Scott. Is there anything that occurred with him that we have yet to discuss?

A. Chad Scott was terminated under the Darnell administration; and he was terminated, I believe -- please pull his OPS, but I believe it had something to do with a double-dipping of time sheets.

Chad Scott worked a lot of details. He was a very hard worker. I felt at the time when that happened that it was more a clerical thing, not necessarily like I'm intentionally stealing money from

the sheriff. Darnell, I think, didn't feel that way. Again, I'm speculating, but he was terminated. I believe if you were to pull his internal affairs file, that that may be one you find was altered by Sheriff Watson.

BY INSPECTOR SNOWDEN:

Q. Is the IA different than the personnel file? Do they include the same things?

A. No. You'd have to pull the IA file, but you would see -- there certainly should be some record of the termination and the findings for Chad Scott back in the day and then if they were changed.

My ultimate reason -- the straw that broke the final -- the camel's back was that, but I had already made the decision to leave. And Chad Scott had come in the office, and there was a lot of speculation that Chad Scott was taking my spot. And I asked the undersheriff, "Hey, is Chad Scott coming back? There's a lot of questions. There's a lot of rumors going around."

And he stood right in the sheriff's doorway and said, "No, no, that's not happening. He was just here to pick up a retiree bond card."

Now, why he was picking up a retiree bond card ten years later, whatever it was, I mean, seemed

a little off. I later found out, a couple weeks later, that in fact he was there to take my position, that I had been lied to.

And there was a conversation that took place between myself and Joel DeCoursey either on January 19 or January 20th of 2022, where DeCoursey told me that I was being unethical. And I basically told him that he was an effing liar, and I couldn't believe that he would operate under these standards.

And then 15, 20 minutes later I got a call from Arabella Blizzard saying they were on their way to check the rest of the stuff from my house. And then at the conclusion of that, I said, "Where's my sick leave, and where's my annual leave payout?" to which they denied that also.

BY MR. KRAMER:

Q. How did that resolve?

A. It didn't resolve. They never paid me. He still owes me an $8,000 payout. It's never been resolved. But my problem was, I was working for the union. And I felt like if I push the issue with going after him for the leave, that he was going to retaliate and take it out on the backs of the line workers, and I wasn't willing to do that.

I left that position. I went back to that

position because I felt like I had unfinished business; and I felt like I could effect a lot of change, and that simply was the farthest from the truth. And I left that position and took a significant pay cut because I felt that I could not stand on that train with unethical decisions being made, and I was getting off that train.

MR. KRAMER: I understand.

Is there anything else that you guys want to follow up on?

INSPECTOR RIDDICK: For the sake of time, no. I would like to explore more, if possible. Could we have you back?

THE WITNESS: You just tell me when and where.

(The statement concluded at 10:10 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORWINE, who produced a Florida Driver's License as identification, personally appeared before me on April 19, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this May 24, 2023.

Cynthia Leverett
Cynthia F. Leverett
Notary Public
State of Florida at Large
Commission No. HH036051
Expiration Date: 09-27-2024

REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, FPR, Certified Stenographic Reporter, do hereby certify there came before me the witness herein, named GEORGE CORWINE, for the purpose of the giving the foregoing statement under oath.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this May 24, 2023.

Cynthia Leverett

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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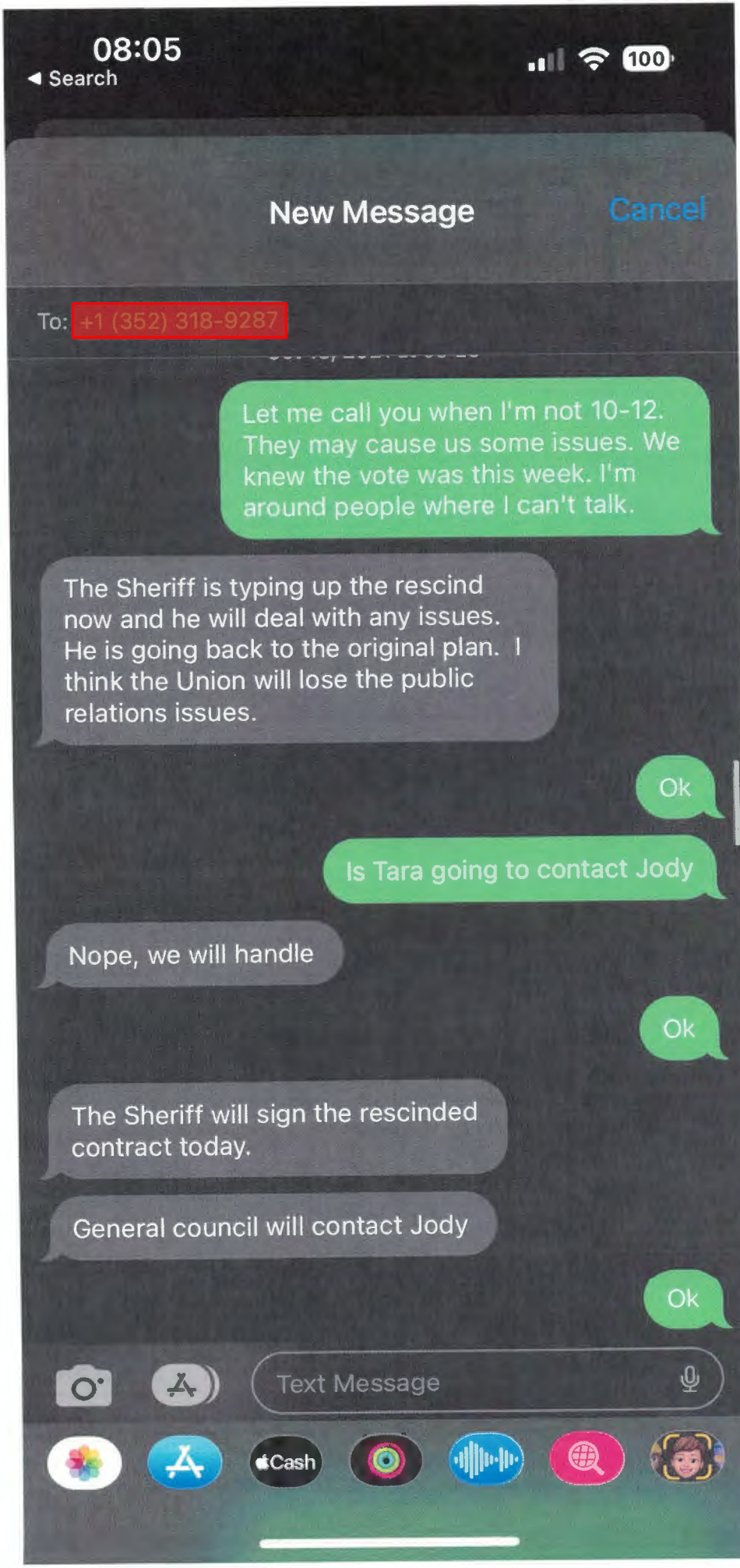
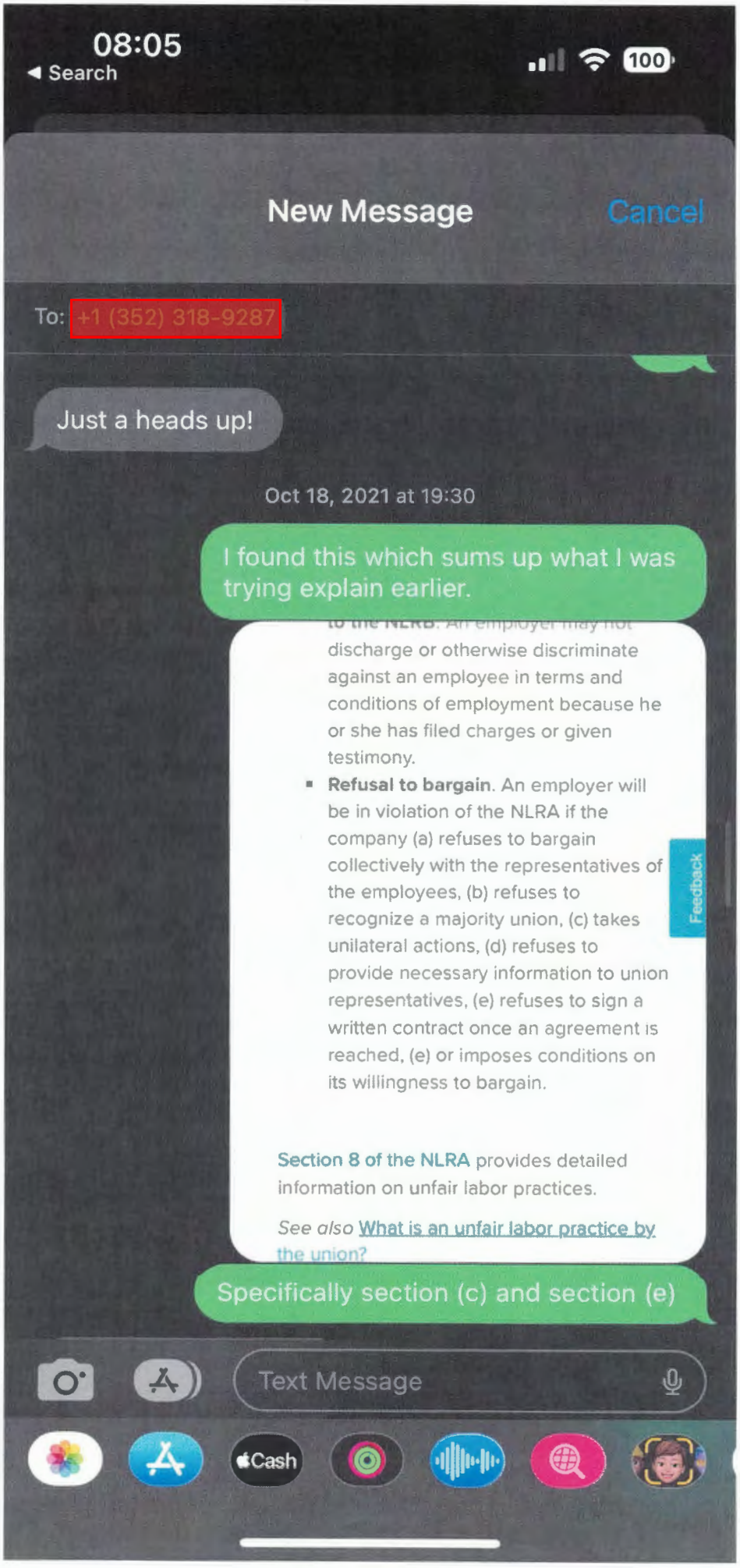


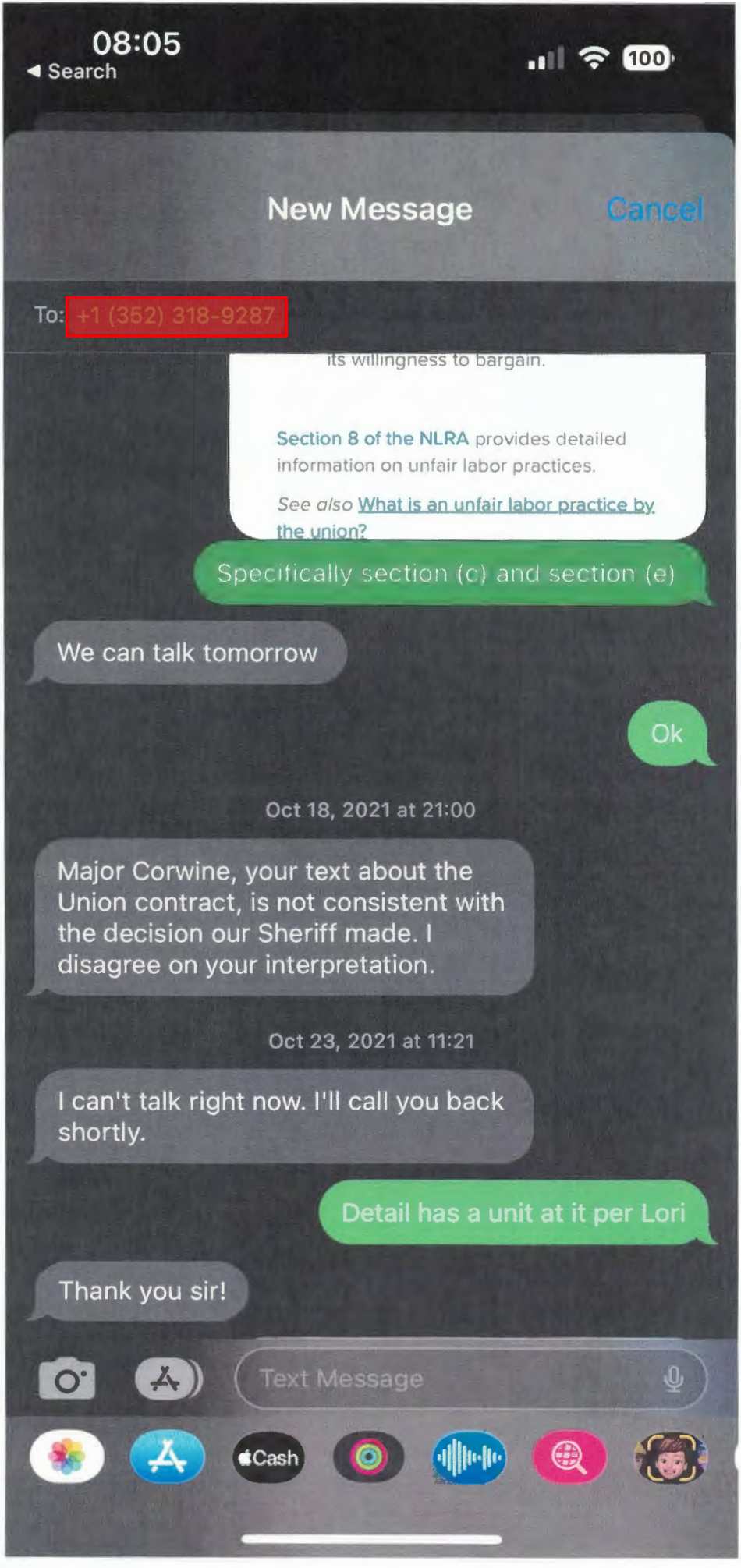
Exhibit

1

4.19.23 G. Corwine


08:05
Search
100
New Message
Cancel
To: +1 (352) 318-9287
Just a heads up!
Oct 18, 2021 at 19:30
I found this which sums up what I was trying explain earlier.
to the NLRB. An employer may not discharge or otherwise discriminate against an employee in terms and conditions of employment because he or she has filed charges or given testimony.
Refusal to bargain. An employer will be in violation of the NLRA if the company (a) refuses to bargain collectively with the representatives of the employees, (b) refuses to recognize a majority union, (c) takes unilateral actions, (d) refuses to provide necessary information to union representatives, (e) refuses to sign a written contract once an agreement is reached, (e) or imposes conditions on its willingness to bargain.
Section 8 of the NLRA provides detailed information on unfair labor practices.
See also What is an unfair labor practice by the union?
Feedback
Specifically section (c) and section (e)
Text Message
Cash

Corne


08:05
Search
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New Message
Cancel
To: +1 (352) 318-9287
its willingness to bargain.
Section 8 of the NLRA provides detailed information on unfair labor practices.
See also What is an unfair labor practice by the union?
Specifically section (c) and section (e)
We can talk tomorrow
Ok
Oct 18, 2021 at 21:00
Major Corwine, your text about the Union contract, is not consistent with the decision our Sheriff made. I disagree on your interpretation.
Oct 23, 2021 at 11:21
I can't talk right now. I'll call you back shortly.
Detail has a unit at it per Lori
Thank you sir!
Text Message
Cash

Corine

SWORN STATEMENT

of

JONATHAN SCHABRUCH

DATE TAKEN: April 19, 2023
TIME: 10:15 a.m. - 11:18 a.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

Cynthia F. Leverett, FPR
Certified Stenographic Reporter
Notary Public, State of Florida
www.NatureCoastReporters.com
Post Office Box 2392
Chiefland, Florida 32644
386-256-1457

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Florida Department of Law Enforcement
Office of Executive Investigations
2331 Phillips Road
Tallahassee, Florida 32308

- - -

EXHIBIT INDEX

*1 Email 24

- - -

*REPORTER'S NOTE: Exhibit retained by counsel.

WHEREUPON,

JONATHAN SCHABRUCH

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. Would you state your name, please?

A. Jonathan Schabruch.

Q. What's your current occupation?

A. I'm the chief detective with the Alachua County Sheriff's Office.

Q. And so what rank is that within the sheriff's office?

A. Captain.

Q. And is it appropriate to refer to you as captain or chief detective?

A. Either is fine.

Q. All right. So, Captain, I want to start by asking you, what's your education?

A. I've got a four-year degree from the University of Florida, bachelor's degree in criminology.

Q. How long have you been a certified law enforcement officer?

A. October will be 19 years, so 18 and a half years.

Q. And can you briefly review for me what agencies you've worked for?

A. Only the Alachua County Sheriff's Office.

Q. And in what capacities have you served in the Alachua County Sheriff's Office?

A. I was patrol. I was on the community orienting policing team. I was on the SWAT team for ten and a half years. I was sergeant in patrol, then I was a sergeant in the warrants bureau for four years. I was sergeant over patrol support division, which was like a sort of focus unit for a little while. I was promoted to lieutenant in 2018.

Q. By the Darnell administration?

A. Correct. Sheriff Darnell promoted me to lieutenant. I went to patrol as a lieutenant, night shift lieutenant, and then I was transferred to the investigations division as a lieutenant. I was over the property investigation bureau, and then I moved over to major crimes bureau; so I supervised all crimes during my tenure there.

And then under the current administration I was promoted to captain just last August and transferred to the office of professional standards.

I was the chief inspector of the office of the professional standards for about four and a half months, and then I was transferred back to the criminal investigations division where I am now.

Q. All right. And let's go back, then, to your time at the office of professional standards. Who did you supercede in that position?

A. Who was there before me?

Q. Correct.

A. Well, at the time it was actually Lieutenant Brett Rhodenizer. He was in sort of like an acting capacity. There was no captain of -- it was kind of influx. It was in between, I believe, Brandon Kutner left; and then there was a period of time when it was just lieutenants out there, so Brett Rhodenizer was sort of overseeing the division of the unit.

Q. Based upon the history of what you've described, it sounds like prior to going to be the captain over -- is it captain or lieutenant over that?

A. OPS?

Q. OPS.

A. Captain.

Q. You had not served in OPS prior to that?

A. That's correct.

Q. Did you receive any form of training? Did

you attend classes? Did you attend anything to provide you an understanding of how OPS works?

A. When I went there, yes, sir. After I was transferred there, I went to an officer discipline class in the panhandle, in Panama City, a week-long class learning about those, you know, OPS, or internal affairs investigations. And then I sat in on the CJSTC hearings that they had that week.

BY INSPECTOR SNOWDEN:

Q. Did they give you any 112 training at that time?

A. Yes, sir.

Q. Any 119 training?

A. There was some, I believe, 119 training incorporated in it, but that was pretty limited. It was more geared towards 112 and just the way to conduct investigations.

BY INSPECTOR RIDDICK:

Q. Is that an FDLE class?

A. Yes, sir.

BY MR. KRAMER:

Q. And during the course of that training were you -- or at any time other than that were you instructed on when and how it's appropriate to record investigations that are not related to a crime?

A. I'm not sure I totally understand the question.

Q. Sure. So Florida Statutes 943, the Securities of Communication Act, makes a distinction between criminal investigations and non-criminal or anything else.

A. Administrative. Any other kind of investigations.

Q. So my question is, were you ever instructed with regard to your -- the people who you supervised, their duties and responsibilities regarding recording individuals or not recording individuals without their consent in an OPS environment?

A. No instruction, no, sir, other than the class that I told you I went to.

Q. Is that addressed at all in that class?

A. I mean, to be honest with you, I don't -- I don't recall if that specifically was addressed in that class or not. We talked a lot about 112 and, you know, The Officer Bill of Rights, but I don't recall if they specifically addressed the recording of individuals and what was -- what's allowed or not.

Q. At any time while you were involved in OPS as the captain or any other time, were you aware of recordings or monitoring of personnel being conducted

by OPS during the investigation?

A. You're talking about recorded interviews?

Q. Sure. Anytime that you or anyone under your direction or control recorded or monitored through surveillance equipment any person who was not a suspect in a criminal act investigation.

A. Yes, sir.

Q. Can you describe what that was?

A. Well, I mean, we conducted several interviews with people during my tenure there, witnesses and subject employees, that were all recorded either with a voice recorder or in an interview room with video.

There were other times when surveillance video was used, jail video, sheriff's office building surveillance video, many instances.

Q. Okay. And other than surveillance video, are there times you're aware that individuals were recorded or were monitored who were officers who were there for the purposes of having some interaction with OPS?

A. The interviews.

Q. But are there any of those recordings that were done without their knowledge or consent?

A. Not that I know of.

INSPECTOR RIDDICK: Were they ever monitored

without their knowledge or consent?

THE WITNESS: Were they monitored without their knowledge and consent?

BY MR. KRAMER:

Q. You have interview rooms that have a monitoring system, correct?

A. Yes.

Q. And that monitoring system, it's my understanding, can record or not record?

A. Correct.

Q. But even when it's not recording a human could review the equipment and both see and hear the individuals who are in the rooms even if it's not recording back to a permanent record?

A. Correct.

Q. So my question is, was that equipment used at any time, to your knowledge, to observe a deputy sheriff or civilian employee or any civilian, was it used without their knowledge that it was being used to observe them?

A. Not that I can recall.

INSPECTOR SNOWDEN: Have you ever directed or was it implied to you to monitor any type of situation where an employee was being investigated prior to the interview?

THE WITNESS: No.

BY MR. KRAMER:

Q. Do you recall an investigation that relates to a person whose name is Annie Waller?

A. Yes. I sat on the career service board for Annie Waller, but I didn't have anything to do with her investigation prior to that point.

Q. Okay. And assume I know nothing about a career service board and tell me what that entailed.

A. Yes, sir. So career service board is when someone has already received discipline from the agency for a violation, and that discipline -- I can't recall if the minimum is two-day suspension, two- or three-day suspension, up and including termination. If they receive that amount of suspension, then they are entitled to a career service board.

So the employee will then select two individuals from, I believe it's, law enforcement officers within the county, my recollection; and then the sheriff's office administration will also select two individuals, and then the four of them will then get together and select a chair and agree on a chair for the career service board.

And the purpose of the board is to appeal the discipline that was rendered because that person

believes it was unfair or unjust. And they will appeal to the board, present their reasons why. Witnesses can be called. Subpoenas can be issued, all of that. And then at the end the board makes a decision, and the board's rendering is binding, I believe, as to what the sheriff must do, whether uphold the discipline or not.

Q. What was the result of Annie Waller's career service board?

A. The discipline was upheld.

Q. At any time other than that did you handle or discuss the Annie Waller investigation with anyone in the sheriff's office?

A. It would have been all related to that career service board.

Q. Were you ever told to send or not send that investigation to FDLE for criminal charges, for investigation of Annie Waller for a criminal act?

A. I don't recall being asked to do that.

BY INSPECTOR SNOWDEN:

Q. Are you familiar with certain violations that are committed, whether they're sustained or unsustained, that need to be sent to FDLE?

A. Oh, yes, sir. You're talking about for the commission, moral conduct violations and things like

that?

Q. Correct.

A. Yes, sir, I'm aware of those.

Q. Do you know if Annie Waller was sent, or did you have any interaction with that?

A. I wasn't in OPS when that happened, so I was not part of whether or not that was sent to FDLE.

BY MR. KRAMER:

Q. While you are in OPS, were you directed or asked to change the results of any OPS investigation?

A. I'm going to say yes, and I'll explain.

Q. Please do.

A. So there was an administrative inquiry that was completed by one of -- by Kyle Salman; this would have been on Kevin Davis.

So we were given an investigation involving Kevin Davis, who's a sergeant at the sheriff's office, involving a homeless person that he ultimately arrested. We were asked to look into whether there were policy violations committed during that arrest.

Inspector Salman completed what we call an administrative inquiry, which is basically when you look into -- you kind of look into the facts, and you decide whether or not it even merits further investigation or not.

He completed the inquiry and deemed that he didn't see any policy violations by Sergeant Davis, and that he didn't feel like it warranted any further investigation.

So I read his inquiry. I concurred with it, and I submitted that to the sheriff; I believe I did that electronically and sent it to the sheriff. And then I was called in to meet with the undersheriff at a later day, I believe.

And so I met with the undersheriff, and he advised me that he disagreed with the findings of the inquiry and that he couldn't pass that on to the sheriff in its conclusion. So he ordered us to conduct a complete -- to conduct an investigation, a full investigation, into the matter.

So with that regard -- I mean, it depends on what you consider to be asked to change the investigation. An inquiry was completed where we didn't feel like there was any merit to the investigation, and then we were asked to conduct a full investigation, so to speak, involving, you know, interviewing everyone and --

Q. Is that normal procedure?

A. Again, I was in OPS for four and a half months; so I don't think so, but --

Q. Why?
A. Why I don't?
Q. Why -- so if I understand it correctly -- let me back up.
Someone, and I'm -- because I'm just not completely following -- says this sergeant has done something that may violate a policy. So there's an Officer Salman who is responsible to say --
A. He's a lieutenant.
Q. A lieutenant who's responsible to tell you essentially is there even reasonable suspicion to believe that there is grounds to proceed with an investigation, he tells you no.
You look at what he says, and you say, "I agree with you. This is no. There is no reasonable suspicion to proceed on to a full OPS investigation."
You submit that to the undersheriff, and the undersheriff says, "I disagree."
A. Just to clarify, I submitted it to the sheriff.
Q. At that time did you answer directly to the sheriff?
A. Yes.
Q. So that begs the question. If you submitted it to the sheriff, why is the undersheriff the person

who is telling you this is not -- why is it being re-routed to the undersheriff if that's the proper chain of command, number one? So let's answer that question first.

A. I don't know.

Q. Okay. And then when this conversation -- whether it's email or it's in person, I don't know, what is the stated reason why this investigation needs to proceed?

A. Because the undersheriff explained to me that he saw several violations when he -- it was a YouTube video, so that's how it came to light. So when he watched the YouTube video himself he saw several violations there, and he felt that it needed to be addressed.

Q. You and he are watching the same video, correct?

A. Yes, sir.

Q. You are now the trained captain of OPS?

A. Yes, sir.

Q. Do you see these violations?

A. No, sir. It was a heavily edited YouTube video. It was about a three-minute YouTube video, which was edited from a 30-plus-minute body-worn camera.

Q. Did you also review the body-worn camera?
A. Yes, and I had that conversation with the sheriff. It was an edited video. It didn't paint the whole picture.
Q. So you reviewed the YouTube video. You reviewed the full video from a body-worn camera; and he's given you specific reasons why a particular policy of the agency has been violated, and you don't feel that's true. Correct?
A. Yes, sir.
Q. So at that point you are directed -- is that a fair analysis -- to conduct a full blown OPS investigation?
A. Yes.
Q. So is that normal procedure?
A. I don't believe that it should be. I think that when I submit that administrative inquiry to the sheriff, now, I mean, they -- I wouldn't necessarily have an issue with the sheriff or the undersheriff maybe needing further clarification if something was unclear or if they brought to my attention this -- you didn't address this, some other thing in the administrative inquiry, this wasn't addressed, please go back and look at that before you, you know, resubmit it or something along those lines; but I felt

that the concerns -- the primary concerns were all addressed in the original administrative inquiry.

Q. Are you aware of any other reason that may exist why they would choose to cause an OPS investigation to occur when the lieutenant and captain of OPS have said there's no cause for an investigation, other than this stated "I disagree with you that there is a policy violation here"?

A. No, sir.

BY INSPECTOR SNOWDEN:

Q. Is there any issue between Kevin Davis -- was there anything going on at that time?

A. Yes, sir.

Q. What would that be?

A. I believe he had lawsuits pending against the sheriff's office. There had recently been another inquiry that had been done between him and -- I did not complete this; it wasn't an OPS function, but another supervisor had looked into a situation where he and another -- it was Chris Sims. I can't remember what his rank was at the time. Chris may have been a lieutenant at the time. And Sergeant Davis and Chris Sims had words in the hallway or something.

And yes, there was clear animosity between Kevin Davis and the administration.

BY INSPECTOR RIDDICK:

Q. Who was the original complainant against Sergeant Davis? Do you recall? And this IA has been closed, right, so we can discuss it freely?

A. Yes, sir.

So it came in from a YouTube video. I believe that we received several complaints from citizens because of the way that it was presented.

Q. So then you do your IA, or you do your prelim, what we call them. You come back, say no need for a complete IA, no policy violated, and the undersheriff says, "I disagree." Does he direct you on what the finding should be?

A. He didn't tell me what to find, but he told me what he believed he saw in there. He mentioned several potential policy violations.

Q. What standards did he think -- or policies that he thought were violated?

A. I believe -- I'm not going to be 100 percent sure here, but I believe he mentioned things like conduct unbecoming or unfavorable conduct, those kind of --

INSPECTOR SNOWDEN: What was the eventual outcome of the IA?

THE WITNESS: The follow-up with complete

investigation.

BY MR. KRAMER:

Q. I want to go back. Who did it get assigned to?

A. I left it with Kyle Salman.

Q. So he's going be the investigator all the way through?

A. Yes.

Q. Does Kyle Salman change his analysis? Is he agreeing with the undersheriff? Or did he say, "I've looked through this. I don't see these things"?

A. No, he didn't change.

Q. Now, the inspector's question: What was the outcome of the allegations?

A. Those allegations, anything about conduct unbecoming or unfavorable conduct, were all either unfounded or not sustained. There was one sustained violation at the conclusion of the full investigation, and that had related to his body camera being not on him; it was in his car. So it was like a technical violation.

You know, I instruct our -- I instructed all of our inspectors at the time if we're going to do an investigation, we're going to do a complete and thorough investigation. You're looking for any

potential policy violations; and that was the violation that was found, was that his body camera was left in his vehicle while he was dealing with a citizen.

The interaction was captured by another deputy's body camera, so that's why we have it; but Kevin Davis' was left in his vehicle instead of being properly worn as it should have been on his uniform, so that was sustained.

Q. So you have either an unfounded or --

A. Not sustained.

Q. -- not sustained, and one sustained that was not part of the original complaint, obviously. Most citizens would have no idea that that's a violation. That goes up now again to the sheriff because that's who you report to?

A. Well, once we have -- this is a little bit different because the original was an administrative inquiry, so that is sent straight to the sheriff with a sustained.

When a complete investigation is done, I would -- I give my own recommendation. The inspector gives his recommendation not as far as discipline, but he just gives his "this is the findings." Then I look at it. I either agree or disagree with his findings.

I agreed with them.

I give my own recommendation as far as any discipline is concerned based on our matrix, and then it goes to that person's division commander, which would be captain, and it goes up the chain of command. It ends at the sheriff.

Q. Who was the captain in that situation?

A. I believe that one was Becky Butscher.

Q. Did she agree or disagree with your findings?

A. As far as I recall, she agreed.

BY INSPECTOR SNOWDEN:

Q. What were your findings?

A. Mine were the same as Inspector Salman. So I agreed on the sustained violation, the one sustained violation of the body camera issue, and either not sustained or unfounded on the others.

Q. Did you say yes or no, you do recommend discipline or you don't?

A. Well, I did based on there was a sustained violation.

Q. Written reprimand? Day off?

A. It was written reprimand.

Q. Was that sustained all the way up?

A. I think it was.

BY MR. KRAMER:

Q. I'm assuming above her is the undersheriff or a major.

A. At that time it probably was Colonel Scott, and then it would have been undersheriff.

Q. And then sheriff?

A. And sheriff, yes, sir.

Q. All of those individuals agree now that these are unsustained and unfounded as far as the original violations?

A. If memory serves correctly, yes, I believe that is accurate.

Q. But your involvement with that is done after -- no one is re-sending it back to you, is what you're saying.

A. We do get it back. I got back the completed copy. I'm just trying to remember what everyone's recommendations were in there. So yes, we got the completed one back, and it's all been stored.

Q. At any time while you were in the OPS division, or at any other time if that is applicable, were you told to find any reason to demote or fire anyone?

A. No.

Q. Were you ever given any instructions from any person within the administration regarding not

emailing or not texting or not reducing things to writing?

A. Yes.

Q. Can you explain?

A. Well, most recently I was asked not to text my current major's personal phone. I've been asked -- I can text his work phone or call him. That happened just a couple weeks ago.

Let me think for a minute.

Q. Do you need me to clarify?

A. You can. I'm trying to think of specific examples or specifically if I've been asked to not put things in writing.

Q. Correct.

A. I couldn't recall specifically for me not to put things in writing.

Q. Have you ever been told to replace a tracking number or remove a file from OPS?

A. I have not been told to remove a file from OPS, but I was told that a tracking number that I pulled, or my office pulled, was invalid.

(Exhibit 1 was marked for identification.)

BY MR. KRAMER:

Q. All right. Let me show you this email -- and I'll include this as part of the record here -- and

ask you to explain what that means. And is that what you're referring to?

A. This is one of two that I'm referring to.

Q. Let's start with that one. Can you explain what the circumstances are that are being discussed in that email, which we'll attach to your deposition -- or excuse me, this is not a deposition, your interview.

A. So this is involving Cory Short, who had posted a video on YouTube where he actually posted his OPS interview that he -- you know, and I can't remember -- I think he was the subject of an investigation in that case. And so he -- when a subject is completed, they are entitled to everything; and so he requested the whole investigation, so he was given the video and everything with it. So he took his interview and put it on YouTube.

So just that in itself -- you know, he's sitting in there in uniform with his patch displayed on his shoulder. We do have a social media policy violation that basically says you can't post sheriff's office emblems and things like that on social media without prior authorization. But in addition, later it was determined also that there are apparently linked files with that video; and it had everything

that we had given him, which included jail surveillance video that if someone wanted to, and they clicked the linked files on the video, they would basically be able to see the inner workings of the jail.

So that was done, and then this is --

Q. If I understand correctly, what he has done violates policies and could result in an OPS investigation?

A. Yes, sir.

Q. All right, sir. Go ahead.

A. So during that time I received this email from then Major Stafford. This is Bobby Stafford.

Q. Is he in your chain of command at this time?

A. No.

Q. Why is he sending you things and telling you to do stuff if he's not in your chain of command?

A. Because he -- this investigation was the -- the social media violation was not being investigated by OPS. It was being investigated by his chain of command, by the jail command.

OPS doesn't do every single investigation at the sheriff's office, so it's common for the individual's chain of command to actually -- they can do a formal investigation just like OPS can. It will

ultimately come to our office for a review and everything like that; but in this case it was being investigated by his chain of command, and they get their tracking number from OPS.

So if there's going to be a formal investigation, they call us, "Hey, I need a tracking number. I'm doing this investigation," and then we kind of help a them through the process unless OPS needs to take it for some reason.

So in this case OPS was not doing this investigation. The jail chain of command was doing it, which is where Major Stafford was the director of the jail at the time.

So he had a conversation with me prior to sending this email where he told me that the undersheriff had directed him to cancel that investigation, that he was no longer going to look into that investigation, and then he followed up by sending me this email.

Q. What is that email directing you to do?

A. Well, it says that he was ordered not to have Cory Short's supervisor continue the investigation. And then he says "Please cancel Tracking Number 22-121."

That's really not a thing. I can't cancel a

tracking number, nor do I. So he's saying to do that; but that tracking number, I don't delete.

Q. What did you do in response to this email?

A. If I remember correctly, I took that email and saved it as an attachment under that tracking number, and then I believe I wrote the disposition under that tracking number "administratively closed per the undersheriff."

BY INSPECTOR RIDDICK:

Q. Is this in IAPro?

A. Yes, sir. So -- but I certainly wouldn't delete or, you know, get rid of a tracking number.

BY INSPECTOR SNOWDEN:

Q. Would the jail chain of command conduct investigations that can result in termination?

A. Yes, sir, anybody can.

Q. So that wouldn't just be OPS?

A. No, not automatically. There are certain investigations that require OPS to investigate, but --

BY INSPECTOR RIDDICK:

Q. But this wouldn't have been?

A. Not for a social media violation.

BY INSPECTOR SNOWDEN:

Q. Even with the discovery that it had the inner workings or security issues of the jail?

A. It may have; but the timing there, I'm not 100 percent on. I think we may have actually discovered that after this email and all that stuff.

Q. That wouldn't have caused it to be re-opened?

A. It could. I don't recall how all that happened at that time, but it certainly could.

MR. KRAMER: You had mentioned that --

Any other follow-up?

INSPECTOR RIDDICK: Just one more.

BY INSPECTOR RIDDICK:

Q. If the jail is doing their own internal investigation, for lack of better words, are they following 112, audio taping, noticing?

A. They should be.

Q. They should be?

A. If they're doing a formal investigation that will result informal discipline, they should be following 112. And that's why they're supposed to consult with OPS along the way.

Q. Okay.

A. But if it's informal that's only going to result in corrective counseling, then --

Q. It's still an investigation that's directed by 112, though, even though it's informal, right?

A. Yes, sir.

BY MR. KRAMER:

Q. You mentioned there was another similar incident. What is that?

A. So that one is going to be -- can I refer to some notes?

Q. Absolutely.

A. So the other one that's related to tracking number being invalid, November of 2022. It started with Sergeant Pam James. She was under investigation, again, by her chain of command. So it was not an OPS investigation, but her chain of command was investigating her for insubordination. I was aware of it because, again, they do consult with OPS, they've got to pull a tracking number. Kyle Salman was assisting Lieutenant Jamie Scott with the investigation. It was Jamie Scott and Captain Matt Beck, were the two supervisors of Sergeant Pam James when the incident happened.

So it was explained to us that Sergeant James had committed insubordination to her lieutenant and captain, and there were witnesses also outside of the office when it happened; and they were beginning that investigation, so they used our OPS interview room.

So we were housed at the jail. OPS is at the jail, so it was a very convenient place for them. If

they needed to do witness interviews, they could come and do them in our interview room. So they did that. They were interviewing witnesses in our interview room.

And then on November 16th I was called by Major -- at the time Major Dorian Keith. So she had took -- Bobby Stafford was no longer at the sheriff's office, so Major Keith was the new jail director. And she called me, and she asked why Sergeant Pam James was going to be interviewed in OPS instead of on the floor, meaning by -- you know, somewhere in an office or something by her jail staff. And she said that she felt that maybe we were treating Sergeant James differently than we would treat other people.

I told her that I had no issue with her being interviewed in OPS, that our interview room was available for anyone at the agency who was conducting an internal investigation. It was obviously just very convenient for the jail staff to do it, so they probably would use it more than maybe the law enforcement side just for location. But that's part of what I felt we were there for, was to assist in these investigations and that they could have a discrete location to bring someone and do a recorded

interview without having to worry about, you know, setting up recordings and things like that.

So I explained that to her. It was an amenable conversation. I thought we had a pretty good understanding at the end of that. She just said she had some concerns with it; but she was asking if I had any, and I said, "No, I don't. I would offer this to anybody." So that was the end of that.

The following day -- this would have been November 17th -- about 4:00 p.m. the undersheriff called me, and he asked about the Pam James investigation. He told me that he had previously ordered Major Stafford when he was at the sheriff's office to, quote, squash that investigation because Sergeant James had filed a lawsuit, and we don't need to add fuel to the fire.

The undersheriff told me that he would take care of it when it got to him, meaning when the -- I assume meaning when the recommendations, or whatever the case may be made it to his level, that he would take care of it. And he said that it was relationships or knowledge of policy at best. He was quoting directive violations.

And then he -- then at the conclusion of that phone call he also ordered me not to let other

divisions use the OPS interview rooms from that point forward, so it only should be for OPS staff, our investigations team. So that was the conclusion of that phone call.

I did that evening, I called Bobby Stafford, who is no longer, obviously, employed at the sheriff's office at that time, and asked him about the James investigation and asked if he was ordered to stop that investigation. He says no, he was not ordered to stop doing that investigation.

The next morning, so this would have been November 18th, about 8:15 in the morning or so I was actually having breakfast with one of my inspectors, Pete King. The undersheriff called me at breakfast and told me that the tracking number for Pam James was, quote, invalid, because he had previously ordered Major Stafford not to continue with the investigation.

I asked him to relay that information to the chain of command who was investigating Pam James. I explained to him OPS is not conducting this investigation.

So I asked if he was going to call either Major Keith or whoever in that chain of command and give his directions to them, but he said, "No. I'm telling you, my chief inspector, that the tracking

number is invalid."

And then --

Q. Do you know what that means, "invalid," or what -- I don't understand what that means. What is he saying to you?

A. He's saying to -- well, my interpretation of it is, he's saying he did not authorize that investigation to take place at the outset; that he told Major Stafford to not proceed with this investigation, and so it was -- he was saying it's invalid because he said it should have never taken place to begin with.

Q. What is it that's being asked of you to do? He's imparting this information to you for what purpose, to what end?

A. To cancel the investigation. To stop the investigation.

Q. But how would you do -- I mean, you're not conducting an investigation.

A. Correct.

Q. How do you stop an investigation that you're not conducting?

A. The only thing I could think of to do was call Major Keith and relay his instructions to her. I explained to him on the phone, "Undersheriff, I

can't" -- "we have already completed" -- well, not "we," but "the investigating supervisors have already completed interviews with witnesses that have been recorded." I told him, "I can't delete those interviews."

And he said, "I'm not asking you to delete any interviews. I'm just telling you that the tracking number is invalid."

I said, "I understand. I'm just letting you know those things have already been" -- "there's several things that have been documented."

And I did -- he did also -- he told me, he said, "This is not an insubordination case," and he told me that he knows what happened.

And I asked him how he knew what happened. I knew he wasn't present when it happened, and the investigation had not been completed; so he hadn't obviously read the investigation yet, but he said that he knows what happened. He cited cultural differences and said that African Americans and Caucasians communicate differently, and just because James raised her voice does not mean that she was insubordinate. That was what he said to me.

Q. Okay. You've been imparted this information that this is now an invalid number, whatever that

means, and you do call whoever is in the chain of command that is conducting the investigation and tell them what?

A. I called Major Keith, and I told her what the undersheriff told me; that he said he had previously ordered Major Stafford not to proceed with this investigation, and that he told me this investigation was invalid and that he did not want to see this investigation proceed further.

She said, "Understood. Thank you."

Q. All right. And to your knowledge, what happens after that?

A. Well, I followed that conversation up with an email. I sent the email to Major Keith, I don't recall, either the same day or the next day, but I sent an email to Major Keith. I can't remember exactly what I wrote. I'm sure you guys can find it, but I said to her something along the lines of please let me know when you have informed your chain of command of the information that I, you know, provided you from the undersheriff.

And she did reply to that email and said something to the effect of Lieutenant Scott and Captain Beck have been informed. And then I took that email and saved it under the tracking number in the

IAPro.

Q. And to your knowledge no one has altered, changed, or tampered with that IA file since the undersheriff gave directions to invalid it?

A. To my knowledge, no, sir.

BY INSPECTOR RIDDICK:

Q. Had they already uploaded the interviews to IAPro.

A. Yes, sir.

Q. And her name is still there so that if you searched "James" in IAPro, you --

A. It should be.

BY MR. KRAMER:

Q. Is it normal protocol that an undersheriff can essentially end an investigation that's made by one officer for insubordination against another officer?

A. No, sir.

Q. Has that ever occurred other than this incident that you're aware of?

A. Not in my experience. Not that I know of.

Q. What happens with the -- I'm assuming there's a sergeant and lieutenant. The lieutenant is alleging insubordination. What happens with the lieutenant's complaint about the sergeant?

A. The case was administratively closed at the direction of the undersheriff.

Q. Is that in and of itself a violation of any policy within the office to essentially not provide the proper IA -- or OPS investigation of a complaint?

A. Yes.

Q. What does that violate?

A. Well, I'd have to look at the exact -- what the violations are titled because I don't want to misquote which specific directive that would violate; but there are directives on the conduct of investigations and the way that they proceed, and that maybe you could articulate -- you could articulate conduct unbecoming. There are probably several that you could articulate, and I don't want to misquote exactly what --

Q. So essentially this lieutenant could at that point, if he were -- he or she --

A. It's a she. Lieutenant is a she.

Q. If this lieutenant, let's say, were misguided enough to make a complaint against the undersheriff, that the undersheriff by doing these actions has violated internal policies in the sheriff's office by unilaterally closing an investigation --

A. She could.

Q. That did not occur, to your knowledge?

A. No, sir.

BY INSPECTOR SNOWDEN:

Q. Just to clarify. You said that when you contacted Major Bobby Stafford about this, he was no longer employed with the sheriff's office, correct?

A. Correct.

Q. And was it uncommon to do interviews within OPS by the jail prior to that?

A. No, sir. There had been not only -- OPS has gone back and forth between being housed at the jail and housed at the sheriff's office main building, so there certainly was a long period of time when they were at the main office as well. So I'm aware of several times that the OPS interview room was used by the chain of command to do internal investigations just because of convenience. You have an interview room set up for audio and video recording. You don't have to worry about -- and you have OPS right there in the event that, you know, a 112 violation is complained or something, and you can hopefully resolve those issues right there.

It's probably more common to not use the OPS interview room, but it does happen.

BY INSPECTOR RIDDICK:

Q. Speaking at 112 violations, during your time as chief inspector, were 112 violations ever brought up during any of the investigations?

A. Yes, sir.

Q. What happened?

A. We were able to remedy them and get them -- and continue with the investigation.

Q. Do you remember specifics?

A. Yes, sir. So it would have been -- there were two that I can recall. I'm just trying to remember which one.

What it involved was who the complainant was on one of them. And so the employee's representative said that we didn't have -- we had the office of the sheriff listed as a complainant, and we needed a name, a complainant's name. That was the issue.

I was not actually in the office when it happened, but I was called by the inspector who was completing the -- doing the interview and said this is the alleged violation.

I actually spoke with the representative on the phone. We talked for a little bit, and then I made a phone call. Long story short, we were able to -- she was correct, and we were able to say, okay, that's right. We stopped the interview. They went

home.

And then, you know, she sent the formal grievance, and then well within -- it was probably within, I don't know, 24 hours we had identified the appropriate complainant, which we had already interviewed. We just didn't have that person listed as the complainant, but we re-interviewed to make sure that that person was comfortable with being the complainant and put them back on record, got it solved.

Q. Who was the investigation against, and who was the complainant?

A. That's what I'm trying to remember. The complainant ended up being Daniel Judd; I remember that. She was our chief of staff at the time. And I believe that was the Erica Hollingsworth investigation. So that would have been the detention officer who sent an email to the county commission, and we ended up investigating that.

MR. KRAMER: I think this is my last question unless you all have any questions further.

BY MR. KRAMER:

Q. Have you been asked to report the contents of this interview to anyone within the sheriff's office?

A. No, sir.

MR. KRAMER: Do y'all have any other questions?

BY INSPECTOR SNOWDEN:

Q. Are you aware of anything else, anything that would be illegal, immoral, or unethical, at that sheriff's office?

MR. KRAMER: That we haven't already touched on.

A. Right. Give me just a minute.

I have some concerns with how the situation was handled with our employee who was involved in the shooting, Carlton Litzkow. I don't know if you're familiar with that.

BY MR. KRAMER:

Q. I am. What is your concern?

A. Well, the concern was that -- so that obviously happened prior to me being going to OPS; but when I moved into OPS that investigation was still active, so I was there for the completion of it, for the conclusion of it.

During that time while it was still open I had multiple meetings, interactions mostly with the undersheriff where I was asked either on the phone or in person several times why Carlton had not testified and if he was going to testify. He was the shooter.

And so I explained to the undersheriff on multiple occasions that he was afforded the same constitutional rights as every other citizen that we have that's in a criminal investigation, and that his attorney had advised him not to speak to law enforcement; and there was no intent, he was not going to testify as far as to FDLE, and that we, OPS, had completed our investigation and did not need his testimony as far as administrative investigation goes. So there was just no need for it. But that was continually asked again and again and again: Has he testified yet? Is he going to testify?

And then there was also an issue with the witnesses that night who -- one of them gave a statement to FDLE. Several others, again, after consulting with an attorney that night, decided to not that night give a statement, but they -- eventually they did, they set up a meeting. And I was told again on multiple occasions that, you know, those witnesses needed to be disciplined with either a, you know, written reprimand or a corrective counseling of some sort. And I --

Q. Would that be an IA? Or is that one of those things that's less than an IA that you discussed?

A. He didn't really -- I wasn't really told -- I

wasn't given a direction of how to do it. He just told me, you know, they needed to be disciplined and to understand that they can't do that, that they -- you know, they're required to cooperate and give a statement.

They did give a statement to FDLE eventually. It just didn't all happen on the night of the incident. So I was told that they needed something, a corrective counseling or something. That's kind of our lowest form. That's the informal discipline. It doesn't stay in your personnel file forever, that kind of thing. They needed to receive some kind of discipline.

So what I ended up doing was, I suggested to the undersheriff, I said, "Listen, I'll do" -- "I will do an administrative inquiry. " That's like the same thing I told you about earlier that Kyle Salman did. I said, "Let me" -- "I'll do an inquiry; and I'll interview every single one of those deputies that was a witness, and I'll determine if there was any wrong doing or anything like that."

So I did one myself. I brought every one of them in there, interviewed every one of them, asked them did they talk that night, why did they maybe not talk that night. I uncovered no even potential policy

violations. I completed my administrative inquiry and submitted it to the sheriff. That was accepted and received and signed off on.

I was called in for an additional meeting. I ended up meeting with the undersheriff and the sheriff together to discuss it, and I explained my findings. The sheriff seemed good with it at that point. I recommended no discipline on any deputy, and that was that.

Q. What was the result with Carlton Litzkow?

A. He was cleared. He was cleared by our -- by the OPS as early as we could, as early -- I mean, once we had the FDLE report back and basically as soon as we reviewed the FDLE report, and based on the information we had, we had no concern about any additional policy violation.

So the issue was that he was still -- he was working, but he was not working where he was assigned. He was a patrol deputy. And like we do for a lot of deputies, if they're involved in a shooting, they'll be -- you know, even though it's a perfectly good shooting, they'll be put on some kind of admin duties for a while to let the investigation kind of play out. So they might be assigned to the training bureau or something, and that's where he was. So he was

assigned to training but not working on his shift for a long time. I believe --

BY INSPECTOR SNOWDEN:

Q. After being cleared?

A. Yes, sir.

So I'm trying to see -- if you can give me just a minute.

So on October 11th, 2022, is when FDLE came to the sheriff's office with the investigation, with the completed file. So I was in that meeting, and the undersheriff was there. That's one of the -- that's the first time that the undersheriff mentioned to me about that the witness deputies who had not provided statements to FDLE that night needed to be disciplined; that was that time.

I specifically asked the undersheriff -- the sheriff wasn't in attendance, so I specifically asked the undersheriff at the conclusion of the meeting -- FDLE officers said everything looks good on our end, no issues. And then they said they were on their way over here to the state attorney's office to bring a copy over there.

So once that meeting was kind of concluded and FDLE had walked out of the room, I asked if there was a time schedule for Carlton Litzkow that he could

return to duties.

He said there's no time frame. That's up to the sheriff.

Fast forward. So that was October 11th. October 28th Litzkow is still assigned to the training bureau, nothing had happened.

On November 4th, 2022, I met with the undersheriff. He brought up the shooting again, which had still not been signed off on by the sheriff. The undersheriff said that he was -- told me that he was still in training and not released to full duty because he did not testify.

I reminded him that as a potential suspect in a criminal case he was not required to give a statement to LEO, Miranda.

The undersheriff then also brought up the witness deputies again who did not provide a statement on the night of the incident and said that they would receive a written reprimand or corrective counseling.

That's when I -- well, I'm sorry. I can't say that that's when I pitched it; but sometime shortly thereafter is when I suggested that, you know, he allow me to conduct an inquiry, and I would look into it. On November 14th is when I began my inquiry. The undersheriff continued to mention some kind of

discipline.

This next thing that I'm going to tell you is a -- which is related to the Litzkow investigation, is not something that I heard -- that I saw first-hand, so this is -- you'd have to ask the person who told me. It's third-party information.

Becky Butscher, who is Carlton Litzkow's mother -- so she's a captain at the sheriff's office, but she's his mother. She told me that Colonel Scott, Chad Scott, had told her that the sheriff was not going to release Carlton back to full duty until he provided a statement to the FDLE, but again, you'd have to verify all that with them.

INSPECTOR RIDDICK: And that's even after FDLE has closed their --

THE WITNESS: The FDLE had closed their case for weeks at this point.

BY INSPECTOR SNOWDEN:

Q. Is there any detriment to Deputy Litzkow being assigned to training as opposed to being on patrol?

A. Staffing. I mean, just --

Q. Can he work details?

A. I don't think he was able to work extra duty details during that time. I'm not 100 percent on

that, though. You'd have to verify that.

Q. He could still take his car back and forth?

A. Yes, sir.

Q. Still has all of his equipment?

A. Yes, sir. As far as I know, yes, sir.

On December 1st I met with the undersheriff and the sheriff. It was an accidental meeting. I just happened to sort of run into them in their suite. I went into the suite on purpose; but they happened to both be together at the same time, so we talked about the Carlton investigation again.

At that time the sheriff -- the sheriff seemed surprised to learn that Carlton was never asked to speak with OPS. I had told that to the undersheriff many, many times, but I explained to the sheriff that we, OPS, had no need to talk to him. We had everything we needed. We didn't need to interview him. There were no violations that we even alleged, so no reason to interview him; and that seemed to kind of resolve his concern. He just said that he wanted to make sure our folks were cooperating with the internal process, and I said, "Absolutely. Nobody has not cooperated with us at all."

So that was December 1st. On December 5th the sheriff assigned Carlton to investigations.

Q. When they delivered the packet, and the undersheriff made the comment that discipline needed to be administered for the individuals who didn't cooperate the night and provide the statement at that time, was FDLE still there when that was said?

A. I don't recall when he said the discipline part if they had left the room or not. They left, obviously, and we did have a conversation after they left.

He did mention to them -- he did bring up the fact that witnesses did not talk to them that night, and he basically was telling FDLE -- kind of apologizing to them, "I'm sorry that happened. We're going to make sure that doesn't happen again."

He said something along those lines; but specifically about the distance, I don't know if he said that after they had gone or not.

BY INSPECTOR RIDDICK:

Q. Who's the lead for FDLE here?

A. I knew it at the time. I spoke to several people. I can't recall.

INSPECTOR RIDDICK: Thank you.

MR. KRAMER: Anything else, gentlemen?

BY INSPECTOR RIDDICK:

Q. I know your tenure in OPS was short. Did you

ever deal with anything that should have gone up to CJSTC as far as moral turpitude or anything like that?

A. No.

BY INSPECTOR SNOWDEN:

Q. Were you aware of the members that should have been -- that Captain Kutner took to the sheriff or undersheriff regarding individuals that should have been sent?

A. I'm aware from Brandon Kutner. He told me that story.

Q. Okay. Do you know how many were sent?

A. I don't.

BY INSPECTOR RIDDICK:

Q. But during your tenure there you've never ran across where you wanted to send something to CJSTC --

A. Correct.

Q. And it was denied?

A. No, sir.

MR. KRAMER: That's it.

(The statement concluded at 11:18 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that JONATHAN SCHABRUCH, who produced a ASO ID Card as identification, personally appeared before me on April 19, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this May 24, 2023.

Cynthia Leverett

Cynthia F. Leverett
Notary Public
State of Florida at Large
Commission No. HH036051
Expiration Date: 09-27-2024

REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, FPR, Certified Stenographic Reporter, do hereby certify there came before me the witness herein, named JONATHAN SCHABRUCH, for the purpose of the giving the foregoing statement under oath.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this May 24, 2023.

Cynthia Leverett

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

JOHN RICHMOND

DATE TAKEN: April 19, 2023

TIME: 11:29 a.m. - 12:02 p.m.

PLACE: Via Videoconference

Examination of the witness
taken via videoconference before:

Cynthia F. Leverett, FPR
Certified Stenographic Reporter
Notary Public, State of Florida
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- - -

WHEREUPON,

JOHN RICHMOND

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. John, we're here on a state attorney's office investigation, and it really revolves around some things that occurred at the sheriff's office. And we have -- I want to just start by asking you just some brief background questions just for the record.

Are you still a law enforcement officer, sworn law enforcement officer, in the state of Florida?

A. No, I'm only certified still.

(Unintelligible.)

THE REPORTER: I can't hear him.

MR. KRAMER: Let me see if I can turn it up a little bit.

BY MR. KRAMER:

Q. So, John, let me ask you again. Are you sworn, or are you only certified at this point?

A. I'm only certified. I'm not sworn. I'm not employed with any law enforcement agency currently.

Q. How long were you in law enforcement before you retired?

A. Twenty-four and a half years.

Q. And were you at any agency other than the Alachua County Sheriff's Office?

A. Yes. Baker County Sheriff's Office for the first two years of my career.

Q. And could you explain what positions you've held at the Alachua County Sheriff's Office?

A. Yes. Deputy sheriff, patrol; deputy sheriff, school resource deputy; law enforcement sergeant, patrol; law enforcement sergeant, court security bureau; law enforcement sergeant, warrants bureau; active lieutenant, warrants bureau; lieutenant, warrants bureau; lieutenant, Gainesville-Alachua County Drug Task Force; captain, patrol; captain, special operations division; and chief inspector for the office of professional standards. I think that's it.

Q. And were you the chief inspector of the office of professional standards prior to, I guess, Brandon Kutner taking over?

A. Yes, sir, I was.

Q. And did that happen because you left the agency?

A. I'm sorry?

Q. Was that -- did you leave that position because you were leaving the agency?

A. No.

Q. Where did you --

A. I got transferred out.

Q. Where did you get transferred to after that?

A. Back to patrol for one pay period and then to special operations bureau, which currently was called patrol support division. I'm sorry. Not bureau, division, and then we changed the name to special operations division.

I gave it to you out of order. My final job was special projects, which wasn't a real job. It was just a broom closet until I retired.

Q. Okay. Can you explain the circumstances under which you left the sheriff's office?

A. I put in my retirement. I was -- my wife works in central Florida. Once I reached the age of 55, I was eligible for retirement; so I put it in and retired.

Q. And you said you had 20 years law enforcement service?

A. At the sheriff's office, I have 22 and a half years.

Q. And was there -- other than your personal concerns that have nothing to do with the sheriff's office, was there any reason that related to the sheriff's office that you chose to leave?

A. I would say that the current condition of the sheriff's office made it much easier for me to make the decision to retire. It was -- it was basically -- pardon my French, but it was a shit show. The command staff was completely shut out with the new sheriff; and a lot of decisions were being made in a vacuum, and it really affected a lot of people.

You know, as a captain in the sheriff's office, you think you have some -- you know, some abilities to be, you know, an agent for change and make the place better, but I was basically -- even though I was a captain, I was not part of the command staff because we weren't given any command control of the agency at all.

So it was -- it was not -- you know, it was no longer a productive working environment, so it made it much easier for me to decide to retire, if that makes any sense.

MR. KRAMER: It certainly does.

INSPECTOR SNOWDEN: Can I interject?

BY INSPECTOR SNOWDEN:

Q. You said that decisions were made in a vacuum. Can you elaborate on that?

A. Sure. Any decision that happened basically after Sheriff Watson was elected were made only between he and Joel DeCoursey. No one ever, to my knowledge, contacted the command staff and said, you know, like you would normally do, hey, this is what we're thinking. You know, let me know what kind of problems it could start. Or is this a good idea, or how can we do this? This is what I want to do as sheriff. How do we best go about doing it? That never happened.

There were only one or two command staff meetings, and the sheriff never attended either of them; and it was just basically Joel DeCoursey blabbering on about what a good man Clovis Watson is, but nothing ever got accomplished. We were never able to have any input in what happened.

So a lot of personnel changes. They didn't -- you know, some didn't make any sense, or I couldn't understand why some were happening in the first place, to include myself. I was a fairly new captain in patrol, and I got moved out to the office of professional standards, which was kind of odd.

And for another example, office of professional standards. You, as FDLE agents, should know what the mission is with the office of professional standards. It's hard to complete the mission when you change out the chief inspector and two of the inspectors all at the same time, so all your -- or three inspectors all at the same time -- there's only four in there besides the chief inspector -- leaving only one inspector who was there prior, and he had only been there six months. So now you have an entire office of professional standards that don't know what they don't know, and so we're scrambling to learn the job and, you know, make sure we're not violating 112 in the process. So it just -- it doesn't make sense to any competent person.

BY MR. KRAMER:

Q. Were you provided any training, sent to schooling to assist you in that mission?

A. I was not. I took it upon myself, me and the new inspectors, and I found a class; and I sent -- you know, with the only ability for staffing, I sent two of my inspectors to that class. And basically, it was a, you know, internal affairs course. I didn't go myself. I was going to go in the next round, but I

wanted to provide that training to my people that were going to be doing the work more than myself.

So I believe I sent Kyle Salman and Brett Rhodenizer, and they went to the class first. Shirley Prince had previously been in the office of professional standards; so she had a bit of a working knowledge, but she hadn't been there long the first time.

I was only there four months; and then I transferred out, so I never had opportunity to get any training.

Q. Let me ask you this. At any time under Sheriff Watson's administration while you were there, were you told by any person at the sheriff's office to find any reason to demote or fire any person?

A. No, I was not, not in those specific words. I was asked to look into some things, the first one being Ray Swallows. He was a captain at the time. And there was an attempted escape at the jail, and it got reported as an escape because that's the charge, Brian. So even if you don't actually escape from the jail, if you try to abscond in any way, you're charged with escape.

Well, the sheriff and undersheriff didn't like that. They didn't like the wording of it. They

overheard -- someone left a note that they overheard Swallow saying, "I'm charging this guy with escape. I'm going to make an example out of this guy," which isn't uncommon for law enforcement to say.

So he was charged, and so they asked me -- number one, they didn't -- they were pissed at Ray for calling it an escape; and they were also pissed off that they didn't know about it, which -- and then I got chastised for not letting them know, and it's not my job to do that. You know, I'm not in that chain of the jail.

So they said -- basically, DeCoursey -- understand, as chief inspector, I'm supposed to report to the sheriff. I never reported to the sheriff. They changed the rule and said I was to report to the undersheriff, which I don't think is proper. So I never met with the sheriff when I was chief inspector, not once.

But the undersheriff told DeCoursey, he said -- they said, you know, "We heard that he said, 'We're going to make an example out of this guy,' so I need you to look into that."

I'm like, "Look into what?"

And they're like, "We don't like that. We just want to make sure everything is on the up and up,

so just check the circumstances of the escape and the charges and make sure everything is on the up and up," hoping -- you know, in my mind, hoping that they could find a reason to probably discipline Swallows because he had just been demoted. He was the newly promoted captain right before Sadie Darnell left; and they promptly demoted him back to lieutenant, so, you know, they -- there was animosity, I believe, between the two.

So I put Rhodenizer on it, and we looked at it. It was a clear attempt to escape. The charge was appropriate, and that was the end of it. So I was -- because I'm dealing with facts, and that's all I was -- one thing I knew at OPS, I was going to just deal with the facts; I didn't care what anyone's opinion was, and that's probably why I got moved out in four months.

MR. KRAMER: Understood. Let me ask you this unless, gentlemen, you want to follow up anything on that?

INSPECTOR SNOWDEN: Did you send your findings up to the suite?

THE WITNESS: Yes. Brent Rhodenizer did an AI, I believe, and he sent it to me; and I sent it up to the suite, and I never heard back.

MR. KRAMER: I just need a second because this thing is telling me it's going to end this session.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. During the time that you were there, were you ever asked by any person to either monitor or record a conversation without that individual's knowledge?

A. No.

Q. Were you ever directed by anyone to do anything that you felt was immoral, or unethical, or illegal?

A. I would interpret unethical -- okay. let's back it up.

Q. Okay.

A. It was suggested to me to do something unethical, yet I refused. It was during an investigation on Camiel Rowe. I don't know if that name has come up in your investigation at all.

Q. The agents are nodding "yes."

A. Okay. So during the Camiel Rowe investigation, Joel DeCoursey and the director of the jail through -- well, the director of the jail and the current captain and lieutenant, which was Latrell Simmons and Ray Swallows, dumped this investigation in

my lap. And the actual investigation on Camiel Rowe had already been completed. This was the investigation regarding her complaint that she felt that she was targeted or bullied or racially profiled or whatever.

So they dumped this on me, and so I started looking into it. And she had a complaint on one of the sergeants. Now, understand, the Camiel Rowe investigation now was complete, but it had not made it through the chain of command for discipline recommendations.

You got me so far?

Q. Yes.

A. Okay. So now that I'm in OPS, I'm currently in the discipline recommendation chain on that investigation that was completed prior to my arrival.

One of the lieutenants involved in that investigation was one of the new lieutenants who became one of the inspectors in OPS from shift work in the jail, and that's Lieutenant Beck. So he and a sergeant, whose name escapes me now, they did the investigation on her for leaving her post; it was clear. And because she then launched a counterclaim on her sergeant, Joel DeCoursey come to me. We met twice on this, I believe. And he said, "I think the

interview is tainted because she complained on a sergeant. So, you know, I really don't think it was a proper interview, and I think this case is no good because of it."

And so I disagreed with him. I said, "Well, you know, that's your opinion, but I have no facts to prove that this interview is tainted," and I tried to explain why.

He and the director of the jail both tried to convince me that this investigation was tainted, the interview was, because she had lodged a counter complaint on her sergeant, basically, who was the complainant in the case prior to her interview.

So I developed a timeline on what happened, and it was apparent that Lieutenant Beck knew about the complaint on the sergeant, but he did not notify him or let him know until after the interview was completed. So during the interview the sergeant had no knowledge of the counter complaint against him, which by the way had already been looked into and was discarded by Scott Anderson previously when he was in OPS.

So they continued to try and convince me that this investigation was tainted, and it was ridiculous. And I don't know what the big deal was, why they were

trying to make this investigation go away, but it was clear they were doing it.

Now, this is hearsay, but I was told by Latrell Simmons that Director Woody ordered him to write an IOC stating how he felt that this investigation was tainted and it should be dropped.

I then raised my voice to Latrell Simmons. You know, he had been my major at one time when I was a newly promoted captain, but we were both captains at this time because he had been demoted after the new sheriff came in. I told Latrell, I said, "Don't you compromise your integrity."

And he said, "I won't." And then he subsequently refused to write an IOC, and he made a recommendation of a proper discipline that would fit the discipline matrix for the charges that Camiel Rowe had.

You follow?

Q. I'm with you.

A. Okay. So I then made a subsequent appropriate recommendation for discipline based on her charges, which were sustained, and then I sent it to the suite. Joel DeCoursey then recommended a written reprimand.

Now, the minimum discipline based upon the

sustained charges were, I believe, 15 days to termination. So I believe I had put 15 days on the investigation. Hopefully, you have a copy. Joel DeCoursey put "written reprimand," and the sheriff inappropriately said, "I concur with the undersheriff."

Now, as the sheriff, you need to not only say whether you feel the charge is sustained, but what charge is sustained, and then what is your discipline recommendation and recommendation for probation. He did none of that.

When this got back to me, I politely rejected it and sent it back to the undersheriff, and I said, "This is improper. If the sheriff wants to say it's unsustained or if he wants to sustain a lesser charge to where a written reprimand would be within the matrix, then that's what he needs to do; but as it stands, I can't accept this."

So to my knowledge, that's exactly what they did. And she received a written reprimand for something that someone else would have been terminated for; but before that stuff made it through the chain completely I was transferred out of OPS, and then Brandon Kutner caught that bag of crap.

Q. Understood. I think I asked you this, but

were you ever asked to delete or alter any record that was within the disciplinary system for the sheriff's office?

A. I don't know if it's delete, but I received a call from Jake Rush regarding Saxton Dallas' civil case against the sheriff's office. He had won his case, and I was advised that the judge had ruled in favor of the Saxton Dallas and said that his discipline record was to be expunged or something to that effect. Understand I never received anything in writing; that's one of the issues, but I never received anything in writing from Jake Rush. He said he would send it to me; he never did.

I said, "Look, I'm not getting rid of any disciplinary files. I will put an amendment. I'll put that letter in his file, but I'm not going to delete" -- I mean, "I'm not going to expunge any records or remove any records of that case."

And he goes, "That's fine. That's fine," and he never sent me anything.

Come to find out, the paper versions of his files were gone anyway because he had left the agency, and so his disciplinary file was already sent to storage, off-site storage; but once again, I never received that paperwork for Saxton Dallas.

Now, that doesn't -- I don't think that really fits in your question, you know, but --

Q. Understood.

A. -- I was not asked to alter or delete any other types of disciplinary files.

Q. Were you ever ordered not to conduct an investigation upon any individual other than what you've already sort of alluded to with regard to the investigations you've discussed?

A. Ordered, no. There were -- there were some -- there was -- there was one. I was told by George Corwine not to pursue discipline on Cleveland Cox, who, I think, is a sergeant now, but he was a deputy sheriff at the time. He had some driving issues, and I was told by George Corwine that he had several driving cases. Well, he was disciplined for one. There was another one, which the 180 days had expired due to a supervisor's failure, and so he basically skated on that one. And then I said -- I sent him an IOC stating this case has been suspended, and -- but this does not absolve you of any subsequent disciplinary action that you may be involved in.

Then another case came down the pique, and I was told by George Corwine, "We can't do anything with that because I already gave" -- "I already spoke to

him."

And I said basically, you know, "You gave him a talking to," or whatever.

And he goes, "Anything after this" -- "basically, you have a clean slate; but anything after this, you're going to be disciplined for."

Well, the one I'm referring to happened just before that conversation. So George Corwine told me, "We can't do anything with that," so nothing happened with that driving discipline case.

Q. All right. Is that the only -- is that the only other one?

A. Yeah, that I can recall.

Q. Okay. And again, I've asked the question about anything immoral, unethical, or illegal, and there was nothing else you needed to share with regard to that?

A. The general feeling was that -- I don't know what my purpose was at OPS other than to shut up and stay out of sight, basically.

Obviously, I didn't give them the answers that they wanted to hear because I only lasted four months, then I was sent back to patrol. So I believe the whole Camiel Rowe was unethical; but other than that, there wasn't a whole lot of investigations

coming down the pique while I was there because I was only there four months.

MR. KRAMER: Understood.

Anything else?

BY INSPECTOR SNOWDEN:

Q. Do you know why they chose Brandon Kutner to go into OPS after you?

A. Well, I have my opinion. My opinion was that he was about to be voted in as the next PBA president, and he was probably going to try to burn the place down after he became the PBA president. So I think they kept their enemies closer and promoted him to captain; because once you're a captain, you're not bargaining. And being OPS, you can't -- you know, you can no longer serve as PBA. You cannot serve as the PBA president and be a direct report to the sheriff.

I don't know the ins and outs of it, but that basically ended his candidacy. You know, he always wanted to be a captain; I know that. And good for him, you know, for whatever reason. Obviously, he has merits enough to be a captain on his own, but I -- you know, my opinion is that it had a lot to do with him running for PBA president.

Q. Who was your predecessor in OPS?

A. Mine? Good question. I think it was T.K.,

Todd Kelly, who's also retired, well, resigned.

Q. Do you know if any of the appointments or promotions were done because of favors or political promises?

A. I would say that George Corwine rehiring to major was absolutely regarding -- during the campaign George Corwine and Bobby Stafford were members of the PBA; and the PBA was backing Clovis Watson, and they spent a lot of time holding signs and putting signs out. They -- you know, they both ended up as majors at different times, and they're both no longer employed.

So, you know, absolute knowledge, no, but Jake Rush was hired as the counsel, chief counsel; and his best friend is Lance Yaeger, and Lance Yaeger is now a major. Having been promoted from deputy to captain, having never, to my knowledge, taken any promotional exams whatsoever, and now he's a major. So I believe -- so I believe that has happened, you know, but I don't have any first-hand knowledge of it.

MR. KRAMER: Understood. All right. John, thank you very much for your time. And if we need to get back in touch with you, we certainly will.

INSPECTOR RIDDICK: I'm sorry. One more.

MR. KRAMER: Wait. We just had a new question.

BY INSPECTOR RIDDICK:

Q. During your tenure there, sir, in OPS, did you ever deal with any case that -- like moral turpitude or criminal violation that per statute is supposed to go to CJSTC and were told either not to send it or were directed on how to deal with it?

A. No. So that would be the Camiel Rowe case. So when that time came, I was not there any longer; so Brandon Kutner had to deal with that, and he was required to send it to CJSCT. And I don't know if he was told not to, but he said, "I'm statutorily required. It's happening."

So Brandon would be better able to tell you better than that. It would have been that case, but I was already transferred out.

INSPECTOR RIDDICK: Thank you, sir.

BY INSPECTOR SNOWDEN:

Q. Last question. Did you have any knowledge of John Hoover and his prior leaving at the sheriff's office or for the reason that he left?

A. Hoover. Was he a lieutenant? Because I believe when I was in OPS he was still a lieutenant, and that Hoover business happened after I was already

back in special operations division. So no, I don't have any first-hand knowledge of Hoover.

Q. I think he was employed as a sergeant under a prior administration and either resigned in lieu of termination or was terminated.

A. Oh, he was just -- he was brought back?

Q. Yes.

A. No more than rumor. I don't have any first-hand knowledge about Hoover.

INSPECTOR SNOWDEN: Okay. Thank you.

MR. KRAMER: All right. John, thanks so much. Have a good day.

(The statement concluded at 12:02 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that JOHN RICHMOND appeared before me via videoconference on April 19, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this May 24, 2023.

Cynthia Leverett

Cynthia F. Leverett
Notary Public
State of Florida at Large
Commission No. HH036051
Expiration Date: 09-27-2024

REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, FPR, Certified Stenographic Reporter, do hereby certify there came before me via videoconference the witness herein, named JOHN RICHMOND, for the purpose of the giving the foregoing statement under oath.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this May 24, 2023.

Cynthia Leverett
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

JOEL S. COPPOCK

DATE TAKEN: April 19, 2023

TIME: 1:30 p.m. - 1:46 p.m.

PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

Cynthia F. Leverett, FPR
Certified Stenographic Reporter
Notary Public, State of Florida
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Tallahassee, Florida 32308

- - -

WHEREUPON,

JOEL S. COPPOCK, JR.,

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. Deputy Coppock, could you state your full name, please?

A. Joel S. Coppock, Jr.

Q. How are you employed?

A. Alachua County Sheriff's Office.

Q. How long have you been employed with the sheriff's office?

A. Since January 23rd.

Q. Of this year, 2023?

A. Yes.

Q. Were you previously employed in law enforcement?

A. Yes.

Q. In what capacity?

A. As a police officer with Alachua Police Department, and at the sheriff's office since 1989.

Q. And so let me just break that down a little bit. You've been employed at the Alachua County

Sheriff's Office prior to this employment?

A. Correct. Yes.

Q. Could you describe that for me, that time frame?

A. April 1st, 1989, until April 1st, 2017.

Q. So you retired --

A. Yes.

Q. -- from the sheriff's office?

A. Yes.

Q. And then -- and what were the dates of your employment, if you recall, for the Alachua Police Department?

A. May 3rd of 2021 until January 22nd, 2003.

Q. Okay. And what I'd like to ask you about is your application to the sheriff's office. How did it come to pass that you applied to work at the sheriff's office?

A. Through the normal chain.

Q. Did you submit a job application to the --

A. Yes.

Q. -- sheriff's office?

A. Yes.

Q. And did you submit that through the normal --

A. Yes.

Q. When did you submit the application to start

work at the sheriff's office?

A. December, January, in that area.

Q. December of 2022 or January of 2023?

A. Right. It's online. All of it's online now.

Q. And so, if I understand correctly, the earliest date would have been December 1st of 2022; the latest date would have been sometime in early January 2023.

A. Before that, because the application went through, yeah, before that.

Q. Okay. And so how did you become -- how do you become aware that the sheriff's office is considering hiring you?

A. Through, I want to say, HR, human resources.

I'm sorry. Who are these two gentleman?

MR. KRAMER: That's my bad. I got right into it. I always have them introduce themselves.

Go ahead.

INSPECTOR SNOWDEN: I'm Dave Snowden, inspector with FDLE.

INSPECTOR RIDDICK: Keith Riddick, Florida Department of Law Enforcement.

BY MR. KRAMER:

Q. So you're emailed, phone called, letter?

A. Emailed.

Q. And that email comes to you in January of 2023?

A. I'm not sure. I just know I was given a start date, and I don't know if it was -- I want to say it was an email, but I'm not sure, yeah.

Q. So who were you instructed to report to at the sheriff's office for your onboarding?

A. That's a good one. I can't remember.

Q. Okay. And so --

A. I think it was traffic division, but I didn't go straight to traffic division. I went to training, I guess. Not "training" training out there, but Sergeant Kinsey.

Q. So you go to Sergeant Kinsey for the purpose of acquiring a uniform, a vehicle, equipment?

A. I went to -- I was told to report to try on my uniforms, and then I had the other process of, you know -- man, I guess -- I went to a physical, took a physical. Then I was instructed to go get my uniforms, try on my uniforms. And then after the physical, I -- the 23rd I resigned at APD, and then the 23rd I started ASO. So from there I went to, I guess, Sergeant Kinsey's office.

Q. And between the time you filed the online application and the time that you showed up at the

sheriff's office to try on uniforms, which is, I'm assuming, now the first thing you did --

A. Right.

Q. -- was there an interview process?

A. No.

Q. Were you given any testing other than the physical that you've described?

A. A written test?

Q. Like any form of written test.

A. No, sir.

Q. Was there any form of a polygraph?

A. Yes.

Q. When did that occur?

A. That occurred after the 23rd, so I want to say a week ago, two weeks ago.

Q. So today is April the 19th.

A. Right.

Q. So it was sometime around --

A. April 8th.

Q. That sounds like a very specific day.

A. Well, I'm thinking I was working that day, so yeah.

Q. So were there any other employment actions such as interviews, polygraphs, physicals, fitting for equipment? Anything else that -- because I don't know

how someone is onboarded at the sheriff's office. Anything else that occurred between the time you submitted your application and the time you started working that I have not asked you about?

A. Yes, I took the agility course, passed the agility course. I qualified that day too.

Q. Firearms qualifications?

A. Right. And then after the polygraph I took the -- I can't think of the name of it, the mental health. I can't remember --

Q. Mental health evaluation?

A. Yeah, but it's not called that. I can't remember the name of it, but it was with Dr. Seitz.

INSPECTOR SNOWDEN: Psychological?

THE WITNESS: Yeah, that's it.

BY MR. KRAMER:

Q. Anything that I've missed that you can think of that I don't know about this onboarding process?

A. One day after I was hired I had to do paperwork, so that was, I guess, the 23rd or 24th.

Q. Okay. Now, were you required to participate in a field-training program?

A. Yes. Yes.

Q. And are you still in the field-training program?

A. No, I was in the excel part because I had prior history working here.

Q. So describe for me how long that field-training program lasted.

A. It was 35 DORs.

Q. What's a DOR?

INSPECTOR SNOWDEN: Daily observation report?

THE WITNESS: There you go, yeah.

BY MR. KRAMER:

Q. Who was your field-training officer?

A. I had three or four. It was Deputy McCarthy, Deputy Evans. I can't think of the other guy's name.

Q. Okay.

A. Harris. Deputy Harris.

Q. Okay. So was your field-training period successful?

A. Yes.

Q. You passed without any concerns or problems?

A. Yes. Right.

Q. So how long were you -- well, let me rephrase this question. You indicated that you initially were assigned to patrol?

A. Traffic, yes.

Q. So you went into a traffic unit when you originally started with the sheriff's office?

A. Yes. January 1st, yes, that's what my assignment was. Well, I was assigned the sheriff's office, then I guess I was assigned to the traffic division somewhere in there, yes.

Q. Is that where you remain today?

A. Yes. Right.

Q. And I guess the other question is this. Other than the job opportunity at the sheriff's office, to work there, was there any other reason why you left the Alachua Police Department?

A. No.

Q. At the time you left the Alachua Police Department was there a pending internal affairs investigation?

A. Not on me, no.

Q. Was there any that had been recently completed?

A. Recently as -- what are you talking about?

Q. Let's say within 60 days prior to your departure from the department.

A. Not on me. I don't recall any.

MR. KRAMER: Did you guys want to follow up on any of those?

BY INSPECTOR SNOWDEN:

Q. You were with -- is it Alachua city?

A. Alachua city, yes, sir.
Q. Okay. And that was from May of 2021?
A. Yes. I started October 2020, but I was in reserves. And then I finished that program. And then, I guess, a couple people quit, and they asked me to come on, yeah.
Q. So you were --
A. May 3rd.
Q. -- full-time there May of 2021, May 3rd of 2021 --
A. Right.
Q. -- until January of this year?
A. Yes, sir.
Q. Okay. So little over year and a half?
A. Yes. Yes.
Q. And you said that there wasn't an internal investigation on you. Was there an internal investigation on somebody?
A. You -- you --
Q. I mean, I'm just trying to understand.
A. Yeah. I don't know if it was internal. I don't know if it was internal or nothing, but, you know, you hear rumors, stuff of that nature.
Q. Did anybody ever come to you and say --
A. I was internal?

Q. Uh-huh.
A. No, sir.
Q. Okay. So nobody came to you and said that there's an OPS investigation or an IA investigation on you?
A. No, sir.
BY MR. KRAMER:
Q. They're required to give you some form of notice of that, correct?
A. Yes.
Q. They would have to specifically tell you, correct?
A. Well, sometimes we get complaints, and we have internal affairs out there, Sergeant Z. He used to worked for GPD. He'll call you in and say, "Oh, this not official. You got a complaint about this, but no serious internals or nothing like that."
Q. If they're doing an internal they would give you an actual notice of it?
A. Yes, sir, I would say. Yes, sir.
INSPECTOR SNOWDEN: Did Sergeant Z call you in and say there was something that wasn't official, you got a complaint or something?
THE WITNESS: Yeah, it was about -- I don't know. He said 60 days, though, right.

BY MR. KRAMER:

Q. Well, I'm just making that up because I have no idea what's going on over at the Alachua Police Department. If there was something going on as you were leaving, that's what we're interested in.

Nothing internal, no. It was some concerns someone alleged that I was trying to talk to someone else, and they told me to stay away from that certain person.

Q. When you say "talk to," do you mean have a relationship?

A. No, no. It was a waitress. And she said that I said this, and there was some witnesses that said I didn't say that. So they said the best thing to do was stay away from that person, but that was well over 60 days. That's what I was trying to figure out.

Q. That's the only thing you can remember that would have been at issue within that time frame or within months of you leaving?

A. That's the only thing. I had a pretty good time there.

BY INSPECTOR RIDDICK:

Q. So nothing that would have been reported to CJSTC or gone up to standards?

A. No, sir.
Q. Nothing big?
A. Nothing big.
BY INSPECTOR SNOWDEN:
Q. Were you hired as an individual, or did you go through a -- was there like half a dozen deputies that got hired with you?
A. No, sir, just me.
Q. Did they swear you in with a class, or how did that work?
A. No. No, they didn't swear me in with a class.
Q. Did they swear you in individually?
A. No, sir.
BY MR. KRAMER:
Q. Who swore you in to become a deputy sheriff? Did the sheriff do that?
A. Not yet.
Q. So you're not -- you haven't taken the oath of a deputy?
A. Yeah, I signed the paper that say, yeah, I take the oath of deputy sheriff.
Q. But no one has made you hold your hand up?
A. No, sir.
Q. But there is someone you've --

A. Where I signed the paper, yes.
Q. You've signed a written note?
A. Right, right, right.
Q. And you did that on the day you did paperwork, I assume?
A. Yes, sir. I remember that.
BY INSPECTOR SNOWDEN:
Q. Where I came from, the traffic division was for the motorcycles. Is that similar to what you do now?
A. No, it's mostly traffic citations, crashes of that nature.
Q. So you just work traffic offenses?
A. Yes, sir.
Q. And crashes?
A. Right. And we work when they're shorthanded, we work on the road too.
Q. So you're tasked with answering calls on occasion?
A. Yes, sir.
Q. Was that part of the reason that you came over, that you were told you'd be able to go to the traffic unit?
A. Yes, sir. Yes, sir.
Q. Do individuals normally get hired and not

have to go to, you know, patrol right away?

A. Yes, sir. Yes, sir.

Q. How often does that happen?

A. Well, I know some people left and came back, and they went to certain divisions. I don't know if it happened before, you know, before I was with this sheriff, but this happened before with other sheriffs.

Q. And you said that you originally started with the sheriff's office in '89 to 2017?

A. Yes, sir.

Q. That's 18 years?

A. It was about 20, because I did 16 months in Columbia County Sheriff's Office.

Q. Okay.

A. So total is 30 years.

Q. And you wanted to come back, huh?

A. Well, when I went to APD it still felt good to do it, you know.

Q. You wanted to come back to Alachua, is what I'm getting at.

A. Sheriff's office?

Q. Uh-huh.

A. Yes, sir. Yes, sir.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. All right. My last question for you is, has any person asked you, directed you, or ordered you to report the contents of this interview to them or to anyone?

A. No, sir.

MR. KRAMER: Very good.

(The statement concluded at 1:46 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that JOEL S. COPPOCK, JR., who produced an ASO ID as identification, personally appeared before me on April 19, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this May 25, 2023.

Cynthia Leverett

Cynthia F. Leverett
Notary Public
State of Florida at Large
Commission No. HH036051
Expiration Date: 09-27-2024

REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, FPR, Certified Stenographic Reporter, do hereby certify there came before me the witness herein, named JOEL S. COPPOCK, for the purpose of the giving the foregoing statement under oath.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this May 24, 2023.

Cynthia Leverett

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

LANDON BROOKS

DATE TAKEN: April 9, 2023

TIME: 1:55 p.m. - 2:01 p.m.

PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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Certified Stenographic Reporter
Notary Public, State of Florida
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- - -

WHEREUPON,

LANDON BROOKS

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE DEPONENT: I do.

EXAMINATION

BY MR. KRAMER:

Q. Could you state your full name, please?

A. Yes, Landon Brooks.

Q. Deputy Brooks, I'd like to start by asking you about your educational experience.

A. Sure.

Q. Can you tell me what your education is?

A. Yes, sir. I have a bachelors in criminal justice from Florida Gulf Coast University. I also have my fire certification and my EMT certification.

Q. All right. Very good. Could you describe for me your law enforcement experience, if any?

A. I don't really have any. I just got out of the academy. I graduated on April 4th. I just got out of the academy.

Q. I want to talk to you about your onboarding experience with the Alachua County Sheriff's Office. Is that who currently employs you?

A. Yes, sir.

Q. I know there's a circumstance in which you can be sponsored -- I may be using the wrong terms, and please correct me if I am -- by an agency to go to school with the expectation that you're going to become part of that agency. Is that your situation?

A. No, sir, I was not. They picked me up at the very end of the academy.

So I started the application process in October-ish. They said that all the spots were full at the time. So my hope was to get maybe picked up halfway through the academy and sponsored, but things just didn't play out that way. So they picked me up at the very end.

Q. Explain to me what that process is like.

A. Yeah. Sure. You have to do a physical agility test first. I did that in -- I was supposed to do it in November. I got sick with COVID, so it got pushed back to December. I did that.

I had to do an oral board interview, which I believe is also -- it was either in December or January. I had to do a polygraph. They did a background investigation on me. I did a psych exam and a medical exam.

Q. And all of that occurs before an offer of employment?

A. Yes. Yes, sir, that's correct.
Q. Okay. So you completed each of those things, and then I'm assuming that you are now employed by the sheriff's office satisfactorily.
A. Yes, sir, to my knowledge.
Q. And they made an offer of employment to you?
A. Yes, sir, that's correct.
Q. And what is the next step after the offer of employment? I assume you accept, and what is the next step to onboard?
A. Accept and then go to HR, fill out a bunch of paperwork, stuff like that.
Q. During the process of filling out that paperwork, were you administered an oath?
A. I don't recall. I don't -- I don't recall.
Q. Did anyone at any time between today and the day you were born ask you to raise your right hand and swear to become a deputy sheriff?
A. I don't think so.
Q. Okay. Is it at least possible that something in that paperwork may have been an oath of office?
A. Yes, sir, that's correct.
Q. But you don't have a present recollection of whether or not that's an accurate statement or not. Is that fair?

A. Yes, sir.

Q. So describe for me what has happened since you completed the paperwork.

A. Since I completed the paperwork, I took my state exam, passed that. And then we started our mini academy on the 10th, which consists of like eight weeks of additional training before we go into our field training program.

Q. And is that where you sit today?

A. Yes, sir.

Q. In what's called the mini academy?

A. Yes, sir.

Q. So as you sit here today you haven't engaged in any of the activities of a deputy sheriff with the public. Is that fair?

A. That's correct.

Q. Okay. I understand. All right. Prior to coming here today, were you asked by any member of the sheriff's office to report back to them the content of your interview that is occurring here today?

A. No, sir, I was not.

Q. Has anybody -- let me clarify this. Not disclosing to me the content of any conversation you may have had with any lawyer, has any person asked you to discuss the contents of this meeting with them?

A. No, sir.

MR. KRAMER: Let me just ask if these gentlemen have any other questions.

BY INSPECTOR SNOWDEN:

Q. So you get hired. And the mini academy, I'm going to assume that's a classroom phase of the FTO program.

A. Yes, sir, that's correct.

Q. How many individuals were hired with you?

A. So, like I said, I was a unique circumstance. There was ones that were hired before the academy started that went through the whole academy. I'm currently in that same class with them right now.

Q. How many are in there?

A. There's eight of us.

Q. So individuals that were sponsored to go through the academy or got picked up in the academy, as well as yourself, start the mini academy, which is the classroom phase of the FTO program?

A. Yes, sir.

Q. And you'll do that for eight weeks?

A. Yes, sir, that's correct.

Q. And then you'll do on-the-road training with FTO?

A. Yes, sir, that's correct.

Q. And that starts May? June?
A. I believe June, yes, sir.
BY INSPECTOR RIDDICK:
Q. First off, congratulations.
A. Thank you.
Q. And welcome to the family, dysfunctional that we are.
Did you get a copy of your employment packet when you were hired?
A. I don't recall. I might have. I don't recall. I think I have the paperwork at home.
Q. If you do, and if we decide that we might want it, we'll go through --
MR. KRAMER: We will go through your lawyer, and that would either by a subpoena or by request.
MS. WEBSTER: I think the request will be fine. We'll talk about it, I'm sure.
INSPECTOR RIDDICK: If you do have it, don't do anything with it. Remember that old statute about tampering with evidence.
THE WITNESS: Yes, sir.
(The statement concluded at 2:01 p.m.)

CERTIFICATE OF OATH

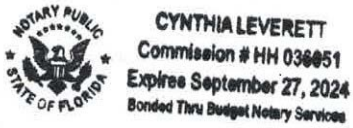
STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that LANDON BROOKS, who produced a Florida Driver's License as identification, personally appeared before me on April 9, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this May 24, 2023.

Cynthia Leverett

Cynthia F. Leverett
Notary Public
State of Florida at Large
Commission No. HH036051
Expiration Date: 09-27-2024



REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, FPR, Certified Stenographic Reporter, do hereby certify there came before me the witness herein, named LANDON BROOKS, for the purpose of the giving the foregoing statement under oath.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this May 24, 2023.

Cynthia Leverett

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

JOSHUA LAMAR

DATE TAKEN: April 19, 2023

TIME: 2:03 p.m. - 2:17 p.m.

PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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- - -

WHEREUPON,

JOSHUA LAMAR

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes, ma'am.

EXAMINATION

BY MR. KRAMER:

Q. Good afternoon, Deputy. My name is Brian Kramer. I'm the state attorney. It's nice to meet you.

A. Nice to meet you, sir.

Q. I want to start asking you questions about your education experience, and can you tell me what your education is, please?

A. I graduated high school and also had some college, maybe about a year, but didn't graduate from college.

Q. And have you gone to the law enforcement academy?

A. Yes, sir. I completed that in 2020 at Santa Fe School of Public Safety.

Q. And what was your job occupation between completion of 2020, if any -- completion of 2020 and your beginning to become employed with the sheriff's office?

A. Yeah. So while I was going to the police academy I was dispatcher at the City of Alachua Police Department. Once I completed the police academy, I was still a dispatcher until the summer of 2021; and that's when I transitioned into police officer.

Q. So you were employed as a police officer with the Alachua Police Department?

A. Yes, sir.

Q. So let's talk about your time with them. How long were you with the Alachua Police Department?

A. From 2016 until 2022.

Q. And in 2016 did you start as a dispatcher?

A. Yes, sir.

Q. And then you were dispatcher up until the time that you became a police officer?

A. Yes.

Q. Did you also continue to dispatch, or were you solely a police officer at that point?

A. I was solely a police officer once I transitioned.

Q. So that, you said, was April 2021?

A. July of 2021.

Q. And then from July of 2021 when did you end your employment with the Alachua Police Department?

A. It was in October of 2022 or -- yes, 2022.

Q. 2022?
A. Yes.
Q. And was the reason that you ended your employment with the Alachua Police Department because you obtained a different occupation or a different employment?
A. No, sir.
Q. What happened to end your employment?
A. I ended up resigning in lieu of termination from the Alachua Police Department.
Q. Okay. And what was the situation? If you could, just describe it generally for me.
A. I can. I handled a call. I was on probation, probationary officer, during that time, and it was a policy violation that I ended up going into investigation. And obviously when you're on probation, departments give you a whole bunch to --
Q. Absolutely.
A. So that's what ended up happening.
Q. You're going to have to forgive me because my questions might be unintelligent in the sense that I don't understand officer discipline a great deal.
Was the nature of the violation such that it would have required the agency to report the issue to FDLE and call your standards into question, if you

know? If you don't know --

A. I'm not sure.

Q. So you resigned from the agency, essentially, while under investigation?

A. No, after the investigation was over.

Q. Oh, the investigation was over?

A. Yeah. It was completed, yes, sir.

Q. And the allegation was going to be -- or was founded? Is that what they call it?

A. I believe so.

Q. Sustained?

A. I believe so.

Q. And so then they gave you the choice?

A. Yes, the chief of police.

Q. You can resign, which would look better for you because you're on probation?

A. Yes, sir.

Q. Do you know whether or not it was something you would have been terminated for had you not been on probation?

A. Again, I'm not sure. I was a first-year officer, so I just --

Q. You made that choice. That's fine. I completely understand.

So that occurs, and what is your employment

history from that point until you become -- start the onboarding process with the Alachua County Sheriff's Office?

A. There was no employment. I applied to the sheriff's office, I believe, in November, first week of November time frame.

Q. Tell me the last day that you're employed.

A. I believe it was October 16th or 15th, somewhere around there, 15th or 16th was my last day at -- when I was terminated.

Q. And you start the application process to the sheriff's office approximately 30 days later?

A. It was like the first week. It was like maybe November 4th or something around that time frame when I decided to go ahead with the sheriff's office.

Q. Between two and three weeks?

A. Uh-huh.

Q. And what is the first thing that occurs in your life to start that process? Is it a conversation? Is it an application? What is it?

A. Just an application. I had conversation with my mom just trying to figure out what my next steps were. At the time I was thinking about going down south. I really wanted to move to Tampa area. I thought about other the agencies here. I didn't know

exactly what that looked like for me, so I just started with the first one that I thought of, which was ASO.

Q. And so what did you do? Fill out an application?

A. Yes, sir, online. It was an online application.

Q. And how do you become aware that they're interested in you?

A. They gave me a call, I believe it was. I want to say after the application is submitted you get like an email confirmation a couple days later. And after that it's like maybe a week or two later that you get called, "Hey, we received your application, would you be willing to come in and do the physical agility and stuff like that"?

Q. That's what I'd like to talk about, is that process, all the things that you did between the time that you submit your application to the time that they tell you you're employed.

A. Yes, sir.

Q. Or they're, I guess, going to fill some paperwork out with you that actually starts them paying you.

A. Yes, sir.

Q. So tell me. You get the call; that would be the first thing. What's the next thing that you do?

A. So they called telling me that they received my application, that, you know, my process is starting. And then they ask what would be a good day to set an appointment for your physical agility course. You tell them that you're available whenever. So they assigned a day. I think it was like the second week of December.

Then from that point, you go to the IPS, which is where they do the obstacle course. I believe that day it was raining really bad, so I rescheduled for the following Monday or Saturday or something along those lines. Once I cleared the obstacle course, they told me that they'd be in contact with me via phone.

During the next couple of weeks, I had -- there were two investigators. I can't remember their names exactly --

Q. That's all right.

A. -- but there were points on the application they needed, background, they needed like your credit history, stuff like that. So I would have to go back and forth playing phone tag with them as far as getting all that lined up.

Once they received everything, and that process was complete, the next step was the polygraph, I believe, or not the polygraph, the oral board interview.

Once we completed the oral board interview, the next step after that was the polygraph and then the physical, medical, drug test. And then after that it was a waiting game until --

Q. Was there a psychological?

A. I believe that was -- yes, there was. Between the physical and the drug test, there was a psych -- we did the psych eval as well, yes, sir.

Q. So after that's all complete, you're now just waiting for them to say yes or no?

A. Yes, pretty much. Yes, sir.

Q. And when does that completion occur? Or when did they tell you yes? I know dates are tough. Just generally.

A. I would say in January time frame, the end of January, because the first day, that starting date, was February 6th, so it was --

Q. And what was your -- what was your assignment, I guess, is the -- what were you assigned to do starting February 6?

A. February 6 I was to show up at the station,

business casual. I believe I was assigned to Sergeant Kinsey at the time. And on that day we just filled out HR paperwork; kind of took my picture, badge picture; got access to different systems.

And then from that day they told me that I was going to -- because I was kind of in limbo between the police academy class that they had currently that was getting ready to graduate and the one that already did that had already started the mini academy.

So I was waiting until that next class got done to graduate the police academy and start the ASO mini academy in April. And so because I was hired during that interim time, they wanted to make sure that I was able to get a paycheck.

During that time, instead of sticking me somewhere, I was able to work at the criminal courthouse providing assistance there in the control room, which is just monitoring cameras.

Q. You weren't interacting with the public?

A. No, I wasn't in a deputy status.

Q. At any time did anyone ask you to raise your right hand and take an oath, the oath of a deputy sheriff?

A. No, sir.

Q. Do you recall ever swearing an oath or

signing an oath in writing?

A. Not that I recall, no, sir.

Q. Is there paperwork that you completed as a part of your onboarding process?

A. As far as HR?

Q. Yes.

A. Stuff like insurance and those things?

Q. Uh-huh.

A. Yes, sir.

Q. And as far as your taking of an oath, I guess my question is: Do you have a memory of whether you signed one? Or are you just saying, "I don't know if I signed one"?

A. I do not remember specifically if there was an oath that I signed as far as swearing in to a deputy status. I just remember signing HR paperwork initially.

Q. Fair enough. And so the status that you're in right now, as I understand it, is mini academy?

A. Yes, sir.

Q. And let me ask you. Was there any concern, investigation, conversation with you about whatever it was that caused your dismissal from APD during the onboarding process with ACSO?

A. During my oral board it was brought up, I

believe. They were aware, obviously, doing a background.

Q. And you answered their questions to their satisfaction?

A. Yes. Detail, yes, sir.

MR. KRAMER: All right. Fair enough.

Any other questions, gentlemen?

BY INSPECTOR SNOWDEN:

Q. When you did your physical agility, was that with a group of individuals?

A. Yes, it was a lot of us. It was like maybe 18 or 20 that were out there that initial day. It was raining, so they gave everybody an option to either wait until later in the day when the rain stopped or you can reschedule for the following, like, Friday or Saturday. So I rescheduled for the following Friday or Saturday.

Q. Did anybody else reschedule?

A. I believe actually Landon, who you guys just talked to, was out there, and I think maybe two or three others that rescheduled for that day as well.

Q. Did they ever talk to you about, due to your prior law enforcement experience, doing a shortened academy, or was that brought up?

A. No, sir, not that I recall. I don't --

everything that I've done has been like the rest of the cadets from the mini academy. People know that I have prior law enforcement experience, but it was only a year; but everything has been straightforward for me. Again, I haven't been through the sheriff's office process, so that's --

Q. What will the assignment be upon your completion?

A. Regular deputy sheriff on patrol.

Q. Will you be allowed to go to any specialized units or --

A. No, not until I complete, I believe it's, a year. After my probation ends, they said that you can start applying for specialty units. So you have to wait the whole year on the probation.

Q. You got aspirations of where you want to go?

A. That's tough. I think detective, but I'm not sure. We'll see where I end up.

BY INSPECTOR RIDDICK:

Q. Did you get a copy when you did all your paperwork? Do you have a copy of all that? Do you recall?

A. I don't have copies of the paperwork that I signed.

Q. If you don't, you don't.

A. I'm not sure.

BY MR. KRAMER:

Q. Then the last question I have for you is, other than I'm not asking you to discuss with me any conversations you might have had with any lawyer who represents you, including the gentleman next to you, has anybody asked you to discuss or directed you to discuss the contents of this interview with them following your presence here?

THE WITNESS: No, sir.

MR. KRAMER: Anything else?

That's it. Thank you for coming in. Congratulations and best of luck.

(The deposition concluded at 2:17 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that JOSHUA LAMAR, who produced a Florida Driver's License as identification, personally appeared before me on April 19, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this May 24, 2023.

Cynthia Leverett

Cynthia F. Leverett
Notary Public
State of Florida at Large
Commission No. HH036051
Expiration Date: 09-27-2024

CYNTHIA LEVERETT
Commission # HH 036051
Expires September 27, 2024
Bonded Thru Budget Notary Services

REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, FPR, Certified Stenographic Reporter, do hereby certify there came before me the witness herein, named JOSHUA LAMAR, for the purpose of the giving the foregoing statement under oath.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this May 24, 2023.

Cynthia Leverett

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

DORIAN KEITH

DATE TAKEN: April 19, 2023

TIME: 3:20 p.m. - 3:40 p.m.

PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

Cynthia F. Leverett, FPR
Certified Stenographic Reporter
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- - -

WHEREUPON,

DORIAN KEITH

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes, ma'am. Absolutely.

EXAMINATION

BY MR. KRAMER:

Q. Good morning, Major. My name is Brian Kramer. I'm the state attorney. It's nice to meet you. Thank you for being here.

I want to start by asking you, are you a sworn law enforcement?

A. I'm a corrections officer.

Q. How long have you been a corrections officer?

A. Twenty-three years.

Q. And has all that time been with the Alachua County Sheriff's Office?

A. It has been.

Q. And other than major, in what other capacities have you served?

A. A DO from 2000 to 2022 -- to 2004. I'm sorry. 2004, I became a Detention Officer II. Shortly thereafter -- as a matter of fact, exactly a month after I was promoted to sergeant. Then I've a been lieutenant, then captain, acting major, and now

major.

Q. What are your responsibilities as major?

A. At the jail, I am the jail director. I'm responsible for everybody and everything.

Q. So the jail is entirely your responsibility?

A. Yes, sir.

Q. Do you report to the undersheriff?

A. I do.

Q. And let me ask you this. In your capacity that you've served with the sheriff's office, have you ever been involved in the officer discipline process?

A. Somewhat, yes, sir.

Q. And my understanding is that officer discipline can occur in two different ways. One could be through the chain of command, or one could be through the office of professional standards?

A. Yes. So it would depend, I guess. So if someone from OPS saw you do something, then they could navigate their own investigation; or you could do something in your division, and then it would be through the chain of command.

Q. And specifically there's an investigation I want to ask you a question about, and that's in regard to a person by the name of Sergeant Pam James. Do you know who that is?

A. Uh-huh.

Q. And there was a disciplinary investigation involving Sergeant James. Are you familiar with it?

A. Somewhat. Somewhat.

Q. What's your understanding of what occurred in that instance?

A. So I don't remember dates and times, but at some point I was the special projects and administration captain. And I was also, if you will, kind of the right hand to then Major Stafford, if you will. He was the director.

And so he told me one day, he came up, and he said, hey -- he said -- I think he said Lieutenant Scott had an issue with Sergeant James.

And I said, "Really?"

And he said, "She was insubordinate."

And I said, "Okay. That's interesting. I've never saw that side of her," was my exact words.

And he said, "She was just loud."

I started laughing. I said, "She's always loud." I said, "It's hard to even have kind of a private conversation with her, if you will, because she's loud."

And so he was like, "Yeah." He said, "I" -- "I", meaning him -- "will have to look into it further

to see exactly what was going on."

And I said, "Okay."

I never heard anything else about it because they weren't answering to me. They were answering to him because he was the director, and so that was that.

And then at some point whenever he was gone and I got promoted, I was on my way to work; and I needed her to do something.

Q. Who is the "her"?

A. "Her," meaning Sergeant James. I'm sorry.

Q. That's okay.

A. I needed Sergeant James to do something, and I was -- I want to believe that I called to find out could she do it or whatever. And at some point somebody told me that, oh, you know, today -- no, I know what it was. I'm sorry.

I was calling to tell her that her 25-year plaque presentation was rescheduled, and I found out at that time that she was upstairs. When I called for her, they say she's upstairs in OPS.

And I said, "Why would she be upstairs in OPS?"

They said today is her testimony, if you will, and I said okay.

And so when I hung up the phone, that was

very odd to me; and it was odd to me because, in all my 23 years being there, when there's an investigation that is done at the division level, everybody is questioned in security, if you will, down in those conferences in those offices. So I found it very strange that she was up there.

And, mind you, I knew when others had went up, but they didn't -- I'm sorry, that others had been questioned, but they didn't go upstairs. They were all questioned at the division level.

So I said, as a major, I want to make sure we get things right. So I believe I called Schabruch at some point, and I said, "Hey," I said, "can you tell me why Sergeant James is being questioned upstairs?" I said, "I don't need to know what the questions are. I don't need to know any of that. I just want to know why she was being questioned upstairs, and nobody else was."

He said, "I don't know," he said, "but I'll look into it." He said, "Are you saying this has never happened?"

I said, "Absolutely, it's never happened. And I can tell you right now that if we want to change the culture around here, that we have to treat everybody the same."

And I think he was the captain at that time, and he may still be; I don't know. But I said, "Captain," I said, "we got to make sure that we do things the right way."

And he said, "I'll get back with you."

And at some point that day I think he got back with me, and he said, "If you don't want me to allow the agency to use our interview room to do the interviews, then this is your jail, just say that."

I said, "Sir, that's not what I'm saying to you." I said, "What I'm saying to you is that it has never been done."

And at some point he said -- and the reason I keep saying "at some point" is because I don't know the times. This has been a minute.

So he says, "Patrol has done it."

I said, "Captain," I said -- he said when OPS was located at the main building, he said patrol -- he believed patrol had done it.

I said, "Sir," I said, "patrol and the jail is two different beasts." I said, "Patrol are out there in cars, and so they may not have an office that they have available to them to do an interview." I said, "However, the jail lieutenant and captains all have their own office, plus they have a conference

room that they can utilize." I said, "And that's the way it's always been done. Unless you're telling me something that's changed, that's different, then say that," and he did not.

He said, "Well, let me go back and ask the people."

And I believe the people that he was referring to at that time would have been probably Lieutenant Salman because he was in OPS and came from the jail, and maybe Captain Beck because Captain Beck was the captain of security.

And so he came back and told me, he said, "We don't have an incident" -- or "they can't remember an incident where this has ever happened."

And I said, "Yeah, probably because it's never happened."

And to back up a little bit, when he told me -- when I found out that she was there, and I called to see was she there, he said she was there. And I said, "Have they started the interview?

And he said yes, they had already started, so I did not interfere because -- I just let it go. She's there now.

And so once I found that out, and then -- what else transpired that day? I think that he ended

up -- and I don't want to speculate; because if I don't remember, I'm just going to say I don't remember.

I don't remember exactly what he did after that; but I know at some point he and I did have a conversation about it, and I think it was in my office. And we talked about, you know, the differences in between the jail and patrol and why I felt the way I felt.

And I told him, I said, "I just believe that if you're going to" -- "if you're going to interview her up here, and she's the only one being interviewed up here, then perhaps you guys should lead the investigation versus having the division do it," I said, "because I'm telling you now, she's going to feel some type of way."

I remember that conversation.

Q. Okay. So let me ask you this. At some point is it your understanding that the investigation involving Sergeant James ends?

A. Uh-huh.

Q. And how does it come to an end? What's your understanding?

A. Okay. So I know at some point, and I wish I could remember.

Q. No one is asking you to remember dates.
A. Okay.
Q. Please don't feel like we are.
A. Okay. I just like to be as accurate as I can be.

And so I think at some point I may have told undersheriff that I had a problem with her investigation, and the reason why I had a problem with her investigation is because people talk, everybody talk.

And so I had found out, and I don't remember who through, but not only did she -- she was the only one that got interviewed up there. When she was in the room being interviewed, there was another inspector standing at the door. I felt like, to me, that could be intimidation. Okay. That was one incident.

And then another thing was, one of the witnesses had just come back off of a cruise with the complainant that did the investigation. And then, if I remember correctly, they interviewed her again after they come back from the cruise. And all this, once again, took place downstairs. Sergeant James was the only one that went upstairs.

And then I also remember, to go back a little

bit, Major Stafford had shared with me that undersheriff told him that, "You treat her like you treat everybody else," because I think -- I think at that time -- and I don't know what it was about. Sergeant James had a lawsuit, and I think that Major Stafford was kind of on the fence about how he should proceed with her.

And Major Stafford shared with me that undersheriff shared with him, "Treat her like you treat everybody else," which I'm good with. That's the way it should be.

And he also said that he had to get with OPS to change the -- this is being Major Stafford, to get with OPS to change the charge from being -- I think it was insubordination to conduct unbecoming because, he said -- his words to me was, "Remember when your first reaction was she's loud all the time?" He said when he went back, and he talked about what occurred, that's what kept coming up, was the fact that she was loud.

And so I think at that moment Major Stafford realized that maybe she wasn't being insubordinate. She was being loud, but she's loud all the time; and it wasn't -- maybe Lieutenant Scott may have taken it however she took it; I don't want to speak for her,

but I think that what Major Stafford was telling me -- because we work very closely together, so he shared a lot with me. And I think he was being feeling that it's probably not insubordinate. She's probably loud because she's always loud and emotional, but maybe that wasn't the right time.

And so he said he needed to get with them so he could change the charge from being insubordinate to whatever he wanted to change it to, and I think it was conduct unbecoming.

And so as we talked about it with Schabruch and I was sharing with the undersheriff about the things that transpired that I didn't feel comfortable with, it came up at that time that she was indeed being charged with insubordination instead of conduct unbecoming; and so I think that's what put the spin in that that's not what should happen, that it --

Q. So is it your understanding that she was treated as everyone else and the investigation went through its normal course, or that it ended in some other way?

A. No, I don't think that she was treated like everybody else. I definitely do not think she was treated like everybody else. And I felt like because she wasn't, that may have played into why the

investigation went the way that it did.

Because if I would have been doing that investigation, everybody would have been questioned downstairs. No way would -- not to say that anything improper happened; but being a lieutenant, you can't -- in my opinion, you should not hang out with the person that's your key witness, if you will. And not only that, if you're friends, okay, fine. But not only that, during the course of that, one of the other things that I shared with undersheriff was that I saw Lieutenant Scott several times, because I'm right up there with OPS, hanging out with OPS. And so when you do that -- nobody wants to hang out with OPS. I'm right up there with them. And I can count probably on one hand the number of times that I go down there, and it's when I have to.

But I saw her down there just kind of hanging out with Salman. And the, if you will, "probably rumor mill but everybody hears" is that she's trying to control the outcome of the narrative. None of that looks good.

So I don't feel like she was -- that Sergeant James was treated like everybody else; because if she would have been, everybody else that we've done has been interviewed downstairs. Why would she need to go

upstairs and be interviewed by Salman -- or with standing at the door when Lieutenant Scott is conducting the investigation? It makes no sense.

Q. I understand what you're saying, but your understanding is that the investigation was essentially just ended by the administration? Is that the way it comes to an end?

A. Well, I wouldn't say just ended. I think that -- if I remember correctly, my understanding was that undersheriff was saying I told Stafford that -- and Stafford and I talked about it, that the charge was not going to be insubordination. That's what my understanding of it was.

I don't think the administration -- and when you say "administration," who are you talking about specifically?

Q. I don't know.

A. Okay. I don't know either. It's a lot of people in administration, so I don't want to speculate who you're talking about.

Q. Oh, no. I'm only asking you what your understanding is.

A. Oh, yeah. I mean, because when I look at administration, I think about anybody that's a lieutenant or above is in administration, including

the sheriff. And I certainly never had a conversation with the sheriff about any OPS investigation, never had a conversation about -- even when there is an investigation going on -- and because I am the director of the jail, when I find out that a captain or whatever wants to write somebody up, out of respect, I tell undersheriff, hey, this person did this, this, and this, and we're going in this direction. And he says thanks for the heads up, and that's it.

So it's not like we actually discuss it, it's just an FYI, like I would do you if you were my boss.

Q. Understood.

A. Yeah.

MR. KRAMER: Any follow-up on the James investigation?

INSPECTOR RIDDICK: No, sir.

INSPECTOR SNOWDEN: I got a couple questions on that.

BY INSPECTOR SNOWDEN:

Q. Was it Lieutenant James?

A. Jamie Scott.

Q. Jamie Scott?

A. Yes, sir.

Q. Was that the one doing the investigation?

A. Yes, sir.

Q. And did I understand you correct that Captain Beck and Lieutenant Scott were together, and that's who Pam James was allegedly being insubordinate to?

A. So if you're talking about the initial investigation, when Stafford told me about it, he said Lieutenant -- Captain Beck was in Lieutenant Scott's office. And I guess they were talking to Sergeant James, or she came in to ask a question, and that's where it all transpired.

Q. So Lieutenant Jamie Scott was also a complainant on this and doing the investigation?

A. She was the lieutenant, so she was the one who did -- she did the investigation.

Q. Is that -- was it Lieutenant Jamie Scott that interviewed Pam James?

A. She was one of them, yes, sir.

Q. Was there others? Do you know?

A. I don't know who the others was. I know that Lieutenant Scott -- I mean, Lieutenant Salman, who is in OPS, was there. He was present, yes, sir.

BY MR. KRAMER:

Q. Are you aware of the Cory Short investigation?

A. Cory Short investigation? No, I don't think

I am. I mean, you can tell me, and I'll tell you if I am; but no.

Q. That's okay. Last question is, have you been directed, ordered, or requested to report the contents of this interview back to any person at the sheriff's office?

A. Oh, no, sir, absolutely not. As a matter of fact, I emailed -- or not emailed. I called Darry Lloyd because normally when we get a subpoena at the jail it has an inmate name and case number. And I'm like, okay, what is this about? I didn't see any of that. And so it says in the content of the email to call Darry Lloyd if you have a question, and he never called me back. And so I called --

Q. That's not very nice of him.

A. That is not nice.

Q. I'll have to speak to him about that.

A. I'm not trying to tell on him. I'm just being honest.

And so our policy is when we get a subpoena or something like that, we notify the suite or whatever; and that's been a policy forever. And so I -- I'm not sure if I forwarded it to Rush or did I call him; but either way, he never called me back either and said nothing about it.

And I know for days Lieutenant Scott asked me, Hey, have you heard anything? Do you know why we're going?"

And I said, "I don't know; but if Darry Lloyd ever call me back, I'll let you."

MR. KRAMER: I'll mention his transgression to you. I appreciate you coming.

THE WITNESS: Thank you so much.

(The deposition concluded at 3:40 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that DORIAN KEITH, who produced a Florida Driver's License as identification, personally appeared before me on April 19, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this May 24, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
Commission No. HH036051
Expiration Date: 09-27-2024

REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, FPR, Certified Stenographic Reporter, do hereby certify there came before me the witness herein, named DORIAN KEITH, for the purpose of the giving the foregoing statement under oath.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this May 24, 2023.

Cynthia Leverett

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

JAMIE SCOTT

DATE TAKEN: April 19, 2023

TIME: 3:42 p.m. - 4:03 p.m.

PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

Cynthia F. Leverett, FPR
Certified Stenographic Reporter
Notary Public, State of Florida
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Tallahassee, Florida 32308

- - -

WHEREUPON,

JAMIE SCOTT

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes.

EXAMINATION

BY MR. KRAMER:

Q. Good afternoon. My name is Brian Kramer. I'm the state attorney. Could you start by telling me how you're currently employed?

A. I'm currently employed with the Alachua County Sheriff's Office in the capacity of lieutenant assigned to the department of jail.

Q. Are you dual sworn or corrections?

A. I am dually certified.

Q. Could you briefly review for me what positions you've held with the sheriff's office?

A. When I was hired in 2008 I was hired as a detention officer. Once I turned 21, I was already dual certified. I just turned 21. I was detention deputy, field training officer. Then I promoted to sergeant in 2016 and lieutenant in 2020.

Q. And what we actually have questions for you about today is the investigation that was involving Pam James. Do you recall that investigation?

A. I do.

Q. And could you start by telling me what your involvement was in that investigation?

A. (Unintelligible.)

THE REPORTER: Ma'am, you're going to have to speak up.

A. I was the complainant.

I'm a little uncomfortable.

Q. I hope I'm not making you uncomfortable.

A. Just the situation.

Q. Is there anything about that you want to discuss with us off the record?

A. (Shrugs shoulders.)

Q. You can, if there's something that can ease your mind.

A. I'm just curious why I'm here.

Q. I will tell you this. You're not the target of an investigation. No one thinks you've done anything wrong, if that helps.

Can you tell me -- you're the complainant in the investigation -- what was the allegation?

A. Insubordination.

Q. And my understanding, and you can please correct me if I'm wrong, is that within the sheriff's department there's two ways an investigation can be

handled for misconduct. One would be through the office of professional standards, and the other would be through the chain of command for the person who's committed the violation. Is that accurate?

A. Correct.

Q. And in this investigation, which one of those methodologies was being employed?

A. More or less, chain of command. I was not her direct chain of command; she did not have one at the time other than the captain, but I was lieutenant on the day shift at the time.

Q. So did that investigation -- you're the complainant, so is there an investigator when it's being handled this way?

A. I was the investigator and complainant.

Q. So can you just kind of walk me through what occurred with that investigation?

A. The incident, or the investigation?

Q. I'm not that concerned about the incident itself. I'm really much more interested in the investigation.

A. So, obviously, there was an incident that occurred where the sergeant was very loud, disrespectful, vocal with myself and a captain present. I told him, because this was not the first

time there was an incident with her, that I wanted to make a complaint. At some point he came back and told me to go ahead and do a -- you know, request a tracking number, and that was done through the office of professional standards.

I went through and did witness interviews. There were several witnesses that were in the area at the time, civilian staff and sworn, well, certified. We got those interviews done, then we did the subject interview with the assistance of OPS in the area. It finished. I got everything typed up and emailed it to the captain, and I left a hard copy under his door because it was the end of the day. And then --

Q. Who was the captain?

A. At that time it was James Beck. He is a lieutenant now.

Q. When you say "complete," it means, as far as I understand it -- trust me when I tell you I'm learning -- is that all the investigative part has been done. And then you make a recommendation of founded, unfounded, or what have you, and then a recommendation for discipline?

A. Correct.

Q. So it has all of that done, and you put that under the door?

A. Correct. As far as I was aware, I was done with what needed to be done. Now, there are occasions where, you know, the chain of command may look at it and say, okay, this needs to be corrected.

But I submitted it, and then when I returned to work -- or it may have been when I was off, but either way, after that point I was told that it was dismissed; that the major had passed it down, that it was dismissed.

I requested to speak with her just about the situation, not necessarily that it was dismissed, but it was a volatile situation. And when I spoke with her, she told me that the undersheriff had dismissed it, and that I needed to go tell Pam James that it had been dismissed.

Q. Let me just back up for a second. I'm going to assume, and it may not be true, that this is not the first disciplinary action you've been involved with in your career as a law enforcement official.

A. It's not, but I have not done a lot of drawn-out investigations. We have fast track options as well, and most of my experiences have been with fast tracks. I've requested assistance in the past for some training in it, and that opportunity hasn't come up yet. So luckily, OPS is in our building, and

they offered assistance with the things that I struggled with.

Q. And so do you have an understanding of whether dismissal is an option that exists within the policies and procedures of the sheriff's office?

A. I did not know that there was an option.

Q. It is what occurred?

A. It is what occurred, so I believe it is now.

Q. Or it exists because it has happened in the past, not that it's authorized by the rules and regulations?

A. I'm not sure what's happened in the past. I'm just aware of the one incident.

Q. Correct, and that's the past I'm referring to.

A. Yes.

Q. So what -- is there any documentation associated with this dismissal that you're aware of? Like, are you given a piece of paper? Because my understanding is that that disciplinary packet is going to, under normal circumstances, travel through the chain of command all the way to the sheriff and then back to you?

A. (Nods head.)

Q. Does this thing just disappear?

A. I mean, I wasn't given anything. I was told it was dismissed.

Q. So you're not given -- that packet of paperwork does not return to you?

A. No.

Q. You're not given any kind of other documentation, email, text message, anything other than verbal that the incident has been dismissed?

A. It's been a little bit since then. Without going back and looking, I can't tell you for sure that there was nothing in an email or a text message.

Q. And the first person to deliver the news to you that it was dismissed is who?

A. I believe it was James Beck.

Q. And his direction to you is for you to confer with --

A. No. I requested to meet with her just because I didn't want the situation repeated.

Q. Meaning to meet with Sergeant James?

A. No, to meet with Major Keith, who had passed down the information. I didn't want the incident with Sergeant James to repeat again because it's been a prior issue, which I don't know that anyone was really aware of other than them; but this had been an issue in the past, and I wanted to make sure it wasn't an

issue in the future because it makes for a very uncomfortable environment.

Q. You go to meet with the major, and the major tells you now that you need to go tell Sergeant James that this investigation is dismissed?

A. Correct.

Q. And normally, it's my understanding that the way that the person who is the subject of the investigation would find out the result of the investigation is through some form of written process.

A. Correct.

Q. Does that occur here?

A. It did not at the time. I don't know if she was given it by somebody else I'm unaware of.

Q. What is the major's position about the ongoing and continuous problem that the sergeant could create because she's being disruptive, loud, insubordinate now without discipline?

A. I don't know.

Q. Is that discussed in that meeting with the major?

A. We talked about it just because it's been an ongoing thing, but it didn't really go anywhere.

Q. So do you then tell Sergeant James that the matter is dismissed?

A. I did.

Q. And does it continue? I don't know when this occurred. Has this continued to be an ongoing problem?

A. It's been a while. We just have very minimal interaction now.

Q. Is she on your shift?

A. She is not on my shift. She works an administrative schedule in an office that is right next to me.

Q. Let me make sure I understand your current duties. You're a correctional lieutenant who oversees a shift during the day or --

A. Yes, during the day, 0600 to 1800.

Q. Is that what you were doing at the time?

A. It is.

Q. At that time that you -- I'm backing up now just to keep you on track.

The time that you conducted the investigation and you spoke --

A. Are we able to go off the record?

MR. KRAMER: Sure, we can stop for a moment.

(An off-the-record discussion was had.)

BY INSPECTOR SNOWDEN:

Q. What were your findings in that

investigation?

A. They were founded.

Q. For?

A. Insubordination.

Q. And then you said that this is sent up the chain of command for possible corrections. Explain to me what you meant by "corrections."

A. Well, it was sent up the chain of command. As far as I was concerned it was complete; but if he would have seen something, the captain would have seen something -- well, he wasn't actually going to be signing it. He was supposed to be reviewing it because he was a witness, so he wasn't going to make a recommendation.

The major at that time had told him, I believe, to review it, you know, before that point -- we were at a transition at that time -- just kind of review to make sure it was correct because he was in OPS at one point prior, but then send it up for recommendation elsewhere since he was a witness. So he wasn't going to put a recommendation on it. So I had forwarded -- I had sent it to him.

Q. Do you have still a copy of the investigation you did?

A. Probably.

Q. You said that Lieutenant James now has an administerial position?

A. It's Sergeant James. She was already in an administrative position, so she works like Monday through Thursday.

Q. She works a special schedule?

A. Yes.

Q. How long has that been?

A. She's been the administrative sergeant for a while.

Q. So all administrative sergeants within the jail work a four ten?

A. There's only one sergeant. The administrative lieutenant is on five eights. It's kind of varied between eights and tens.

INSPECTOR SNOWDEN: No other questions.

BY INSPECTOR RIDDICK:

Q. Your investigation that you did do before it was dismissed, was it uploaded in to IA Probe?

A. I know that the majority of it was. The Blue Team had been set up. I know I had gotten part of it in there. I don't know if the completed packet went in. It should have been scanned in because I sent it via email. So I don't know that it went into Blue Team; but I scanned it to send it, so I should have a

copy. We were just learning how to use Blue Team, and that was the start of us using it. It was also the end of it.

Q. You don't use Blue Team anymore?

A. We haven't really had a reason to anymore. They had only started training us on it. It had just started when that came up.

Q. The interviews that you did as part of the investigation, were they recorded?

A. They were.

Q. Were they loaded as far as -- or had you got a chance to do that?

A. I believe so, yeah. I think they're still on the recorder too.

Q. Were you given any instructions on deleting them or anything like that?

A. No.

INSPECTOR RIDDICK: Thank you.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. And just to check with you, has anyone from the sheriff's office requested you to report the content of this conversation to them upon its completion?

A. No.

MR. KRAMER: All right. That's it. Thank you.

(The statement concluded at 4:03 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that JAMIE SCOTT, who produced a ASO ID card as identification, personally appeared before me on April 19, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this May 24, 2023.

Cynthia Leverett
Cynthia F. Leverett
Notary Public
State of Florida at Large
Commission No. HH036051
Expiration Date: 09-27-2024

REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, FPR, Certified Stenographic Reporter, do hereby certify there came before me the witness herein, named JAMIE SCOTT, for the purpose of the giving the foregoing statement under oath.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this May 24, 2023.

Cynthia Leverett

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

TODD KELLY

DATE TAKEN: April 19, 2023

TIME: 4:03 p.m. - 4:27 p.m.

PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

Cynthia F. Leverett, FPR
Certified Stenographic Reporter
Notary Public, State of Florida
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386-256-1457

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Tallahassee, Florida 32308

- - -

WHEREUPON,

TODD KELLY

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. Can you tell me your full name?

A. Todd Kelly.

Q. And how are you, if you are, currently employed?

A. I am not currently employed as of Friday of last week.

Q. How were you employed Thursday of last week?

A. I worked for Motorola solutions, a communications company that -- I was on the public software side.

Q. And are you currently a sworn law enforcement officer or certified law enforcement officer?

A. I would imagine, yeah, technically I still am because I left in '21.

Q. But the last time you worked for a law enforcement agency was in 2021?

A. Yes, sir.

Q. And how many years did you work in law

enforcement?

A. Total, I think, 24 point something. At ASO, I was there just over 22 years, roughly.

Q. And where were you before ASO?

A. Lake City PD for a short time, and then Brevard County Sheriff's Office.

Q. And what position did you hold at ASO?

A. Everywhere from deputy -- I started there as a deputy, obviously, and then worked my way up through the ranks, sergeant, lieutenant, then I left as a captain in '21.

Q. And were you ever in charge of the office of professional standards?

A. Yes, sir.

Q. And when was that?

A. Oh, gosh, it's embarrassing how quick the dates go. I want to say it was around -- let's see here. Oh, gosh. The dates get by me now.

I want to say around 2015-ish or so when I got promoted to captain. That's where I was assigned, was the office of professional standards.

Q. And when you left the agency in 2021, what was your rank?

A. Captain.

Q. And what were you the captain of?

A. At that particular time they had moved me to criminal investigations, so I went back to CID.

Q. Had you been a detective during your career?

A. Yes.

Q. And when Sheriff Watson took over, what was your job assignment before he took over?

A. When he took over I was a captain assigned to the office of professional standards, and then I also had policy accreditation and human resources.

Q. So when did you leave the sheriff's office?

A. July of 2021.

Q. And was there -- was there anything that led to your leaving that involved the sheriff?

A. Not directly. I mean, it definitely influenced my decision to look elsewhere; but there was no, you know, singular, like, over instance where I said, that's it, I'm out of here because of X, Y, or Z, no, sir.

BY INSPECTOR SNOWDEN:

Q. Can you tell me why you said it made the decision easier?

A. Just the -- I think the -- just my initial impressions of what that working relationship would be like didn't necessarily align with my personal kind of, you know, not necessarily goals or objectives, but

kind of my personal -- what I saw going forward as a path, I didn't see that being necessarily a relationship that I wanted to be in.

BY MR. KRAMER:

Q. When you were the -- I guess it's chief inspector, is the actual term for the head of OPS division.

A. Yes, sir.

Q. That was -- you were under Sheriff Darnell?

A. Yes, sir.

Q. And that continued into at least some portion of the administration with Sheriff Watson?

A. Yes, sir.

Q. At that point was it located at the jail, or was it located at the main --

A. No. When he took office, my office was like -- they used to call that like the suite, or the sheriff suite. Office of professional standards was located in a space right next to that. So there was a doorway that went between like our office and the sheriff's suite.

Q. And where were investigations? Like when you were doing interviews, where were they conducted in?

A. In that office as well. That space is kind of an open space. If you were to envision this room,

there were, you know, like offices with doors that went off, and then there was a big bay area like this where there were cubicles for inspectors. So the first room as you come in OPS was an interview room within that.

Q. Was it recorded?

A. Yes, sir.

Q. Was it an undercover recording, or was it obvious there's a camera?

A. No, I mean, it was like covert cameras, but I think it was pretty apparent. Like anybody that had been through an OPS investigation knew that it was recorded or had seen recordings of other investigations. We would tell them, you know, that it's being recorded, so it's not like a secret.

Q. Now, was there any ability to monitor without recording what was going on in that room?

A. Yes, sir.

Q. And were you aware of that occurring at any time?

A. Oh, sure, yeah.

Q. Explain to me how that would happen.

A. So like, you know, if somebody came in as a witness, or whatever the case was, sometimes, you know, that -- that space was monitored. There was a

TV in the captain's office that had a feed, and there was also like a viewing area within that office that had a feed to that camera as well.

Whether it was being recorded or not, you could visually see and listen to whatever was being recorded in that room.

Q. Was that room used for any purpose other than witness interviews?

A. Oh, yeah. We ate lunch in there. On occasion as a group that worked together, we would go in there; because it was room like this where you could sit down and eat, so we would eat in there. You know, it was used for sometimes a witness interview. You know, anytime somebody from the public was in to make a complaint or anything like that, that room is used.

Q. Is there any signage in the room that says it's under recording?

A. Not that I'm aware of.

Q. Would a member of the public be informed if they were just there to make a complaint, hey, this room is either monitored or recorded?

A. I don't know specifically like on a particular instance. I mean, it wouldn't have been uncommon for somebody to be told that, but I'm not

aware of any policies that were in place or signage that was in place that would have given anybody any kind of warning.

Q. You're familiar with, obviously, the OPS process where officers are given an opportunity to review the evidence against them.

A. Uh-huh.

Q. Would that ever occur in those rooms?

A. Yes.

Q. And were those officers told that their review of the evidence would be recorded --

A. I'm not aware if that was ever laid out like instruction-wise or anything like that.

Q. Were those reviews of evidence monitored or recorded?

A. Generally, I'm not aware of them being recorded and certainly not monitored, especially if they were in there with representation or anything like that.

I think more what I would see would be more so of just a -- it was usually muted or whatever, but more of a glance to see are they still reviewing or not. Because sometimes they were reviewing other witness testimony, and there are hours of recording, so it was more common practice to see, like, yeah,

they're still there listening. Or if they saw them shifting around, they'd be like, "Oh, let me go check on them. Maybe they need to go to the bathroom," that kind of stuff.

Q. Let's say you wanted to utilize that to surreptitiously listen in on that interview -- or the content of the conversation between a rep and an officer, could you have done that?

A. You could have, yeah. It's possible.

Q. How would you do it?

A. Just turn the volume up.

Q. Are you aware of anybody having ever done that?

A. Not that I'm aware of, no, sir, not while it wasn't being recorded. Like if they were monitoring it, it was because it was being recorded; that was common practice. So if you were doing an interview with them as a subject, yeah, other people may be monitoring and texting, hey, don't forget did ask about this, or whatever, some tips or coaching or things they might have seen, that kind of thing.

BY INSPECTOR SNOWDEN:

Q. Who did you report to as chief inspector?

A. So during my entire tenure there, the position was a direct report to the sheriff.

BY MR. KRAMER:

Q. And did you directly report to the sheriff during that time frame?

A. Yes.

Q. Did the sheriff -- I guess for lack of a better of way of saying it, did anyone direct you to reach a particular outcome in any particular investigation?

A. No, sir, never under either sheriff. Well, I worked for Oelrich as well, but no.

Q. As an OPS --

A. No, sir.

Q. -- chief inspector.

A. No.

Q. When Sheriff Watson took over, were there changes made to your OPS division?

A. Well, we were being displaced, but that was right before I left. There was a -- you know, we were going to be getting moved back -- or to the jail where they once previously were. Outside of that, no major changes that -- policy-wise or anything like that.

It was really early on -- I mean, there was a good portion from when they took office that there was no communication. And then there was some communication, but it was more revolving around

learning about the process, I guess, where I was like meeting with them and kind of explaining like here's how we've always done it kind of thing, like here's, I guess -- so I would have like weekly sit-downs with Sheriff Darnell. And so it was kind of like, hey, we meet on a weekly basis. Would you like to continue that cadence, you know, that kind of stuff.

So there was some communication in that regard, but really there wasn't much beyond that until it was time for -- where they told me they were going in a different direction and making some moves and where I was going.

Q. Okay. And was there any -- was there ever a time when anyone asked you to find a reason to -- that someone should be disciplined or demoted?

A. No. I mean, it was certainly absolutely never that way under the prior sheriff. In fact, there were many times where I went to brief Sheriff Darnell on generalities of, hey, we got this complaint. We started looking into it. Here's kind of like a big, high-level overview of what we're kind of seeing just as a heads-up warning kind of thing.

And she was always, "Stop. I don't want to know any more than that. Thank you for giving me a heads-up. Go do what you do, and when you're" --

"when you have a completed product, I'll read all about it; but until then, I don't want to know."

That was always kind of the standard: Yes, if it affects our office, if it's going to make us look bad on 6:00 news, you know, certain check marks that you learn over the years like these were things that I would want to know if I were sheriff. Outside of those, it was always just do your job and let me know when you're done.

Q. Did that change under Sheriff Watson?

A. It didn't change. It was just there was no communication at all. Like it was just none.

Q. Who replaced you when you left OPS?

A. Gosh, it's been two years. Like how quickly I forgot.

Q. Was it Schabruch?

A. No.

Q. Brandon Kutner?

A. No.

Q. Was it John --

A. I think it was John Richmond.

Q. John Richmond?

A. Yeah, I think it was John Richmond. Yeah, it was. It was John Richmond.

Q. Did you leave before or after John Richmond?

A. So I left after -- no, I'm sorry. I left before John Richmond.

You mean as far as retirement?

Q. Yes.

A. Yeah, I left before he did.

Q. Were you ever given any direction about not putting things in writing or not creating public record by any other member of the administration?

A. No. I mean, as a general habit, I had a habit of getting up and going and talking to people versus a lot of email back and forth; but no, I'd never been directed to like -- no.

Q. Are you aware of any person audio recording a telephone conversation without the knowledge of the other person that's part of the conversation?

A. As part of like an investigation?

Q. Uh-huh, but not a criminal investigation. We understand that's lawful.

A. No. Not outside of a criminal investigation, no.

Q. And what was your -- did you receive training before you overtook or overseen the OPS division?

A. Not before, no; but shortly thereafter like within -- I don't know the dates, but shortly -- you know, I want to say it's within the year, basically, I

think it was a directive that you're to attend an FDLE-approved internal investigations school or whatever the case was; I don't remember the exact verbiage, but I did that as well and then went to, you know, the hearings and kind of exposure to that process.

Q. Was there ever a time during your tenure under Sheriff Watson where a matter that should have been sent to FDLE because it was immoral turpitude or immoral-something violation -- I forget the exact verbiage.

A. Moral character violation?

Q. Moral character violation that should have been sent to FDLE but was not?

A. Nothing that's standing out, like, that I can recall. No, I mean, that -- we didn't pick and choose like what goes to FDLE and what doesn't. There's like a standard.

You know, we had an admin assistant that processed the paperwork and the forms and stuff. So if there was a sustained finding that required reporting to FDLE or whatever, that's what that administrative person took care of.

INSPECTOR SNOWDEN: Who was that?

THE WITNESS: It used to be a female by the

name of Teresa Watson. She left sometime in 2020, 2021; maybe it was before that. And then there was -- the one that took over for her was --

INSPECTOR SNOWDEN: Chris?

THE WITNESS: Chris, yeah, Alfrey. Thank you.

BY MR. KRAMER:

Q. During the time that Sheriff Watson was in office did you observe anything that you would have felt was, by any member of the administration, unlawful, unethical, or immoral?

A. Unlawful, no. I don't even know about ethical or moral. Maybe just, you know -- I mean, I can say this, I guess, because I don't work there.

Decisions that I didn't necessarily think were good ones, but not -- not, you know, anything that I would like need to raise my hand and point out to somebody outside of -- you know, nothing illegal; but yeah, I mean, there's certainly things that I frowned upon or thought was a bad idea or bad decision, but nothing that rose the level of illegal activity or anything like that that I saw. Like I said, there was very little communication.

Q. Anything that rose to the level of

incompetence?

A. There was so little involvement, it was hard to see, you know. The level of closeness I had to that office under the prior sheriff was much different than the relationship that was -- you know, that came about, you know, with the change in sheriff. It was very different.

It wasn't like open arms. You know what I mean? It was very clear that I wasn't selected as part of his team. There was a lot of conversations about that like, "I didn't pick you." You know, that's -- there were a lot of conversations revolving around that.

So that's where I definitely had a clear vision of, okay, it's very clear to me. You don't have to spell it out. You didn't pick me. I'm not part of you team. Like, I get it. Like, I don't want to go through hell to realize I've got to leave. I get it, you know.

Q. I understand.

A. You didn't have to, you know, pound it. I get it, so I'll find somewhere else to go.

BY INSPECTOR SNOWDEN:

Q. Did you ever send an investigation up that you signed off on that was sent back to you and said

that they didn't approve or request a change be made?

A. No. At most, there might have been some can you clarify, not necessarily the outcome or, you know, anything like that. It's always -- and that's one thing I absolutely respected about the office and why I felt like the work we did was important, was because there was no boundaries by Sheriff Darnell. Like, if I went in and said I'm opening up a case on the chief deputy because of X, Y, or Z, it might be like, "What?" Like, "What are you talking about? Explain this to me."

But if it was something legitimate, I don't have a doubt in my mind that she would say, "Do what you got to do."

There was full autonomy to do right no matter what, no matter who it involved, no matter what their rank; and I valued that very strongly, and still do, and proud of the work that we did.

But yeah, I don't --

Q. I'm sorry to interrupt. What about under the Watson administration?

A. Again, there wasn't much communication, so it was quite obvious that I wasn't going to fit in that role, kind of that trusted --

Q. Did you ever send any investigations up

during your time there to the Watson administration?

A. Yes, sir. Yeah, there were several. I mean, I don't remember how many total, but there was never a, hey, change this or send it back. In fact, we had a lot of discussions about that, like the procedure and how important that is, and this is the way we've always done it. Is that cool? Is there some change in the way you want to meet? Do you want to discuss these things? What does that look like?

So there was a lot of those kind of discussions; but like I said, I didn't get a lot of participation in discussions. It more turned to "I'll pick my people. I didn't pick you." You kind of get the -- you know, you get the drift. It was like, okay, I get it.

So eventually they called me in to tell me they were moving me, and so that was actually -- it was great. Yeah, I was actually pleased to hear that I was being moved because I'd been in the position for five years already, right, which is -- nobody wants to work internal affairs as it is, much less for five years, right?

So that was kind of a relief in a way, but I also -- it was clear that I wasn't going to be part of their inner circle, so to speak.

BY INSPECTOR RIDDICK:

Q. How long before you were moved -- how long had you been the OPS captain when they moved you under Watson?

A. Under Watson? I don't remember the exact date. I'd have to look or see, you know, personnel. I want to say it was like March. Maybe a couple months. It wasn't long.

Q. So he took office in January, so within a couple months they moved you?

A. It was pretty quickly, yeah. The first news I got was kind of like, hey, we're going to be going a different direction in human resources, so I was aware of that. Because they didn't talk to me at all about anything to do with HR, nothing. It's like I didn't exist in the HR world.

Q. And HR was under you at the time?

A. Yeah. They would not speak to me at all. They would go directly to everyone beneath me. I was not involved in any communications, nothing. So that was pretty apparent quick, that I wasn't going to be involved in HR matters; but then it was, I want to say, around March, or it could have been April, where I was called and told, "Hey, we're making some moves, and you're going to get moved."

BY INSPECTOR SNOWDEN:

Q. Not to get into your personal business, but was there a reason for you leaving Motorola?

A. Oh, just -- yeah, just work-life balance. Yeah, like literally fell into that role, which was great, like the money was great. It's still public safety, utilizing a lot of my experience in the past; but corporate, the hours, the accounts, the work-life balance is -- it was cool. It was great experience, and I wouldn't trade it for anything. I learned so much, but it wasn't for me. Like, man, the hours are just brutal.

Q. You were in corporate security?

A. No, no. Like an account -- basically like an account manager for public safety software. So like all the CAD, in-car mobile, all the software that cops and firefighters and everything use that Motorola makes, it was basically managing those accounts through the southeast, like southeast US.

Q. Was it your choice to leave?

A. Oh, yeah. Yeah. Yeah, my choice. In fact, there was a girl that used to work at the sheriff's office who works for Motorola. She was reaching out during the election and transfer -- you know, not transfer, but like transition period with the sheriff,

and had reached out and just said, "Hey, how's that going?"

I'm like, "Well, I think I'm" -- "I think I'm going to call it quits here."

She was like, "Oh, you should come work for Motorola."

I'm like, "Doing what?"

The timing of it just worked out. I'm like, you know what? More money, worked from home, travel, all that stuff sounded great. It was great; but a couple years of it, and I was like, yeah, it's a lot of hours, lot of work.

But yeah, right now I'm just relaxing and doing honey-dos around the house; which sounds crazy, but it's been phenomenal. I love it.

MR. KRAMER: Unless you're being bothered by us.

THE WITNESS: Well, yeah, it is what it is.

MR. KRAMER: That's it. Thank you so much.

(The statement concluded at 4:27 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that TODD KELLY, who produced a Florida Driver's License as identification, personally appeared before me on April 19, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this May 24, 2023.

Cynthia Leverett

Cynthia F. Leverett
Notary Public
State of Florida at Large
Commission No. HH036051
Expiration Date: 09-27-2024

REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, FPR, Certified Stenographic Reporter, do hereby certify there came before me the witness herein, named TODD KELLY, for the purpose of the giving the foregoing statement under oath.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this May 24, 2023.

Cynthia Leverett

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

SCOTT ANDERSON

DATE TAKEN: April 20, 2023
TIME: 11:05 a.m. - 12:38 p.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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- - -

WHEREUPON,

SCOTT ANDERSON

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

DIRECT EXAMINATION

BY MR. KRAMER:

Q. Could you state your full name for the record, please?

A. Scott Allen Anderson.

Q. And, Lieutenant, could you describe for me your educational background?

A. I graduated from the University of Florida in 1993 with a bachelors of criminal justice. I graduated from 2007 from Florida Gulf Coast University with a masters in public administration.

Q. Are you a sworn law enforcement officer in the State of Florida?

A. I am.

Q. How long have you been a certified law enforcement officer?

A. I started at the University of Florida Police Department in May of '98, transferred to the sheriff's office in November of '99, and I've been an officer the entire time from mid '98 to now.

Q. So approximately 26 --
A. Twenty-five.
Q. Twenty-five years. Okay.
And could you briefly describe the positions that you've held with the Alachua County Sheriff's Office?
A. I've been a patrol deputy, traffic unit deputy, detective. As a sergeant, I worked in patrol, patrol administration, special operations, detectives. As a lieutenant, I worked in patrol, detectives, internal affairs, and I've switched in those positions back and forth a few times between internal affairs and criminal investigations. I spent a year in the courthouse as a lieutenant, and I'm back in internal affairs now again.
Q. As a lieutenant?
A. As a lieutenant.
Q. And in total could you estimate how long you have worked in OPS combining all your experience?
A. In internal affairs?
Q. Yeah, OPS.
A. OPS? I was there the first time from 2011 to 2013. I left for about four months. I was brought back to work, basically, a special case on Captain Vermillion. I finished that one, worked the case on

his supervisor, Major Fellows. That was about six months. I came back out. I went back in 2017 until 2021 and then came back again now in January of 2023.

Q. And were you assigned to OPS, or internal affairs, by Sheriff Watson's administration or by the prior administration?

A. So I was in a tenure there when he took office, and I stayed there from -- he took office the beginning of January, and then in the middle of March all of us were transferred out. And then now this year I was transferred back in there by him in January of this year.

Q. So as of right now you've been in OPS for approximately four months?

A. Yes.

Q. So let me start by asking you this. In the time that you have been working under the sheriff's administration, have you or has anyone that you are personally aware of been solicited to commit a criminal offense or specifically solicited to commit the offense of perjury?

A. So what I can imagine that you're referring to is, in the past week, the general counsel, Jake Rush, has been preparing a response to the 112 violation lawsuits that are currently pending. And so

Just within this week he has emailed some affidavits that he drafted up for us to review, edit, send back.

And one of the other inspectors, Virgil Calhoun, got his affidavit and read me one of the bullet points, which upset him greatly. And he -- I asked him what it said, and it was -- it was facts related to whether or not Jake Rush was interviewed in this case, and it was not factual. So had Virgil printed and signed it, he would have been perjuring himself on that document.

Q. And explain to me, was Jake Rush interviewed in the case?

A. He was not.

Q. And the affidavit indicated that he was?

A. It didn't indicate that he was, but it did not give the real -- the true reason why he wasn't. It wasn't accurate.

I brought the email chain, and I brought the drafts of the document with me. There's a lot there, so I might have to kind of walk you through it.

(Exhibit 1 was marked for identification.)

INSPECTOR SNOWDEN: Virgil Calhoun is also in OPS?

THE WITNESS: Yes.

INSPECTOR SNOWDEN: A lieutenant?

THE WITNESS: He's a lieutenant from the jail side.

BY MR. KRAMER:

Q. So I'm going to assume that in this proposed affidavit it was paragraph 9 that you're referring to that says "I did not interview Chief Inspector Jenkins."

A. Correct.

Q. And then the next sentence begins "Likewise, General Counsel Rush had no witness material to add. He was routinely called upon for his legal opinions. I used direct sources such as witness interviews in my own independent investigation."

A. Correct.

Q. That statement is materially false?

A. Correct. So I can walk you through the process that's occurred over the past three months and how it actually played out. And I actually had a conversation in the office with Jake Rush about this right before I got in the truck to drive here.

Q. Okay. Go ahead.

A. So when these cases -- these cases were opened together. You got Frank Williams and Kevin Davis in January. They were brought to Captain Jenkins' attention in a meeting that he generally --

or regularly has meetings at the sheriff's suite with Jake Rush and Joel Decoursey. I've never participated in any of those meetings; but he always comes back and tells us the results of the meetings, and he'll come back with directives of what we're supposed to do or whatever.

So he came back from one of these meetings. He told us we were opening these cases, and that the information had been given to him by Jake Rush. He came back with printouts of Facebook posts and pictures and gave this stuff over and said, "We have to work this. It came from him."

I wasn't in the office when it started, so they asked me advice because I've got eight years experience in OPS; I'm working with three inspectors that have none, so I have to basically direct them to do everything. They've had no training whatsoever. And at the time Eric Hutchinson was not in there; he is now. At the time it was Chuck McCray. Chuck McCray had two or three months of experience when I got there.

So they asked me for advice on how to do the notice, so I explained to them, put Jake Rush's name. Just be general about the allegation. Don't list policy violations, say what it is. You're alleged to

have made an inappropriate post about the sheriff, something to that effect.

So he did exactly as I explained him to do. That got served. I'm gone, and somehow, some way they find out that Jake Rush is the alleged complainant, and they said, "You can't do that. He's the attorney. You need to change it."

So they ordered one of the inspectors to make a new notice listing Kelvin Jenkins as the complainant and go re-serve him that night.

I come in the next morning, didn't know that happened. Chuck McCray comes to me and says, "We just violated somebody's 112 last night."

Q. Why?

A. That was my question. I said, "Why do you say that?"

So he explained to me what happened about the changing of the complainant and notice and all this.

I said, "That's not a 112 violation. That's all paperwork. It's ASO stuff." I said, "You need to be concerned about 112 the day we do the interview. You've got to give them the complainant name. You've you got to give them the allegation. You got to give them every witness statement. What name is on the paper when you tell him he's under investigation, it's

irrelevant.

Q. Is the subject entitled to truthful information with regard to who the complainant is?

A. Oh, yes.

Q. So is that not a 112 violation?

A. My point to him was that we have to fix this before the interview. Don't think that you violated 112 and you're done because you served a paper, served another paper. I said, "We need to be clear on who the complainant is. We need to get a good complaint, and we need to have all of that lined up so that we can provide it when the time comes."

So I start understanding what's going on. I said, "We need a complaint from Jake Rush. Jake Rush is the complainant. We can't switch people out. We've got to be truthful."

So for the next two months, from January to March, we repeatedly asked for a complaint from Jake Rush. We would ask through the captain. The captain would go to his meetings, and he would be denied that opportunity.

We're now the week before the interviews are taking place, and I'm telling Nancy, who's got one case, and Virgil, who's got the other, "When they come in, if we do not have a statement from Jake Rush, she

is going to" -- talking about Bobi -- "she is going to allege a 112 violation, and she's going to be right. So this has to happen."

Captain Jenkins was in the office. He hears me say this. He doesn't tell me he's going to do it. He calls Joel Decoursey on the phone, puts him on the speaker and says, "Hey, I got Lieutenant Anderson here. He wants to talk to you." And he puts the phone down on my desk in front of everyone in the office.

Q. You did not want to speak with him?

A. I wasn't asking to do that. I was just making clear to the captain that this has to happen.

So he just dials up Decoursey and puts the phone down. So I said, "Undersheriff, I've got a concern I feel like I need to raise to you. This is going to happen next week. If we don't have a complaint from Jake Rush, they're going to have a valid 112 allegation, and we're not going to give an interview."

And he pushed back, and he pushed back, and finally he said okay, and he gave into me.

I was surprised. We hung up. I said, "I guess we're going to finally resolve this. We're finally going to have something to put in front of the

officers."

And the day of the interview was when the complaint form from him showed up, and it said one sentence; and it basically said "I'm the legal counsel for the sheriff, and I give legal advice."

Q. That's not a complaint.

A. And it gave no facts, no circumstances, or anything about it.

BY INSPECTOR SNOWDEN:

Q. Would that in and of itself right there be a 112 violation?

A. In my mind, absolutely. We already had them coming in to review evidence.

What I told the inspectors was, I told the inspectors, I said, "When they get here, she's going to tell you that this is a 112 violation; and she's going to be right. The first step is, we have a conversation, and we attempt to cure it. So when her and I are on the same page, we're going to call the sheriff's suite. And we're going to tell them she's alleged a 112 violation over this statement; and she's correct, and we need to provide one. And then we're going to put it on them that" -- "there's nothing more than we can do except for go to the witness, and they're refusing to do it."

So that was the plan going into the interview. They review the evidence. We go in. We start the process, and she starts to outline numerous allegations, many of which I did not believe have merit. I was waiting to get to the one that did, but we were never able to get that far. We weren't having a conversation. It was a one-way event.

So I had told the inspectors before this happened, I said, "The only way we can save this is" -- "we don't need the interview anyway. So if they don't" -- "if we can't come to an agreement, we're going to have to just work this without an interview. We're not going to compel an interview. We're not going to charge insubordination, any of that. We'll just have to work with what we have, and we'll move on."

So they left. I told Virgil -- I got to remember which was working which case. I told Virgil, I said, "You're going to have to do this without an interview because they're not going to agree to do it without a complainant, and they won't give us a valid complainant. They have the right to see it. We can't provide it. You just have to close the case."

So he closed his case.

Q. Which case is closed?

A. Frank Williams.

Q. Okay.

A. Kevin Davis comes in the next day. We all know what's going to happen. We have the same exact complaint, it's just a different officer. So guess what? It was a 112 yesterday. It's going to be a 112 today. I expressed that to the captain.

We had to go with what we had, so that evidence review takes place. We go into the room. She outlines all the same things, many of which I believe were frivolous; but I knew that one was a 112 violation, and we couldn't fix it.

We didn't get to discuss those either because I did not realize that Nancy, through a lack of training in OPS procedures -- she has come from a career of criminal investigations; and in criminal investigations, there is not an expectation of privacy when you're talking to somebody in a criminal case. So she came into OPS, and she was under the impression the same thing happens there.

So in one of her conversations with Bobi Frank, because it was contentious, she recorded it and did not tell Bobi. When she provided all the evidence in the Kevin Davis case, she provided that too because she didn't know she had done anything wrong.

So at the end of Bobi alleging all of her allegations, Bobi then, before we could discuss any of the problems, closed her notebook, said, "I want to ask you a question." And then she said, "Who do you think you are recording me without my knowledge?" And then she attacked Nancy over the recording.

I find out this happened as I'm sitting there listening to this.

So she goes off on Nancy; and her and Kevin stand up, and they storm out. So there was never a conversation of how to fix any of this because it turned in to her accusing her of a felony and recording her without her knowledge.

So when that was over, I called the undersheriff because the captain was not there. I said, "I want to make you aware this happened. Nancy did this. She was wrong. She didn't know she was wrong; but it's going to be a problem, and the interview didn't happen. We're going to do the same thing in this case that we did in Frank's. Because we can't fix the 112, you won't let us fix it, so we're going to close this case without an interview."

So Nancy got the direction to do the same. However, as you're probably aware, that case to this day is not closed, and I've got plenty to explain to

you about why that is.

Q. Well, I do want you to do that. I do want to ask a couple of follow-up questions with regard to Nancy Marzouk, the issue with Nancy Marzouk.

A. Sure.

Q. What training was Nancy Marzouk given by the sheriff's office prior to being asked to perform the duties of an OPS investigator?

A. Zero.

Q. Would that -- the fact that you cannot do a surreptitious interview or conversation with someone be covered in that form of training?

A. Absolutely.

Q. So if Nancy Marzouk had been given proper training, it's your testimony that likely she would not have violated 934 of the Florida Statutes?

A. Exactly.

Q. And when you say -- I just want -- because I do not understand OPS stuff very well. When you closed without interview, that does not mean that you're not suggesting discipline. It just means that you're completing your investigation.

A. Closing the investigation. Because 112 says if you are subject to investigation that could possibly lead to discipline, demotion, termination,

and subject to interrogation, that's when all these rights kick in. So if we don't conduct the interrogation, that's the only way to fix that these aren't happening.

Now, if you've got a case that you can't close without interview, so be it. Some cases on their face do not require you to interview a subject to prove or disprove.

Q. And this developed into the -- because this was a social media violation, right?

A. And we had the post.

Q. So you felt the interview wasn't necessary to complete the investigation.

A. Correct.

Q. So what is the officer's remedy here for the fact that now the officer is not being given the true identity of the person who is the complainant?

A. So I mentioned that this morning I had a conversation about this with Jake. We've never had meetings with him before.

But the subpoenas in reference to this investigation were served on Thursday of last week. On Friday afternoon, I got a calendar event, and so did everybody else in OPS, that for the next three weeks every Thursday morning at 10:00 a.m. we have a

meeting with Jake Rush and Joel Decoursey. We've not had that once up to this point.

So this morning was the first. The undersheriff didn't show up; Jake Rush did. He come in. He's having basically like a little training session and explaining how he's building the defense of the 112s.

And Calhoun asked him a question about one of the cases and about the complainant and the fact that the office of the sheriff has been listed as the complainant in a case before. And Jake answered this question in such a way that it became clear to me what he was saying, and I immediately stopped him and said, "You are wrong."

He said, "What do you mean?"

I said, "I understand what you're telling him and what you're telling us to do in here. We can't do that." I said, "You're talking like this is a criminal case. You think that you can come in and be an anonymous complainant. For example, someone calls me and says, 'My neighbor is selling drugs out of his house. These are the people that come and buy it. These are the times they do it, but he's my neighbor. I don't want you to use my name. I don't want to be involved.'"

That's criminal all day long. We'll go, and we'll pull trash. We'll stop cars coming and going. We'll write a search warrant, we'll get the evidence, and they'll go to prison." I said, "You can't do that in this office."

And he stopped, and he looked at me, and he said, "What do you mean?"

I said, "You know how when you go to court, and you have the right to confront your accuser in a court of law?" I said, "That's what 112 gives officers a right to do in these cases. You have to reveal who the complainant is, period. You don't get to be anonymous."

He said, "Well, the way these things come in is, someone will come to the office, and they'll bring things; and I have to look at them, and I have to decide whether they are possibly First-Amendment protected or not. And then, if I decide that they're not First-Amendment protected, then I turn it over. And then you have to do the investigation; but I'm the attorney, and I can't be involved."

And I said, "And that's what happened in these cases. But what you need to do is, you need to turn around, and you need to tell us who brought it to you, and they need to be the complainant. And that's

not what happened."

And he just said, "Thank you for the insight."

And about that time it was time for me to come here, and I left.

Q. Let's continue again with the process of what happens after Ms. Frank has had the vent in your office, and now these cases are heading towards closure because you can't get the interview, you can't cure the 112 violation. What happens after that with these two investigations?

A. So the Williams case is closed. They decide the discipline. He's served. Well, that case had -- I think he did maybe three different policy violations when he closed it.

The facts in Frank Williams' case and the post that he made and the facts in Kevin Davis' case and the posts that he made are not the same; however, they were clearly expecting the same result.

So when they got the result of Kevin's case, and it wasn't the same, and it didn't have conduct unbecoming on it, it was pushed back. "Why isn't this on here?"

"Because the facts aren't there."

"Well, you need to interview these people.

You need to do this. You need to do that," and they kept pushing it back.

Q. Who's the person that's doing this? Who's pushing it back?

A. So for me, my interaction is always with Kelvin Jenkins; but it's always that he goes to the suite, and then he comes back, and it's, "This isn't good enough. We need to do this. We need to do that."

And I'm constantly pushing back to him and saying, "We can't do that. We can't do it that way. We can't do this."

And he listens to me. I don't know how much he pushes back on the other end. I just know that when he comes back things are not changed.

So he comes back, "This needs to" -- "we need to do this. We need to do that."

Q. In your mind, did this -- who's the investigator on it? Is it Marzouk on Allen?

A. It was as this was first happening.

Q. So are they soliciting -- is someone soliciting these people, the investigators in OPS, to make a false statement about Kevin Allen or about the facts of the case?

A. No. They just clearly have an expectation at

the start of how it's going to end; and if it doesn't end that way, it's not because the facts aren't there. It's because you haven't done a good enough job to make it that way.

Q. So how does this proceed?

A. It was not uncommon for them to come back and -- one time he came back, and he said, "They talked about they want us to do search warrants on their phones from Facebook," and my jaw dropped.

I said, "We don't do search warrants in administrative investigations. This is not criminal."

"Well, they said you can because it could be" -- "you know, it's work-related. They're posting about work."

I said, "First of all, you don't know what device they posted on. You can get on Facebook on a phone. You can get on Facebook on a computer. You can get on Facebook on a tablet."

I said, "If they used their agency phone, okay, we can go take that; but you can't write a search warrant for something because it's work-related. We can't go in their phone any more than we can walk in their house and start looking around in their house." I said, "This is work product."

That's the kind of direction that we were constantly getting.

Q. Are they aware -- does anybody bring up to them that the search warrant has to go through the state attorney's office, so there has to be a criminal investigation attached to it?

A. I only have those conversations with Kelvin Jenkins, because I -- he's the only one that's allowed to go there, so that has to come from him. I don't know how much of that he passes on, but that's the type of stuff that we are regularly being told.

Q. So just to clarify, they are suggesting a search warrant for Kevin Allen and Frank Williams both?

A. At this point we're only talking about Kevin Davis, because Frank Williams' case is closed because they were okay with the charges on that.

Q. Right.

A. They're not okay with the charges on Kevin Davis, so they're constantly throwing things at us that we're supposed to do to make Kevin Davis' case look like Frank Williams' case, and they're not the same.

Q. So what happens? How does it resolve?

A. So -- well, it doesn't. It's still open

today. So one of the things that happens is, we're told that we're removing Nancy from the case and putting Virgil on the case because that will solve all the 112 problems that are alleged because now we've got a new fresh set of eyes on the case.

So Nancy gets removed. Virgil gets assigned. And then he's looking to me going, "What am I supposed to do with this? We have all these interviews."

The interviews we did, we didn't want to do. We interviewed his whole shift. We interviewed supervisors, we interviewed co-workers not because they provided anything with Facebook posts. We have the posts. We don't need to interview these people, but they wanted them interviewed because -- it was clear what they wanted to do, was they wanted to find out who agreed with it and who didn't.

Q. What was the nature of the questions during the OPS interview of these individuals?

A. Again, I'm having to tell -- this is Nancy's first case ever in IA. This is Virgil's first case ever in IA. Their cases, as I told them from the beginning, don't even need interviews, but we're being ordered to interview subordinates and co-workers to determine what effect it had on these people.

And I told them when they started, I said,

"I've got eight years in this job, and I don't know what questions to even tell you to ask; because what I'm concerned about is, we're going to be taking these supposed witnesses who are asking questions about this post, and we're going to be turning them into subjects based on the questions we ask."

If they reveal that they agree with anything that their sergeant said, then now they're going to be a subject because they're against the sheriff; the same thing with their supervisors.

If a supervisor -- at any time if it becomes -- they become aware that the supervisor knew that they were posting these things, or knew that they were saying these things, then they're going to want to go after that lieutenant for not doing something about that sergeant; and that's what has happened.

So we were asking questions, trying to be very careful what we asked. At one point I'm in an interview with Nancy. She asked a question of a deputy; and I looked at her, and I said, "No."

And she said I struck that from the record, and we didn't have him answer because I knew it was going to do nothing but put him in a bad position. It did not add to the case. None of the interviews added to the case. We didn't need to do them.

So when the case was written, and it was sent up -- and one of the times it bounced back, some of the notes on it were -- we had interviewed Lieutenant Phillips, and the question was -- she had testified that -- when asked has he ever said anything negative about the sheriff, and she said, "There have been times where it's just me and him, and he'll vent about things that concern him, or whatever; but it's always been just to me, and he doesn't say anything negative to the squad."

One of the things that came back was, they wanted to know why she didn't discipline him for saying negative things about the sheriff, and they -- they were listing questions of, why didn't you ask her this, this, and this.

And I'm in this conversation with Kelvin, and I said, "If you start asking her those questions, she's not a witness against Kevin anymore. She's answering questions because she's now the subject of why she didn't fail to supervise. So you can't ask her those questions unless you want to serve and then notice her and then give her interviews, and then you can start asking her why didn't you do this, why didn't you do that. Those are not appropriate questions if she's a witness against Kevin Davis."

So clearly that was the purpose of even making us do those interviews. That case is still not resolved.

Q. Can I just ask one question? So this concept that you're discussing now, which is that you can't cause an officer to become a subject through the interview process, is that something that's taught if you were to be trained on the proper --

A. Absolutely.

Q. -- OPS procedures?

A. Absolutely. You got to recognize, if they become a subject, you need to stop that questioning, and you need to separate that from what you're working.

Q. Is it your understanding that the captain, who runs the OPS division, has not had that training?

A. He has been trained, but he was a lieutenant in OPS many years ago himself for a very short period. So he went through some training years ago, but he didn't -- he wasn't there very long.

Q. Nancy Marzouk, who is at least in one instance the person who is making these questions, has not had that training.

A. No.

Q. And the people in the sheriff's suite, which

is either, it's my understanding, Jake Rush, Joel Decoursey, or the sheriff, they have not had this training, and they're suggesting questions that would violate the officer's rights under the Officers Bill of Rights?

A. Correct.

Q. Continue.

A. Where was I?

MR. KRAMER: I apologize for interrupting. I think you were about to tell us what the current status of the Kevin Allen investigation is.

INSPECTOR RIDDICK: Can I ask one question?

MR. KRAMER: Yes.

BY INSPECTOR RIDDICK:

Q. Knowing that this is a training issue, especially since talking about the recording, have they made any effort now to schedule training?

A. Last night at 6:12 p.m. I got a calendar invite from the sheriff's secretary indicating that me and all the other invitees have a four-hour mandatory training next week, Wednesday, from 1:00 to 5:00 with Wayne Evans on employee labor relations. That's the first of any training.

Q. Who's Evans?

MR. WEBSTER: He's a lawyer with Alan Wood in

Tallahassee.

A. He defended our prior sheriff in many cases over many years.

Q. But no schedule for a 40-hour ITPM class or Louisville internal affairs class?

A. Virgil Calhoun went to a class a month or two ago. He's the only that had any training so far that was put on by the FSA. He went to that class and sat next to Jake Rush. That's the first training that I know of that Jake Rush has had 112. They were together in February or March, and that was like a two-or three-day class.

Q. Let's finish where we were with the Kevin Allen investigation?

A. Kevin Davis.

Q. Kevin Davis. I'm sorry.

A. Yes. So one of the things I don't want to forget to say -- I've tried to say it a couple of times -- is that in a meeting within the past week or two -- and, again, this come from Kelvin. I don't hear these things myself because the first time, really, I had a direct one-on-one with Jake Rush is this morning right before I came here.

Jake Rush made the comment when Kelvin was telling him we're not going to be able to sustain a

conduct unbecoming, it's not there; not only that, but we've gone back and forth on what is being included and not included in this case.

And, according to Kelvin, Jake Rush made the comment, "Well, if all we have is insubordination, how are we going to fire him?"

So, clearly, the outcome has been decided before they've ever seen the final product, which they continue to kick back. They don't feel like they've been given good enough reason to fire him; that's why it keeps coming back to our office.

Q. Okay. And so I'm not sure I should have to ask this question, but I'm going to. Is this unusual, in your eight years experience in OPS, that the administration would predetermine and dictate the outcome of an OPS investigation?

A. Every sheriff can run things their own way, do things different; I don't expect that they'll be the same. We can have opinions on who's right and who's wrong; but I can tell you that under Darnell, in the many years that I was there, never once, never once was I told an expected outcome, was I told how to conduct an investigation.

I can say maybe over the seven years once or twice a report would go up; and maybe there would be

some follow-up questions where maybe she felt like we didn't go enough down an avenue, so she wanted someone else to be talked to or another interview done. Never once was there ever an expectation of an outcome, to include when I investigated two members of her command staff who were higher ranked than I was.

It has happened on every case I've been involved in, in the three months that I've been there.

Q. Can we go -- are you good with telling me about Kevin Davis? Because I want to go back to this affidavit for a moment.

A. Let me just check my notes and make sure I don't have something about it.

So on the topic of it being switched over. So it's been taken away from Nancy. It's been given to Virgil. We ask questions early on.

This has never happened before. How are we supposed to make this work? We have evidence that Nancy gathered, these interviews that she did; that they've already been presented, so they know that they're there. If and when we call him in a second time, which hasn't happened yet, we're going to have to provide all of that other evidence. It's still part of this case. It still exists.

Again, I was not there for this. This is

coming from Kelvin Jenkins, but they said, "Oh, no, you absolutely don't need to provide that."

Well, it's still there. They know it. What are we supposed to do with it?

And we were told, "Just delete it."

Q. You were told to delete it?

A. The interviews.

Q. All of the interviews related to Kevin Allen?

A. Kevin Davis. It's just a draft.

Q. An interview?

A. I said, "The report is a draft. The interviews are not a draft. The interviews exist, and the interviews will continue to exist;" but on two different occasions we were told, "All we need to do is delete it."

Q. Does that include deleting the recorded phone call between --

A. Yes.

Q. -- Bobi Frank and --

A. Yes, that would be part of the evidence.

Q. Who said to delete that?

A. Jake Rush, according to Kelvin Jenkins. I was not there.

Q. Is that possible? Can you do that in the system?

A. It's possible, absolutely possible. It's all digital evidence. We can delete it.

Q. There are no safeguards within your system to prevent the loss, potential or otherwise, of evidence?

A. So another issue is, you might ask me questions about our system, but I couldn't answer those questions because that system was purchased and put in place, I'd say, two, call it, squads ago of OPS. It's been in place maybe a year or less; but there have been two complete turnovers at OPS in that amount of time, so none of us in there really know how to use the system.

So I have full admin rights; and I'm pretty sure I could go in there, and I could delete it all. But I'm not proficient in the system at all because normal practice, in all my other years of working in this career, especially in OPS, we always had four or five investigators, maybe a lead inspector, and then a captain. At most, the turnover at any one time would be two people.

And so when two new ones came in, you can't go to training the very first week. It doesn't happen all the time, but you were assigned someone who watched over you and would make sure that you didn't do anything really bad and make sure -- we had a whole

process and procedure, a notebook that you had all these sections; and if I'm training somebody, I would go through, and I would sign off that I had gone through this with them, I had participated in an interview with them, we went and we served this type of paperwork. It was the same thing you'd do with a new deputy on the road going through field training. Well, none of that exists anymore.

So these people come in; and there's three of them brand new, and I'm the only one in the office that has experience. I'm not at work all day every day; and I can't be with three different people doing three different things, so they're left to fend for themselves.

And now, even the fact that I have prior experience, when it comes to this computer system, that does me no good because this system did not exist before.

Q. Let me go back. I appreciate it. I want to review the Nancy Marzouk incident, and then how did that information get back to you. So my understanding is that everyone becomes aware that this is a problem because Bobi Frank loses her mind in the middle of an interview, right?

A. Yes.

Q. Okay. Then, if I understand correctly, you were aware of that, and Nancy Marzouk aware of it, and obviously the other non-involved OPS people are aware of it, right?

A. Yes.

Q. You then communicate the fact that this interview exists to your supervisor, who is --

A. Well Kelvin was not there that day. I called him after the fact. I called and spoke directly to Joel Decoursey and Jake Rush, and I told them both what happened.

Q. And during the course of that conversation, do you tell them this is a felony?

A. Yes.

Q. Okay. So they are now on notice that you believe that there is evidence of a felony that is contained in the OPS --

A. Computer system.

Q. -- computer system.

A. Yes.

Q. Okay. Walk me through, again, when you become aware that anyone is suggesting that that piece of evidence that is evidence of a felony offense be deleted?

A. So the interview attempts occurred on, I

think, March 1st or 2nd. So whichever day that was, as soon as Bobi walked out, I got on the phone because I'm now aware that this happened. I called, I said the interview did not happen, which, to me, was a side issue from what had just been revealed. I said, "We've got a problem," so they knew at that time.

And I said, "There's clearly zero intent here on Nancy's part to commit a crime. She surreptitiously recorded Bobi but then gave it to Bobi to listen to when Bobi came for evidence review, so clearly she's not doing this and trying to hide it from her. However, intent is not really part of this statute, so that's not going to get her out of it." I was like, "We need to deal with this."

They said it's fine, we got your back, you're covered, da, da, da, da.

So now it's probably maybe about two weeks, ten days, two weeks in, I think, is when she gets removed and Virgil gets put on. And it's sometime after that when we're trying to determine how is this even going to work. You just decided we're going to take her off, we're going to put him on, and we're going to act like none of that has ever happened and it's all okay now. We've taken her off. We're trying to understand out how this is going to work.

And in one of the conversations when we said, "What are we going to do with this evidence?" Jake says, "Just delete it."

Q. And Jake says that to who?

A. Kelvin Jenkins.

Q. And then Kelvin Jenkins comes back to you?

A. It was said in more than one meeting, as far as I'm aware. I know it was said once. I believe it was said in two meetings. And I believe that Virgil Calhoun was in attendance at one of those meetings where it was said, so he may have also been told that.

Q. So describe for me how you become aware of the content of those meetings?

A. Because almost daily Kelvin Jenkins, whether it be morning or afternoon, goes over -- we're housed in the jail, so we're in a different site. Almost daily the captain will go to the main office and have meetings with Decoursey and Jake Rush. So if he goes in the morning, we generally hear about what happened that afternoon. If he goes in the afternoon, we generally hear about it the following morning.

So he'll come in, and he'll say, "I went to the meeting yesterday, and this is what happened."

And it's almost on a daily basis where he will say something like this, and I fall over and say,

"We can't do this. You can't do this. You can't do this. That's illegal. You can't do this." It's almost daily that that happened.

So then I express these things to Kelvin. He goes to another meeting, and I kind of wait to hear, like, are we going to change our mind on any of this. And almost 100 percent of the time the course remains the same no matter what I say.

Q. I just need to understand this. Is it -- is there some idea that they're going to have Bobi Frank come back to the office and now have this same process with Kevin Davis and then show her that the evidence is gone?

A. My understanding of it is that just we will present evidence, but we will only present evidence from when Virgil got on forward. We just won't give anything from prior to that.

And we looked at him, and we said, "We can't do that," but we haven't gotten to the point yet where that will happen.

Even more disturbing is that I've been told multiple times when Kelvin Jenkins comes back from these meetings that we know that she throws frivolous 112 violations. So what we're going to do is, we're going to have a pre-printed letter from the sheriff

that will say your 112 violations are without merit so that when they come in, and she says her 112 violations, we'll just give her the letter that was already drafted informing her that your complaints are invalid and that we will go ahead with the interview.

When they do not go ahead with the interview -- and it was specific enough that before any of that happens we have to make sure that, as soon as they come in, we got to read Garrity right away; we got to get that out there.

So we'll read them Garrity, give them the stuff. They'll allege 112. We'll give them a pre-printed letter that says your 112 is not valid. And then when they leave we'll charge them for insubordination for not participating in the interview. I've been told that at least six times.

Every time I've been told it -- I now have a copy of 112 that sits on my desk with highlights on it. Every time it's been said, I grab it, I throw it down, and I say, "There is a sentence in 112 that specifically says if you allege a 112 violation, and you leave, this does not constitute insubordination or any similar violation. That is illegal. We cannot do that.

Still to this day that is the plan of attack

when he shows up. That has not changed.

Q. Is there some plan on what's going to happen when Bobi Frank says to whoever is the poor person who's going to have this interaction with her, "What happened to the evidence?"

A. I have no idea.

Q. You have no plan for that?

A. We can delete it. That's -- just delete it; that's the answer. We can delete it.

MR. KRAMER: Anyone want to follow-up on that?

BY MR. KRAMER:

Q. I want to back up again and talk about Nancy Marzouk.

Let's assume for a moment that this person isn't working in OPS; that this is an officer or a deputy or a lieutenant in the regular unit, and they unlawfully record someone. Is that person -- and you find out about it, and there's at least probable cause to believe that this is a criminal offense because, as you have appropriately noted, there is no intent provision within 943, is this person going to be allowed to continue to work?

A. It's -- I can't explain. I can't explain it.

Q. My question is, if they weren't in OPS, and

somebody has informed the undersheriff that an officer within the agency has committed a felony, would that person normally be -- is there some way to emergency suspend someone as -- like, can you do that?

A. Absolutely. We do it all the time, but there's no rhyme or reason to who we suspend or how we suspend them.

We had a -- we had a -- actually, it will become relevant to the OPS too, but let me tell you this story so I don't forget.

So we have a lieutenant of the drug task force, Rich Howell. He was the lieutenant of the task force at the time, and he had just been cleared of a shooting that occurred on the east side that he was a part of it where there was a death. So they are putting together an awards ceremony, and they're going to give the guys that were involved an award as being part of that event.

Rich Howell makes the statement to Kaylie Biel (phonetic) that he doesn't want an award for it. He doesn't feel like it's something that he should be given a medal for.

Q. That makes sense.

A. Kaylie expresses that to the undersheriff, and the undersheriff decides, based on that statement,

when he says he's uncomfortable about having an award or going to an award ceremony about it, the undersheriff decides he needs to do a a fit-for-duty evaluation. It sounds like he might not be fit for the job. So that process starts.

In my entire career, if we ever have somebody that we are concerned might be not able to be carrying a gun because of their moral fitness, well, we'll take the gun from that person until we decide they are okay.

That fit for duty did not occur for three weeks. In the three weeks intervening where Joel Decoursey has decided that this person may not be mentally okay to carry a gun, he was the lieutenant of our drug task force, he is the commander of the SWAT team, and he led, as the supervisor, our out-of-county detachment that went to Charlotte County for the hurricane. All of that while he's not potentially fit for duty.

Q. Then there's a fit for duty?

A. Then there's a fit for duty. And, of course he's ruled to be fine; but we were concerned enough that we made him go to a doctor to tell us he's okay to carry a gun, but for three weeks in the middle he's in control of our SWAT team, in control of our drug

task force, and is supervising a bunch of deputies in south Florida during a hurricane.

Q. Maybe I'm just not educated enough to understand this. Why would that occur? Like, why would you wait that long? It's not an OPS investigation. He's not in trouble, right?

A. No.

Q. So why wait?

A. I have no idea. I can only tell you that it happened. I cannot explain it.

BY INSPECTOR RIDDICK:

Q. Does your policy allow for someone to order someone into a fit-for-duty situation just because they made comment? Is there a policy on what, you know, would cause somebody to be removed for fit for duty?

A. There is. I couldn't quote it to you.

Do I believe that the statement that Rich Howell made would any way indicate he was not fit for duty? Absolutely, I do not. However, if I ever thought somebody was unfit, I certainly wouldn't allow them to continue to work for three weeks until I resolved that concern.

MR. KRAMER: Did I interrupt you? Was there something else you needed to cover?

INSPECTOR RIDDICK: May I ask a Nancy Marzouk question?

BY INSPECTOR RIDDICK:

Q. Has there been an internal on her third-degree felony?

A. So I, again, expressed we need to deal with this. I then -- I want to say it happened on a Thursday. I don't think I worked on a Friday, and I think my next contact with Jenkins was on a Monday.

I told him I was concerned for what would happen to her. It was clearly unintentional. It was totally due to a lack of training, but I said we can't -- we have to address it.

And so he issued her a corrective counseling that Monday outlining why this is not correct and outlining that, you know, this is criminal versus administrative. So she was -- she was counseled formally on that the next week.

BY MR. KRAMER:

Q. But that's not discipline?

A. It's discipline. It's informal discipline. It stays in her file for a year. It wasn't formal. Formal discipline could be suspension, written reprimand that stays there forever. She got informal discipline over that matter.

Q. I know the answer to this question, but for the record I want to ask anyway.

Has anyone contacted the victim in the case, or the matter, because there is no case, and asked them do you want to prosecute? Do you not want to prosecute? Do you want to make a formal complaint?

A. Not that I know of. And everybody was kind of waiting to see what she was going to do, what she was going to say. It did not show up in her 112 allegations in the lawsuit; which it wasn't relevant, but I didn't know if she'd want to make it part of the case or not. She didn't address it in there.

I felt like the way that played out, I had the impression Bobi knew just like I did that she didn't do this on purpose, but I think she was using it to her advantage for Kevin's sake in the case.

So I didn't expect that she would ever do anything more with it; however, within the past week or two at one of these meetings I wasn't at, Jake made the statement that Bobi wanted Nancy arrested over it. That's news to me. So whether he's talked to her about it, I don't know, but no one in our office has.

MR. KRAMER: So unless you fellows have more follow-up, I'm going back to the affidavit, this subsection 9.

BY MR. KRAMER:

Q. So my understanding from what you've told me so far is that Virgil Calhoun receives this affidavit, and subsection 9 is not truthful.

A. No. It indicates that he didn't interview him because he had no information; and we had been trying for two months to get him to be interviewed, and he was refusing, which is why Virgil got so upset when he read that and was expected to believe that that was factual and sign it.

Q. After Virgil Calhoun, to your knowledge, reads this and objects to it, is there anyone in the administration who says to him anything in the nature of we need you to sign it?

A. No. So the email was, here is the affidavit I drafted up for you. Review it, make any edits. If it's okay, sign it, send it back to me.

He pulls it up, pulls up his email. He opens the computer. He reacts. I come over. I said, "What is it?"

He reads it to me, and I said, "Well, first of all, that's a lie." I said, "Second of all, if" -- "he should know that if what he wrote in there was true, he has just admitted to the 112 violation that Bobi is alleging."

We only had two complainants: Kelvin Jenkins and Jake Rush. He just made a statement in that affidavit saying that neither one of them have material knowledge of the issue at hand; therefore, we have no complainant with knowledge of the allegation. You just admitted to Bobi's allegation in the thing you sent us.

So he didn't really know how to respond. So I'm standing over his shoulder, and I said, "Type this." So you'll see a corrected one with a comment to the side.

I explained to him, I said, "Type this and send it back to him." That was the response that was sent to Jake with the comment on the side.

Q. Which says "I did not interview Chief Inspector Jenkins as a complainant in this case because he had no independent information of the petitioner's conduct. Likewise, Counsel Rush had no witness material to add," and then there's a comment.

A. That's what he actually had sent him.

Q. Right.

A. This is his comment about it.

Q. "If there is no independent information from Captain Jenkins or yourself, then this admits that there was no complainant with material knowledge."

So that went back to the general counsel?

A. By email.

Q. And what happens after that?

A. About 15 minutes later -- so we all have -- we have one big room that we all have our cubicles in that we share. The captain has a separate office across the hall with a secretary.

About 15 minutes later the captain comes walking in. He says, "I don't know what happened, but you just fired up Jake Rush" to Virgil.

And he said, "What do you mean?"

"Well, he called me, and he was just all flustered." He's like, "I just don't understand. Is there some kind of problem?"

And Virgil was very upset about what had been sent. He said, "Absolutely, there's a problem. He sent me something that's untrue and expected me to sign it."

And I explained to Kelvin what happened. I explained to him that I told him, "Here's what you need to respond," and I'm sure he didn't like the response he got.

And so Jake Rush then sends him another version, which he also does not agree with. So I don't -- that should be in there. The next version

that he sent him.

Q. Is it this one?

A. I told you this would be confusing, and I'd probably have to walk you through it. It was confusing to me trying to put it together.

So he sends him back and says that it's updated, and sends him this version. So in this version he says that as number 9, which Virgil also did not agree with.

Q. "I received the initial evidence from Chief Inspector Kelvin Jenkins."

That's not true because the initial evidence comes from Virgil.

A. Well, Virgil did receive it from Kelvin; that's true.

Q. "Who advised he received the information form the office of the sheriff" -- which is --

A. Which is not a person.

Q. It's obtuse.

-- "requesting an investigation into the petitioner's conduct. He assigned me to investigate a potential violation by the petitioner, which I did through my own investigation."

A. So this will be the one he actually ended up -- so he sent him -- if you look at the one from

Virgil, it will show you what he didn't like, and then it will show you what he -- here.

So the one that Jake sent back said this, and then what you just read is what Virgil was willing to sign.

Q. Okay. So let's read that.

What Counsel Rush sent back was "I did not interview Chief Inspector Jenkins as a witness complainant in this case because he had no unique information regarding the petitioner's conduct."

Is that untrue?

A. He knew what he knew that he got from Jake because it was the packet of information that he had, so I'm not sure.

Q. Okay. "He assigned me to investigate a potential penal violation by petitioner, which I did, developing my own evidence independent of his lead."

Is that true?

A. Yes, and that's what reveals to you what Jake sees this as. He's describing it like a criminal case where you have an anonymous tip, and so now you go out on your own and build a case; and that's what I had to tell him this morning you cannot do.

Q. "Likewise, General Counsel Rush had no witness material to add," which is not true.

A. Which that's the part that was untrue that he did not agree with.

Q. The rest of it is the same.

A. So then that is the final version that Virgil wrote himself and was willing to sign.

Q. Which says "I received the initial evidence from Chief Inspector Kelvin Jenkins, who advised he received information from the office of the sheriff requesting an investigation into the petitioner's conduct," which is true but fails to identify the person who is a complainant under 112.

A. Correct.

Q. And that is going to be what's in the final and signed affidavit?

A. Correct.

BY INSPECTOR SNOWDEN:

Q. Which admits the 112 violation.

A. Correct, which brings us back to then we have to rely on -- we didn't do an interview. So we didn't compel interrogation, so that's what ultimately we rely on; but if we had gone forward with an interrogation under those circumstances, all day long a 112 violation, all day long.

Q. Let me ask you this about the 112 violation. No matter how frivolous it may be, and that flag is

thrown and the individual wishes to participate in an interrogation, what occurs?

A. So if they're willing to go forward, then that would be somewhat of a waiver.

Q. I mean, if they say, "There's a 112 violation. Correct it, and I will interview," are they given that opportunity?

A. Yes, which is what my plan was. They throw the 112 violation about this complaint, which we have repeatedly asked for and cannot get, and then I was going to join forces with Bobi and call the sheriff's suite and say, "They've raised a 112 violation about this complaint. We agree, and want to cure it. So we just need a statement from Jake Rush," but we never got that far in the process.

Q. So they're circumventing the entire investigation process by not curing the alleged 112?

A. Yes.

MR. KRAMER: Anything more on the affidavit? Because I really think I've beaten that to death.

BY MR. KRAMER:

Q. Let's move on because I want to ask you just generally. You've made some broad statements about how certainly the discipline is being directed from the sheriff's office to OPS as opposed to the

opposite. Is that true -- or are you familiar with Rebecca Butcher's investigation? Or is it because that happened outside of the OPS?

A. Correct. My involvement with that was that Kelvin Jenkins came in; and he told me he had had a conversation with Major Yaeger, and that Major Yaeger was planning to go forward with a case against Captain Butcher for insubordination. And he said that it was -- I don't remember the words he used. But he said it was very weak; and that he suggested to him that it was not a good idea to go forward, but that Yaeger was going to go forward anyway.

He said Yaeger was asking him some questions about how to do it correctly, and Kelvin's answer was, "Call Lead Inspector Anderson, and he'll walk you through the process."

So he told me to expect a call from the major from the next morning. That call never came.

It may have been later that day or the next day while Kelvin was in our office area, the major rang his phone, and he was asking him for a case number to put on his case. And Captain said, "Well, hang on a second. Inspector Anderson is here. He'll get you one."

So he put the phone on speaker. We went over

to my computer. I opened up this program we were talking about earlier. I assign them a case number on the screen. I wasn't even the one actually talking to him. Captain Jenkins read the number off the screen, told him what it was, and they hung up.

So he had told Yaeger, who was inquiring to him about how to make things go properly, he had inquired with him about several different things. Jenkins never answered him, deferred him to me, but he never called me to ask me any of those things.

Q. To your knowledge, has Captain Yaeger ever been involved with OPS or internal affairs?

A. Not on the organizational chart, no.

Q. Has he, to your knowledge, had any training on how to properly conduct an OPS investigation?

A. No, he'll get his first four hours Wednesday of next week. He's on the same calendar invite.

Q. Did you have any other involvement at all in the investigation of Rebecca Butcher?

A. No.

Q. Have you had any involvement with the investigation of Travis DeVinny?

A. Yes.

Q. Can you explain what has occurred with Travis DeVinny?

A. So he called me up --

Q. Travis DeVinny?

A. -- on my personal phone. Travis called me up on my personal phone, and he said, "You're not going to like it, but I need to come in. I've got to file a complaint."

I believe that was an on a Thursday, possibly. I told him that I was unavailable that day, and I wasn't working the next day. So I think I scheduled him to come in the following Monday. In the time in between, he actually completed a complaint intake form and sent it to me hard copy.

So I got this complaint intake form from him prior to any interview, but I had him scheduled. He came in. I interviewed him, recorded the interview. He made allegations that Major Yaeger was targeting him, harassing him.

I took the complaint. And I have independent knowledge, over the time that Yaeger has been a captain and major, of similar actions that he's done against several other employees.

I made the captain immediately aware that we have this complaint filed by Devinny, that I believed that it needed to be investigated; and that I also believed that as soon as it became knowledge in the

agency that someone had filed this type of complaint against Yaeger, that you are going to have numerous people coming forward wanting to be complainants.

As I said, I knew about incidents that had occurred. I personally had made complaints against Yaeger when I worked directly for him that nothing was done with. So knowing that this was now in the office of professional standards, I said, "This is going to become large."

I worked a case against Captain Vermillion years ago. It was the same way. There were many people who had problems with him. They were afraid because of his status to make those complaints; but once the windshield was cracked, the spider grew quickly, and I ended up interviewing 55 people. So I told Kelvin, I said, "That's going to happen with this too."

So I said, "Based on just what's here, you probably need to make his supervisor, Colonel Scott, aware and ask him is he going to handle this himself or are we going to retain it in this office."

So he directed me to write an IOC to Colonel Scott saying here are the allegations, let us know how to proceed. So I drafted the IOC, and I emailed that to the colonel.

Probably a week went by. I wasn't hearing anything. I then hear that it's coming back to our office. When I heard it was coming back to our office -- you have a sergeant who's been there eight weeks; you have a lieutenant who's been there eight weeks that's from the jail, so he has zero investigative experience; and you have Eric Hutchinson, who's been there less time than the two of them. So I said, clearly, I will work this myself.

I was on vacation for spring break. I don't know why it happened, but they called DeVinny's sergeant while I was not there, after I already said I would work it, and Eric Hutchinson interviewed that sergeant.

I came back. He told me about the interview, and Captain Jenkins indicated that he wanted us to -- I had already written the allegations once and sent it to the colonel. He said he wanted us to write it and send it to the sheriff to ask about investigating it.

So Eric Hutchinson, at the captain's directions, started to put that together. Well, during that same time I get a phone call from Karyn O'Quinn at the courthouse. She doesn't know that this is brewing. She doesn't know that this complaint is happening.

She says, "Hey, I just got a call from Captain Maynard, and I don't feel comfortable with this. I want to know can they do this."

I said, "What do you mean?"

She said, "Well, Captain Maynard just called me and told me that Travis Devinny can't work overtime at the courthouse anymore. And when I asked why, he said he couldn't tell me."

So for perspective, the courthouse is extremely short. A lot of days there are more court events between the civil and the criminal courthouse than we have deputies to fill the courtrooms. So it is standard practice, as the courthouse lieutenant, you send out emails agency-wide, and you solicit people to work overtime on their days off.

There are quite a few people who do it on a regular basis, Travis being one of them. She's now been told he's not eligible anymore, and I don't know why.

Q. Is that a form of discipline?

A. To take someone's ability to make money, absolutely. So that's why she's calling me, saying, "Can they do this?"

And I said, "No."

And she said, "Good, because I told the

captain absolutely not. I'm not doing that. Send it to me in writing."

So I said, "That was probably the right answer, but you don't realize that this is probably important information. I'm glad you called me."

So the next day she calls me back. "I just got another call from Captain Maynard, and he told me to forget about what I told him yesterday and not to tell anybody about it."

I said, "That's even more interesting."

So then a day or two later I find out that Captain Maynard called Lieutenant Gunn, told Lieutenant Gunn, "Travis Devinny can no longer work overtime at the courthouse, and I can't tell you why."

So I don't know if maybe, because he got resistance from Sergeant O'Quinn, he just now went to Gunn and did it with him; but we're now back to within a week, he can't, he can, he can't.

Hutchinson is about to print the IOC that he's supposed to send to the sheriff saying we need to investigate this, and I told him, I said -- all he had was, he had a basically a paragraph of Devinny's allegation, a paragraph of the sergeant's interview which corroborated the stuff that Devinny said.

I said, "You need to add three pieces of

information to this: On such-and-such date, Karyn O'Quinn was ordered not to allow him to work the courthouse. On such-and-such date that order was rescinded, and on such-and-such date that order was reinstated. And we, to this day, do not why he's been singled out and excluded from working courthouse overtime."

That was added to the IOC. The last thing was him saying, "I believe this should be investigated." So I printed it, provided it to the captain.

Again, we're all waiting, wanting to know what's going to happen with this. I had Devinny calling me, asking me, "Where's my complaint?"

He's the complainant. He has the right to know what's going on.

I told him, "It's gone to the colonel. It's come back to our office. It's now in writing up to the sheriff, and it's in limbo. I can't tell you where it's at, but I'll let you know as soon as I do."

So in that time, Devinny is involved in a use of force, and the use of force is viewed by his sergeant. The same sergeant who is a witness in this case believes that the use of force is questionable, may be excessive. He does the right thing. He

reports it. It goes up through the chain. It comes to our office the week after we've sent the IOC up where he's the complainant against the major.

So later that week Kelvin comes back from one of his many meetings with the undersheriff and Jake Rush. We're now almost two weeks past the initial allegation of use of force. Travis has not been suspended from duty. So he has this excessive force allegation that they know is out there, but he's continuing to work zones, he's continuing to work calls.

Kelvin goes to a meeting. This IOC where Travis is the complainant against Yaeger is in front of the undersheriff. The undersheriff is -- this is coming from Kelvin. I was not in the room.

He asks Kelvin, "What is this?" and he points at the IOC.

Kelvin says, "It documents a complaint against the major, and we're wanting direction on how to handle it."

And the undersheriff says, "We don't need this."

He said, "What do you mean? I don't understand."

He said, "We don't need this. We don't need

employees taking sniping shots at command staff."

And Kelvin says, "Well, there's allegations in there that we think have merit, and we need to look into them."

And they went back and forth for five or ten minutes with the undersheriff telling Kelvin to take that complaint back, and Kelvin refused.

Q. What does that mean, "take it back"?

A. He wanted the document to go away. He did not want it in writing. He had already previously told him -- I forgot this part. This is important.

He had already told him days earlier verbally, he had told Kelvin, "That's horseshit. We're not dealing with that."

Kelvin came back from that and said he was uncomfortable allowing a complaint against a major to disappear without writing. That's why he directed Eric Hutchinson to document it, because he didn't want it to just go away by words only.

So now he's already told Kelvin, "We're not dealing with that."

Kelvin appears with it in writing to the sheriff, and Joel Decoursey wants Kelvin to take that document back because he doesn't want it documented.

Q. But it's in the system?

A. Correct.

Q. So is this a suggestion that the document be removed from the system?

A. The document is not in the system. The system lists Travis Devinny as a complainant. Yaeger is the subject, but there's no information in there yet.

BY INSPECTOR SNOWDEN:

Q. There's no evidence that was put in there, and that includes the document that was written?

A. I had already included my recorded interview, and his complaint intake was in there; but this document specifically stating here's what he says, here's what happens, he's being told he can't work at the courthouse, that document doesn't get put into the system until it's been acknowledged by everybody.

Joel Decoursey doesn't want to acknowledge it and have that land in the system, so he's trying to keep this document from going through him.

BY MR. KRAMER:

Q. Where is this document now?

A. It has not made it back yet. We've been waiting.

Q. That's the original document? There's no copy of it?

A. Well, I'm sure he has a copy that he can produce off his computer, but there won't be any signatures.

BY INSPECTOR SNOWDEN:

Q. That document was never emailed?

A. No.

Q. Why was that?

A. We don't email them. That's something decided by the administration. They don't take those electronically. They want you to have to physically sign it and then write comments on it.

So you'll send it through, and then it comes back approved, disapproved, whatever. You end up with the original, and then the original is what would end up scanned into the system showing everybody's recommendations. So it's just never made it back. We're still waiting.

But -- so they have this ten-minute conversation. And Joel Decoursey says, "Well, I'm going to have to put my recommendation on here."

And Kelvin says okay. That's the point of this, right?

So once it's been established that that document is going to go forward, we're not just going to take it and act like it never happened, Joel

Decoursey says, "Well, is he still at work?"

Kelvin says, "Who?"

"Travis."

"Well, yes, he's still at work."

And the undersheriff, "Well, why isn't he suspended?"

Kelvin says, "OPS doesn't suspend people. The sheriff suspends people. That's the sheriff's decision."

"Well, go ahead and draft up the paperwork. I'm going to get with the sheriff. I'll be back in 20 minutes."

So he was accused of this excessive force. It's been two weeks, and he's at work. The moment that his complaint against Yaeger lands in front of Decoursey, and Decoursey doesn't want him on paper, that's the day we suspend for his complaint; he's been suspended since.

BY MR. KRAMER:

Q. When did the suspension occur?

A. He's been suspended for probably two weeks.

Q. And OPS has the use of force investigation?

A. Correct. Hutchinson is working that now.

Q. And if that investigation comes out that it was not excessive, what is the remedy for the

suspension?

A. He's suspended with pay; so he's not lost anything other than the fact that you can't work overtime, you can't do all the other things, but that's standard practice. Somebody gets in a shooting, they're suspended with pay.

BY INSPECTOR SNOWDEN:

Q. But they're suspended with pay that day, correct?

A. Every other case I've ever seen, yes. This would be the first time that that didn't happen.

BY MR. KRAMER:

Q. Is there some standard of when a use of force would warrant suspension or not? Or is that clearly the discretion of the sheriff?

A. It is. So past practice was always, if something came in to our office, and it was anything that we might think would warrant a suspension, the captain would go to the chief deputy or go to the sheriff and say, "We just got this in. Here's what we know. What do you want us to do?" and they would make a decision then and there.

Now, yes, there are times where, over the course of an investigation, maybe some new piece of information comes forward, and maybe you didn't

suspend them; but now, with this new information, you do, but generally that would always happen on the outset. Like, this doesn't look good. We probably should suspend him until we know what's going on. That doesn't happen now. That doesn't happen now.

Q. Okay. So what is the current status of the Travis Devinny complaint against Major Yaeger?

A. We are still waiting for direction on whether to go forward or not. That IOC was sent asking what should we do, should we work this. We have yet to get a response.

BY INSPECTOR SNOWDEN:

Q. When was the initial sent to colonel?

A. Within a day of him coming in. I'd have to go look, but it's been a good month at least, at least.

Actually, I can tell you I was on spring break when they interviewed the sergeant, so it's been longer than that. It's probably been since the beginning of March.

Q. And then another document was drafted after that and sent to the sheriff?

A. Yes.

Q. Through the undersheriff?

A. Yes.

BY MR. KRAMER:

Q. Again, forgive my lack of knowledge. Does the sheriff or command staff have the legal right to take a complaint from an officer and simply say no? Like, it's just a no. It's not going to be investigated. It's not going to be --

A. Our policy outlines what should be investigated, how it should be investigated. The sheriff can tell you to violate a policy; that's within their purview.

BY INSPECTOR SNOWDEN:

Q. Was this a hostile work environment complaint?

A. Yes.

BY MR. KRAMER:

Q. So is it also an allegation of concern, and your other policies -- I'm sure you have a policy on hostile work environments. So is there a separate procedure for sexual harassment, or is that also subject --

A. Sexual harassment, yes, because that can be reported to DC. That can be reported other ways. This wouldn't fall under that.

Q. So what you're saying is that, under the policy of the agency, every complaint by an officer

against anyone in the agency would be investigated?

A. Correct.

Q. But that the sheriff could order you to violate the policy and close the investigation without conducting it?

A. He could.

Q. Has that occurred in any instance other than potentially the Travis Devinny complaint?

A. That I've heard. I have heard of cases being squashed. That has not happened since I've been there, but I get the impression it's about to.

Q. And what was the Pam James?

A. I've heard about that. I was not there for that. There have been others that I do know of that have been squashed going back to prior when I was in OPS.

We had an interview when I was -- I was in OPS for the three months at the start of the administration, transferred out of there in March in to criminal investigations. I'm now lieutenant in criminal investigations.

We hold an interview process. We interview nine, ten people. We selected -- we had three openings. We selected three people. We sent that forward. It came back. "You don't send us a list of

three. You have to send us a list of everybody, and you need to attach photos of the people you interviewed."

So we made a list of everybody, but there were two in particular that we wanted to make clear they interviewed, but they cannot come here. So we had seven or eight listed in order of preference, and then we had two "do not recommend."

One was a deputy who was investigated for a child abuse allegation; and during the course of that investigation, he took a polygraph at GPD and failed it. I said, "We cannot have a detective with a failed polygraph in his background. I'm not going to sacrifice every case he works where that becomes the conversation instead of the evidence in the case. So he was one of the "do not recommends."

The other one was one who had a history, a long history in his short career, of multiple cases of discipline, to include one where I was back in OPS when it happened when he was on recording threatening to kill his baby's mother. We have the audio of that, so he was "do not recommend."

Q. Again, this is for a position in CID?

A. For a detective position.

Q. Okay.

A. When they transferred in people into the unit, they transferred that person, transferred him as a detective over the do not recommend, and here's some really good reasons why.

When he came in, I found out that there were active internals going on in patrol where they just transferred him from, and we didn't know what was the outcome of them. So he was transferred in. I was partners with John Schabruch. I was the lieutenant of major crimes. He was lieutenant of property. Fleagles was transferred under him.

When I became aware there were potential internals on him, I told John, "You need to find out what they're doing with that because they just can't disappear. The patrol supervisor may think that now that he's transferred, it's your problem. So you need to get with them and find out if they're going to finish whatever they're working on him; and if they're not, then we need to deal it."

So the allegation in the -- the one I remember was that he's on video. He's been canceled from driving lights and sirens to a call; however, after being canceled, he was still driving lights and siren. He gets near our main administration building. And on the video, once he gets close to the office, he

turns off his lights and sirens, drives past the office, and then turns them back on and keeps going.

So John reached out to that supervisor and was told that that was not being investigated anymore, gone away. So that was the first time in this tenure that I heard of a case just being squashed. It's not a thing.

BY INSPECTOR RIDDICK:

Q. Who was that supervisor?

A. The sergeant that was working it, it was whoever he worked for at the time, but I don't remember.

BY INSPECTOR SNOWDEN:

Q. Real quick. The other individual that you did not recommend, did they not get transferred up?

A. They did not get transferred up.

BY MR. KRAMER:

Q. Other than what we've talked about so far, are there any instances of illegal conduct that you have not discussed with me?

A. I don't believe so.

BY INSPECTOR SNOWDEN:

Q. Are you familiar with Captain Jenkins being told to monitor any of the individuals that were in the room, in the interview room, with their PBA rep or

with their attorney prior to any investigations commencing while they're going over the evidence?

A. I've never heard that, but I think the only two interviews we've even had since I've been there didn't happen. They were Frank and Kevin, and he wasn't there either of those days. So I've heard that that's a thing. I've not seen or heard any of that since I've been there.

BY INSPECTOR RIDDICK:

Q. We've heard testimony from someone else that there's a hard drive that is daily uploaded with the status of OPS investigations, and the staff has -- or the suite has access to it so they can keep abreast of it daily.

MR. KRAMER: It's not a hard drive. It's an internal drive.

A. The only thing I know of is that system I described that we use, that we put all of our cases in. It's a case management system. So a patrol deputy, they'll go, and they'll use their case management to write their data report. We have basically an IA version of that, the IAPro.

I was directed a few weeks ago, or maybe month ago, to give Jake Rush access to that, so I did as I was directed. I gave him access to that.

Other than that, I don't know of anything that our -- that's where everything goes. I don't know of any hard drive or system or -- but he can see every case that's in it.

MR. KRAMER: We may need to follow up with you, but we do need to stop the statement at this point because of time constraints.

I'm going to tell you -- I know you know this is the case -- that my position that the recordings regarding the Kevin Allen case are evidence in a criminal investigation, and they should not be altered, changed, destroyed, or modified in any way, shape, or form. If you need to share that information with anyone, you are more than welcome to do so.

THE WITNESS: Okay.

(The statement concluded at 12:38 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that SCOTT ANDERSON, who produced an ASO ID card as identification, personally appeared before me on April 20, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 7, 2023.

Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, FPR, Certified Stenographic Reporter, do hereby certify there came before me the witness herein, named SCOTT ANDERSON, for the purpose of the giving the foregoing statement under oath.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this JUNE 15, 2023.

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

Calhoun, Virgil

From: Rush, Jacob
Sent: Monday, April 17, 2023 4:59 PM
To: Jenkins, Kelvin; Calhoun, Virgil; Anderson, Scott
Cc: DeCoursey, Joel
Subject: WILLIAMS Draft affidavits
Attachments: Affidavit of S Anderson OPS.docx; Affidavit of V Calhoun OPS.docx; Affidavit of K Jenkins OPS.docx

Good afternoon,

I filled out a framework of what I gathered for you to use as a template. I believe the Jenkins and Calhoun drafts are complete. Check for accuracy. The Anderson one can use a bit of copy/paste from the IOC talking about March 1.

Insp. Anderson, if you could include your pedigree, I believe that would be impressive.

I need these back ASAP. I'd like to file them tomorrow 4/18. Tune up the Word file and shoot it back to me for my review to make sure we're not leaving out anything important to the 112 response. I'll send you back the final for notarization.

Glad to defend your good work,

Jacob A. Rush, Esq.
General Counsel, Alachua County Sheriff's Office
P.O. Box 5489, Gainesville, FL 32627-5489
2621 SE Hawthorne Road, Gainesville, FL 32641
Office: (352) 367-4024 / Fax: (352) 371-1801
jrush@alachuasheriff.org

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4/20/23
Scott Anderson
EXHIBIT
1

IN THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT IN AND FOR ALACHUA COUNTY, FLORIDA

WILLIAM F. WILLIAMS, IV,
Petitioner,

CASE NO.: 01-2023-CA-910

vs.

CLOVIS WATSON, JR. in his official capacity as SHERIFF of ALACHUA COUNTY
Respondent.
_____/

AFFIDAVIT OF INSPECTOR VIRGIL CALHOUN

Affiant is currently employed as an Inspector at the Alachua County Sheriff's Office, supervising the Office of Professional Standards. Affiant attests with personal knowledge the following:

1. I, on all dates relevant to this action, was the Inspector, at the rank of Lieutenant, in the Office of Professional Standards ("OPS").
2. I conducted Petitioner's investigation.
3. I was present when Petitioner and his attorney came to OPS to review evidence in his case in anticipation of a subject interview of Petitioner on March 1, 2023. Petitioner and his attorney reviewed all the evidence.
4. When they were finished reviewing the material, Petitioner's counsel, Bobi Frank, announced that there were multiple 112 violations, some of which she said were not curable.
5. Present with me was Lead Inspector Scott Anderson. We both attempted to speak with Ms. Frank, but she cut us off and spoke over us in a rude and derogatory manner.
6. Ms. Frank did not appear interested in any genuine dialogue over her accusations or a response from me.
7. We did not compel an interview from Petitioner and he left with his counsel.

8. I read Petitioner's allegations in this writ case, and dispute two areas specifically.

   a. At paragraph 19-20 Petitioner states that he or his attorney brought a plethora of 112 violations to Lead Inspector Anderson and me and that we refused to cure them. That did not happen. Ms. Frank just yelled at us and left, behavior that shocked us. When we tried to talk, she talked over us and didn't let us speak.

   b. On page 26 of the petition, Petitioner complains about two body camera videos that were not included. Those are videos by Petitioner's supervisors of them collecting his equipment pursuant to suspension. They have nothing to do with the allegations of this case.

9. I did not interview Chief Inspector Jenkins as a complainant in this case because he had no independent information regarding the Petitioner's conduct. Likewise, General Counsel Rush had no witness material to add. He was routinely called upon for his legal opinion. I used direct sources such as witness interviews and my own independent investigation.

Further Affiant sayeth naught.

_____ _____

Inspector Virgil Calhoun

STATE OF FLORIDA

ALACHUA COUNTY

The foregoing instrument was acknowledged before me by means of ___ physical presence or ____online notarization, this ___ day of _____ _____, 2023, by ___ _____ _____, who is either personally known or who has produced ____ _____ _____ as identification.

_____ _____

Notary Public My Commission Expires

Calhoun, Virgil

From: Calhoun, Virgil
Sent: Tuesday, April 18, 2023 8:05 AM
To: Rush, Jacob
Subject: RE: WILLIAMS Draft affidavits
Attachments: Affidavit of V Calhoun OPS.docx

Attached.

From: Rush, Jacob <jrush@alachuasheriff.org>
Sent: Monday, April 17, 2023 4:59 PM
To: Jenkins, Kelvin <kjenkins@alachuasheriff.org>; Calhoun, Virgil <vcalhoun@alachuasheriff.org>; Anderson, Scott <sanderso@alachuasheriff.org>
Cc: DeCoursey, Joel <jdecourseyjr@alachuasheriff.org>
Subject: WILLIAMS Draft affidavits

Good afternoon,

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I need these back ASAP. I'd like to file them tomorrow 4/18. Tune up the Word file and shoot it back to me for my review to make sure we're not leaving out anything important to the 112 response. I'll send you back the final for notarization.

Glad to defend your good work,

Jacob A. Rush, Esq.
General Counsel, Alachua County Sheriff's Office
P.O. Box 5489, Gainesville, FL 32627-5489
2621 SE Hawthorne Road, Gainesville, FL 32641
Office: (352) 367-4024 / Fax: (352) 374-1801
jrush@alachuasheriff.org

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IN THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT IN AND FOR ALACHUA COUNTY, FLORIDA

WILLIAM F. WILLIAMS, IV,
Petitioner,

vs.

CLOVIS WATSON, JR. in his official capacity as SHERIFF of ALACHUA COUNTY
Respondent.
_____/

CASE NO.: 01-2023-CA-910

AFFIDAVIT OF INSPECTOR VIRGIL CALHOUN

Affiant is currently employed as an Inspector at the Alachua County Sheriff's Office, ~~supervising the~~ Office of Professional Standards. Affiant attests with personal knowledge the following:

Commented [CV1]: Pedigree – PSA Internal Affairs Investigations

1. I, on all dates relevant to this action, was the Inspector, at the rank of Lieutenant, in the Office of Professional Standards ("OPS").
2. I conducted Petitioner's investigation.
3. I was present when Petitioner and his attorney came to OPS to review evidence in his case in anticipation of a subject employee interview of Petitioner on March 1, 2023. Petitioner and his attorney reviewed all ~~the~~ evidence.
4. When they were finished reviewing the material, Petitioner's counsel, Bobi Frank, announced that there were multiple 112 violations, some of which she said were not curable.
5. Present with me was Lead Inspector Scott Anderson. We both attempted to speak with Ms. Frank, but she cut us off and spoke over us in a ~~rude~~ condescending and derogatory manner.
6. Ms. Frank did not appear interested in any genuine dialogue over her accusations or a response from me.

7. Due to Petitioner's counsel raising uncurable 112 violations Wwe were did not compel able to an interview from Petitioner and he left with his counsel.

8. I read Petitioner's allegations in this writ case, and dispute two areas specifically.

   a. At paragraph 19-20 Petitioner states that he or his attorney brought a plethora of 112 violations to Lead Inspector Anderson and me. I. Petitioner statesand that we refused to cure them. That did not happen. Ms. Frank ~~just yelled~~ talked over usat ~~us~~ and left, behavior that shocked us. When ~~we tried to~~ talk she allowed us to speak. ~~she talked over us and didn't let us speak~~she would interrupt and talk down to us.

   b. On page 26 of the petition, Petitioner complains about two body camera videos that were not included. Those are videos by Petitioner's supervisors of them serving notice of administrative investigation and collecting his equipment pursuant to suspension. They have nothing to do with the allegations of this case as required by 112.

9. I did not interview Chief Inspector Jenkins as a complainant in this case because he had no independent information regarding the Petitioner's conduct. Likewise, General Counsel Rush had no witness material to add. He was routinely called upon for his legal opinion. I used direct sources such as witness interviews and my own independent investigation.

Commented [CV2]: If there is no independent information from Capt. Jenkins or yourself, then this admits there was no complainant with material knowledge.

Further Affiant sayeth naught.

_____
Inspector Virgil Calhoun

STATE OF FLORIDA

ALACHUA COUNTY

The foregoing instrument was acknowledged before me by means of ____ physical presence or ____ online notarization, this _____ day of _____, 2023, by _____, who is either personally known or who has produced _____ as identification.

Notary Public My Commission Expires

Calhoun, Virgil

From: Rush, Jacob
Sent: Tuesday, April 18, 2023 9:56 AM
To: Calhoun, Virgil
Subject: Williams affidavit
Attachments: Affidavit of V Calhoun OPS (Williams).pdf

for signature

Jacob A. Rush, Esq.
General Counsel, Alachua County Sheriff's Office
P.O. Box 5489, Gainesville, FL 32627-5489
2621 SE Hawthorne Road, Gainesville, FL 32641
Office: (352) 367-4024 / Fax: (352) 374-1801
jrush@alachuasheriff.org

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WILLIAM F. WILLIAMS, IV,
Petitioner,

CASE NO.: 01-2023-CA-910

vs.

CLOVIS WATSON, JR. in his official capacity as SHERIFF of ALACHUA COUNTY
Respondent.
_____ _____/

AFFIDAVIT OF INSPECTOR VIRGIL CALHOUN

Affiant is currently employed as an Inspector at the Alachua County Sheriff's Office, Office of Professional Standards. Affiant attests with personal knowledge the following:

1. I, on all dates relevant to this action, was the Inspector, at the rank of Lieutenant, in the Office of Professional Standards ("OPS").
2. I conducted Petitioner's investigation.
3. I was present when Petitioner and his attorney came to OPS to review evidence in his case in anticipation of a subject employee interview of Petitioner on March 1, 2023. Petitioner and his attorney reviewed all evidence.
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6. Ms. Frank did not appear interested in any genuine dialogue over her accusations or a response from me.
7. Due to Petitioner's counsel claiming "uncurable" 112 violations we did not compel an interview of Petitioner and he left with his counsel.
8. I read Petitioner's allegations in this writ case, and dispute two areas specifically.

a. At paragraph 19-20 Petitioner states that he or his attorney brought a plethora of 112 violations to Lead Inspector Anderson and me. Petitioner states we refused to cure them. That did not happen. Ms. Frank talked over us and left, behavior that shocked us. When she allowed us to speak, she would interrupt and talk down to us.

b. On page 26 of the petition, Petitioner complains, claiming a 112 violation, about two body camera videos that were not included. Those are videos by Petitioner's supervisors of them serving notice of administrative investigation and collecting his equipment pursuant to suspension. They have nothing to do with the allegations of this case as evidence contemplated by 112.

9. I did not interview Chief Inspector Jenkins as a witness complainant in this case because he had no unique information regarding the Petitioner's conduct. He assigned me to investigate a potential violation by Petitioner, which I did, developing my own evidence independent of his lead. Likewise, General Counsel Rush had no witness material to add. He was routinely called upon for his legal opinion, which was not evidence in this case. I used direct sources such as witness interviews and my own independent investigation.

Further Affiant sayeth naught.

_____
Inspector Virgil Calhoun

STATE OF FLORIDA
ALACHUA COUNTY
The foregoing instrument was acknowledged before me by means of ____ physical presence or ____online notarization, this _____ day of , 2023, by _____. , who is either personally known or who has produced _____ as identification.

_____

Notary Public My Commission Expires

Calhoun, Virgil

From: Calhoun, Virgil
Sent: Tuesday, April 18, 2023 11:07 AM
To: Rush, Jacob
Cc: Jenkins, Kelvin
Subject: RE: Williams affidavit

The version below should be removed from the affidavit:
9. I did not interview Chief Inspector Jenkins as a witness complainant in this case because he had no unique information regarding the Petitioner's conduct. He assigned me to investigate a potential violation by Petitioner, which I did, developing my own evidence independent of his lead. Likewise, General Counsel Rush had no witness material to add. He was routinely called upon for his legal opinion, which was not evidence in this case. I used direct sources such as witness interviews and my own independent investigation.

This statement is accurate and should be inserted into the affidavit:
9. I received the initial evidence from Chief Inspector Kelvin Jenkins who advised he received information from the Office of the Sheriff, requesting an investigation into the Petitioner's conduct. He assigned me to investigate a potential violation by the Petitioner, which I did, through my own investigation. I did not interview Chief Inspector Jenkins based on adequate information he provided to me to begin an investigation. I used direct sources such as witness interviews and my own independent investigation.

Once this affidavit is edited as requested, I will review, sign and have it notarized.

From: Rush, Jacob <jrush@alachuasheriff.org>
Sent: Tuesday, April 18, 2023 9:56 AM
To: Calhoun, Virgil <vcalhoun@alachuasheriff.org>
Subject: Williams affidavit

for signature

Jacob A. Rush, Esq.
General Counsel, Alachua County Sheriff's Office
P.O. Box 5489, Gainesville, FL 32627-5489
2621 SE Hawthorne Road, Gainesville, FL 32641
Office: (352) 367-4024 / Fax: (352) 374-1801
jrush@alachuasheriff.org

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Calhoun, Virgil

From: Rush, Jacob
Sent: Tuesday, April 18, 2023 11:10 AM
To: Calhoun, Virgil
Cc: Jenkins, Kelvin
Subject: RE: Williams affidavit
Attachments: Affidavit of V Calhoun OPS (Williams).docx

Updated. Notarize and scan back.

Jacob Rush #889 ACSO General Counsel (352) 367-4024

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The version below should be removed from the affidavit:
9. I did not interview Chief Inspector Jenkins as a witness complainant in this case because he had no unique information regarding the Petitioner's conduct. He assigned me to investigate a potential violation by Petitioner, which I did, developing my own evidence independent of his lead. Likewise, General Counsel Rush had no witness material to add. He was routinely called upon for his legal opinion, which was not evidence in this case. I used direct sources such as witness interviews and my own independent investigation.

This statement is accurate and should be inserted into the affidavit:
9. I received the initial evidence from Chief Inspector Kelvin Jenkins who advised he received information from the Office of the Sheriff, requesting an investigation into the Petitioner's conduct. He assigned me to investigate a potential violation by the Petitioner, which I did, through my own investigation. I did not interview Chief Inspector Jenkins based on adequate information he provided to me to begin an investigation. I used direct sources such as witness interviews and my own independent investigation.

Once this affidavit is edited as requested, I will review, sign and have it notarized.

From: Rush, Jacob <jrush@alachuasheriff.org>
Sent: Tuesday, April 18, 2023 9:56 AM
To: Calhoun, Virgil <vcalhoun@alachuasheriff.org>
Subject: Williams affidavit

for signature

Jacob A. Rush, Esq.
General Counsel, Alachua County Sheriff's Office
P.O. Box 5489, Gainesville, FL 32627-5489
2621 SE Hawthorne Road, Gainesville, FL 32641
Office: (352) 367-4024 / Fax: (352) 374-1801
jrush@alachuasheriff.org

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IN THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT IN AND FOR ALACHUA COUNTY, FLORIDA

WILLIAM F. WILLIAMS, IV,
Petitioner,

CASE NO.: 01-2023-CA-910

vs.

CLOVIS WATSON, JR. in his official capacity as SHERIFF of ALACHUA COUNTY
Respondent.
_____/

AFFIDAVIT OF INSPECTOR VIRGIL CALHOUN

Affiant is currently employed as an Inspector at the Alachua County Sheriff's Office, Office of Professional Standards. Affiant attests with personal knowledge the following:

1. I, on all dates relevant to this action, was the Inspector, at the rank of Lieutenant, in the Office of Professional Standards ("OPS").
2. I conducted Petitioner's investigation.
3. I was present when Petitioner and his attorney came to OPS to review evidence in his case in anticipation of a subject employee interview of Petitioner on March 1, 2023. Petitioner and his attorney reviewed all evidence.
4. When they were finished reviewing the material, Petitioner's counsel, Bobi Frank, announced there were multiple 112 violations, some of which she said were not curable.
5. Present with me was Lead Inspector Scott Anderson. We both attempted to speak with Ms. Frank, but she cut us off and spoke over us in a condescending and derogatory manner.
6. Ms. Frank did not appear interested in any genuine dialogue over her accusations or a response from me.
7. Due to Petitioner's counsel claiming "uncurable" 112 violations we did not compel an interview of Petitioner and he left with his counsel.
8. I read Petitioner's allegations in this writ case, and dispute two areas specifically.

a. At paragraph 19-20 Petitioner states that he or his attorney brought a plethora of 112 violations to Lead Inspector Anderson and me. Petitioner states we refused to cure them. That did not happen. Ms. Frank talked over us and left, behavior that shocked us. When she allowed us to speak, she would interrupt and talk down to us.

b. On page 26 of the petition, Petitioner complains, claiming a 112 violation, about two body camera videos that were not included. Those are videos by Petitioner's supervisors of them serving notice of administrative investigation and collecting his equipment pursuant to suspension. They have nothing to do with the allegations of this case as evidence contemplated by 112.

9. I received the initial evidence from Chief Inspector Kelvin Jenkins who advised he received information from the Office of the Sheriff, requesting an investigation into the Petitioner's conduct. He assigned me to investigate a potential violation by the Petitioner, which I did, through my own investigation. I did not interview Chief Inspector Jenkins based on adequate information he provided to me to begin an investigation. I used direct sources such as witness interviews and my own independent investigation.

Further Affiant sayeth naught.

_____ _____ _____ ____

Inspector Virgil Calhoun

STATE OF FLORIDA
ALACHUA COUNTY
The foregoing instrument was acknowledged before me by means of __ physical presence or ____online notarization, this _____ day of _____ _____, 2023, by _____ _____ _____ _____, who is either personally known or who has produced _ _____ _____ _____ as identification.

_____ _____ ___

Notary Public My Commission Expires

Calhoun, Virgil

From: Calhoun, Virgil
Sent: Tuesday, April 18, 2023 3:31 PM
To: Rush, Jacob
Subject: Affidavit
Attachments: Affidavit.pdf

Attached. Original will be delivered today.

Inspector Virgil Calhoun
Alachua County Sheriff's Office
Office of Professional Standards
VCalhoun@alachuasheriff.org
Monday – Friday

IN THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT IN AND FOR ALACHUA COUNTY, FLORIDA

WILLIAM F. WILLIAMS, IV,
Petitioner,

CASE NO.: 01-2023-CA-910

vs.

CLOVIS WATSON, JR. in his official capacity as SHERIFF of ALACHUA COUNTY
Respondent.
_____/

AFFIDAVIT OF INSPECTOR VIRGIL CALHOUN

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1. I, on all dates relevant to this action, was the Inspector, at the rank of Lieutenant, in the Office of Professional Standards ("OPS").
2. I conducted Petitioner's investigation.
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Further Affiant sayeth naught.

Inspector Virgil Calhoun

STATE OF FLORIDA
ALACHUA COUNTY
The foregoing instrument was acknowledged before me by means of ✓ physical presence or ____ online notarization, this 18 day of April 2023, by Virgil Calhoun, who is either personally known or who has produced _____ as identification.

Margaret Davis

Notary Public

My Commission Expires

MARGARET DAVIS
Commission # GG 926031
Expires November 30, 2023
Bonded Thru Troy Fain Insurance 800-385-7019

[

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SWORN STATEMENT

of

WILLIAM BECK

DATE TAKEN: April 20, 2023
TIME: 12:40 p.m. - 1:00 p.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

Cynthia F. Leverett, FPR
Certified Stenographic Reporter
Notary Public, State of Florida
www.NatureCoastReporters.com
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386-256-1457

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- - -

WHEREUPON,

WILLIAM BECK

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE DEPONENT: Yes, ma'am.

EXAMINATION

BY MR. KRAMER:

Q. Can you state your full name, please?

A. William Michael Beck.

Q. And how are you currently employed?

A. I'm a lieutenant with the Alachua County Sheriff's Office, lieutenant over property sections in the criminal investigation division.

Q. How long have you been employed by the sheriff's office?

A. This September will be 15 years.

Q. And have you had any other law enforcement background?

A. Yes, sir. I spent six years as a Florida highway trooper and a year as a secret service agent.

Q. Okay. What's your education?

A. A maters degree with a minor in criminology.

Q. What's the masters in?

A. Criminal justice.

Q. Okay. So with your current assignment, are

you responsible for criminal investigations of officers who are employed by the sheriff's office?

A. If it's a criminal nature, yes, sir.

Q. Okay. Can you explain to me how that would come to you?

A. The complaint would go up to OPS, our office of professional standards. And then if there's a criminal allegation against the officer, they would then have to notify my chief detective, which is equivalent of a captain. He would then assign it to me or one of my sergeants depending on the ranking of the individual we're investigating.

Q. How long have you held this particular position?

A. Just over a year.

Q. And prior to that were you still in CID, but you didn't do this aspect of the work? Or were you somewhere else?

A. No, sir. I was with our juvenile relations bureau, the school resource.

Q. So have you conducted any of those investigations since you've been in CID, officer-involved criminal acts?

A. I have not done them, me personally; but my sergeants have, so I've been looped in on all of it.

BY INSPECTOR SNOWDEN:

Q. Which investigations have you been a part of, or are you aware of?

A. Deputy Jack Miller. His ex-wife made an allegation that he committed domestic violence against her, and several other claims. However, when we did our criminal investigation, we found all her stuff false. And we actually found out that our patrol had went out during our investigation and done a domestic violence investigation; however, did not do it correctly, and we ended up having to arrest her for that case.

Also, there were several people out at the jail where there was an allegation that -- I don't remember what her name was, but there were basically people out at the jail having extramarital affairs. One of them -- one of the females had recorded another female, or tried -- attempted to during a conversation, and Sergeant Cook, who was under me at the time, was assigned that case.

Me and him had talked about it and whether it was an expectation of privacy or not based on where it was in the jail. And as we were investigating that, we were told, "All right. Shut down your investigation. We're going to give it back to

Sergeant Marzouk because she already has a bigger investigation with all the parties involved with a similar case going on."

Q. Was that a criminal investigation with Sergeant Marzouk, or an OPS investigation?

A. It was a criminal investigation. We don't -- Sergeant Marzouk is now in OPS, but at the time she was in CID. So we don't do OPS investigations. We do strictly criminal investigations on our side.

Q. Do you remember the names of the individuals that were involved with the criminal investigation?

A. I think Tamieka Johnson or Tyrieka Johnson was one of them. I don't remember. I just remember we had the four of them, and the two -- like the guy and the girl were sleeping together, and this guy and girl were sleeping together; and they were all -- these two were married to each other at the same time. And then it became like this high school drama out there for a little bit. And I think there were allegations about domestic battery and stuff in between the two of them. I don't remember the full details of that.

Q. Were you involved in the Cleveland Cox investigation?

A. No, sir, I was not.

Q. Any other criminal investigations involving individuals with the sheriff's office or the jail?

A. Not that I can recall, sir.

Q. Do you send your criminal investigations to -- do they go through the suite prior to you doing anything? Is that approved through them? Or if there's probable cause, do you go out and make the arrest without confirming?

A. It varies. If there's probable cause for arrest, what I do is, I notify my chief detective. He and the chief inspector for OPS get together. They notify the suite. So, basically, from the major up, everybody is notified.

Then they go ahead and give us direction on whether or not we're going to go ahead and finish off the arrest, or if we're going to do a sworn complaint, or how it's going to be handled, really. And then I just wait for information to come back down to me.

Q. Are all those consistent? Do you see any difference depending on individuals?

A. I personally have not seen it. I personally have not been involved in anything where I've seen it.

Q. Are you aware of anything at the department that you believe may be unethical, immoral, or illegal?

A. Not illegal.

Q. Does that mean yes to the unethical or immoral?

A. I believe there's been some questionable orders that have been given that I did not follow, especially involved with Deputy Miller's investigation with Sergeant Cooper and myself when we were basically told by then Chief Detective Yaeger, "Well, if his ex-wife keeps making these complaints, and she's not getting back in touch with you guys, just threaten to go ahead and arrest her and see if she gets in touch with you then."

And I told him you can't do that, and then he eventually yielded to my saying that we weren't going to do that.

Q. So you're saying that -- so Yaeger was the chief detective?

A. At the time, yes, sir.

Q. And you were having an issue having somebody to respond to a complaint you were investigating?

A. The complainant herself.

Q. And Yaeger instructed you to --

A. Threaten to go ahead and arrest her if she doesn't respond, and if she wouldn't meet with us -- because we'd call her up, she couldn't meet. We'd get

within an hour, she couldn't meet. She kept having excuse after excuse. And then finally we were able to get ahold of her and meet, but in between those times he was getting frustrated that the investigation was moving so slowly because we couldn't meet with her to get a full picture of what she was allegating.

BY MR. KRAMER:

Q. Did you tell me that ultimately she does get arrested?

A. She got arrested on a separate case. So the internal case dealt with her and Deputy Miller. The other case while we were investigating this, based off some information she had provided to us, we looked into this part of the case because she was committing the domestic violence at the same --

Q. Against a different individual?

A. Against her other live-in boyfriend that she had left Deputy Miller for.

Q. Okay.

A. And then while we were investigating this, because all her character witnesses were involved in this as well, Sergeant Cooper looked at the video footage and said, "Hey, I got the video footage if you want to look at what happened in this case so we can see if there's anything dealing with" -- she had

claimed that Deputy Miller came over there and caused issues over there.

So we reviewed all the video camera. And while we were watching all the video footage, we didn't see Deputy Miller. We didn't see anything that she claimed to have happened happen between him and her. However, everything over here -- at one point her friend is seen outside talking to the deputy on scene, looked up at the ceiling and looks back down at her feet and says, "If he would have hit me" -- or, "If he would have said those things to me, I would have hit him too," talking about the move-in boyfriend.

For whatever reason, patrol did not arrest her that night. They reverified it as just a regular domestic dispute; however, a physical contact had occurred.

So we actually got ahold of -- I got ahold of Sergeant Marzouk from our SVU, had her look into that independently. She went ahead and proceeded to make a physical arrest on that.

BY INSPECTOR SNOWDEN:

Q. Are you aware of anything else that would be illegal, unethical, or immoral?

A. No, sir, not that I can say directly.

Q. Are you aware of any retaliatory discipline or anything along those lines that has occurred?

A. I can't say for 100 percent that it was retaliatory, but I know at one point Sergeant Cooper was my property sergeant. Sergeant Ferguson was moved over to be the persons sergeant, basically, our homicide sergeant.

I had been told by Sergeant Ferguson that at one point him and the other detectives were back in the back bay looking at a murder suspect car from a homicide we were currently working, and at one point Chief Detective Yaeger and, from my understanding, his wife came back there; and it's a secure area. And I guess when Sergeant Ferguson turned his head to look back towards to see who was coming in the door, Chief Detective Yaeger said he gave a look at him that was disrespectful and that he felt was disrespectful to the sheriff as well; because, I guess, the sheriff was walking with him, even though nothing to my knowledge has ever been said by the sheriff, the undersheriff, or the colonel to us about that.

The next day he moved Sergeant Cooper and Sergeant Ferguson, basically, a demotion in the ranks of a CID sergeant, moves a CID sergeant from a persons sergeant back to a property sergeant, and it had all

the appearance of a retaliatory strike.

And then at one point our digital forensics, Detective Qualman, who has taken over our digital forensics, he wasn't there one day when our action unit, our old DTF unit, and he had dumped some phones; that was his RDO.

Anyhow, Detective Qualman wasn't there because it was his normal day off. Chief Detective Yaeger called me in his office, told me that he would like Detective Qualman to accept eight fives instead of our normal nines and one small eight day, and then you have an RDO off during the week, which is the detective off during the week.

INSPECTOR SNOWDEN: Regular day off?

THE WITNESS: Yes.

A. So I went back, and I asked Detective Qualman; and he said he'd prefer to, but was that contingent on him staying in there.

I said, "At this point, I've been told that."

When I informed this to Chief Detective Yaeger, he had decided that he needed to switch Detective Qualman with Detective Guzman. And I informed him at that point Detective Guzman does not have the training or experience right now or the certifications to testify in court by moving those

two. We need to leave them where they are.

He goes, "But Detective Guzman will work five eights for me every week."

So there was a point of tension right before Chief Detective Yaeger got promoted to major that he was more or less forcing the movement on his level to occur without any input, and I felt that was more of a targeting towards Detective Qualman for not working the five eights.

Q. Is there a contract that regulates what these deputies are required to work?

A. Yes, sir. It's actually written in our PBA contract, and it's written in our policies and procedures.

Q. And is that -- it's an acceptable work pattern, that he could make that move?

A. He could; but from my understanding, if he deviates from the policy in the contract, it has to go through the PBA again. That was my understanding from the chief detective, unless the detective is willing to actually do that.

BY INSPECTOR SNOWDEN:

Q. I think what he was asking is, is that -- did he violate policy or violate the contract by doing the move?

A. He never did it.

Q. Okay. So it didn't happen?

A. No, sir. He ended up promoting out to major. And when he promoted out, he did have Chief Shabruch then come and talk to me about moving him. At which time I told Chief Shabruch, I said, "Look, I really want to keep him there. I really want to keep this one here. There's no reason to move the two of them because, again, Detective Guzman does not have the training, experience, or the certifications to testify in Court. It's going to hurt us in the long run."

Detective Shabruch, he agreed with me. He told the then Major Yaeger, who said, "But Lieutenant Beck was on board with it."

And I told Chief -- I told my current chief, Chief Shabruch, I was never on board with it. I made that argument. I was just going to be outranked on it.

And there was a point where under the new administration they changed a way we do a lot of day-to-day applications. One of the things was that any time another agency requests assistance from us, we have to get permission all the way up to the sheriff, and it all has to come back down.

Detective Guzman -- and this is prior to him

wanting to move him over in to Qualman's thing. Detective Guzman, while at a ceremony, basically, I guess, fist bumped the sheriff or something, which from my understanding Chief Detective Yaeger took offense towards that for the sheriff.

I don't understand how you do that, but he did. And then he got upset because Detective Guzman -- someone from another agency on a multiple case that he was working with multiple jurisdictions, Detective Guzman saw that a guy was looking for a suspect. So he's like, "Wait a minute. That guy's mom is up here."

And they were trying to verify down south what this guy's name was. He goes, "Why don't I just take the picture you have right here on the bulletin. I'll show it to Mom, see if his mom recognizes it as her son or not just for a verification."

They said, "Yeah."

Well, Detective Guzman innocently went out and did what we do as law enforcement. I get a call from the chief detective saying, "Did Detective Guzman go out and do something?"

And I had just gotten a call moments before this call from Sergeant Cooper that Detective Guzman had done that. And I was like, "Craig, you can't do

that under the current procedures and everything that we've been given."

To me, Chief Detective Yaeger at that point basically told me, "It makes me look stupid and incompetent that I have my guys going off and doing stuff."

At which time I told him, I said, "I fully disagree with that."

He goes, "Well, you need to understand your place on this," and that's how the conversation ended.

At that point I said I'm not getting in an argument and a fight with him over something so petty. "Yes, sir. Okay, sir," moved on about my business.

BY MR. KRAMER:

Q. So is it a written policy at the sheriff's office that you cannot perform and assist another agency without the sheriff's permission?

A. Yes, sir. I actually -- because we were having so much frustration in CID when I first got over there on how we could send -- whether we could send a detective out, how we can handle another agency, how we can assist another agency, there was so many rules always changing, I actually wrote out in black and white in an email, sent it to Chief Detective Yaeger, had him review it. He sent me back

several revisions.

And at the end of it, I said, "Is this the finalized one we can work off of? What I can prove as a lieutenant, what the sergeant can approve at their level, what you can approve at your level, what we have to get approved from the sheriff himself?"

And after I got, I guess, it's about two or three pages long, and it outlines in detail what we can do it and how we can do it. It was never put into official policy, but it is in procedures for CID. We all have a copy of it as supervisors now.

Q. So an officer-involved shooting with another agency or an active shooter with another agency, who has to approve it?

A. To go assist them?

Q. Uh-huh.

A. Sheriff.

Q. So the sheriff is unavailable.

A. Above my pay grade, sir. I know it has to go up to the chief detective, who then goes over to the major, who then goes to the colonel, undersheriff, up to the sheriff.

Q. Does this seem unsafe to you?

A. Yes, sir. As a -- for instance, I'm in charge of our bomb squad, which is a regional asset;

which I get federal grant money for being part of the region security of it.

I have eight counties I'm supposed to cover; but in order for me to go from County A to County B, I have to wait until I get approval from further up than my captain. Whereas, in the past 14 years, my captain approves it, I go and do it; which basically is just, whoever, Johnny Law from Gilchrist County, the sheriff over there, was to call and say, "I got a suspicious package."

"All right. Hang on just a second, Sheriff."

"Hey, Captain, I need to go over here to a suspicious package."

"All right. Cool. Let me know when you're back in county."

That's what it used to be.

I've actually sat at county lines before for an hour waiting for approval.

Q. Does that seem safe to you?

A. No, sir, not for my line of work with the bomb stuff. Not for my line of work if I'm sending tactical bomb techs over for our squad operators, who are also a regional team, that need to go and deal with that.

Q. Is there a contract that you're under to

receive the money that funds these regional assets?

A. There is. I don't know exactly what it looks like. I know it exists because it's the Regional Domestic Security Task Force. We're under Region Three's, and we're the tier two bomb squad for them. Jacksonville Sheriff's Office is tier one. Marion County is a tier three. And then our SWAT team is the tier three team for the region, Marion is tier two, and Jacksonville is tier one.

Q. Is there some circumstance under which -- or, I guess, let me rephrase.

Have you ever told another agency, "No, I'm not going to respond" because it came from higher than you that the answer was no?

A. Not on the bomb side; but on the CID side, we've had to say, yes, "We can't assist you on that at this time."

Q. In any form of national -- I forget what you said -- regional asset situation, or is this just --

A. No, that's just on the CID side. The regional asset, to my knowledge, as far as I can remember back, I've not been denied. There's just been a lag of time.

Q. And which, in your opinion, was unsafe?

A. Yes, sir.

BY INSPECTOR RIDDICK:

Q. Do you know if the SWAT team has ever been denied going to assist?

A. I believe so. I just can't remember what it was.

BY MR. KRAMER:

Q. Warrant service?

A. I believe so, something like that, because I remember I was told -- because what our SWAT will do is, any time they're going to go out of county, the SWAT commander will normally let me know, give me a heads-up that, hey, we got an op that's going to be out of the area, just to FYI you in case they need to call me.

Because if they -- a lot of times if they get an armed barricade, they'll contact me to come in with our bomb robots and stuff. Or if they think they're going to do a high risk entry, we put our tactical bomb tech inside the stack with the SWAT team in case they come across any type of booby traps or anything.

BY INSPECTOR RIDDICK:

Q. Do you know of -- does them being denied for a request for them to go assist Nassau County to search for a homicide suspect, does that sound familiar?

A. Yes, sir, I do remember they got -- because there was a lot of people scratching their head on that one as to why every agency in Florida basically was sending people, but we were not; and we were much more closer and at that time a much more robust SWAT team. The only ones that were more robust than us at that time was JSO in the region.

And I believe at that time we had better equipment than Marion County, even, and they would have been the next ones to call up. And to my knowledge, if I remember correctly, talking to their bomb commander, their SWAT team did send two elements up there.

Q. And that was a homicide suspect that had killed an officer?

A. Yes, sir.

BY INSPECTOR SNOWDEN:

Q. Do you know why it was denied?

A. I don't know. I know the rumors I heard, but that was it.

BY INSPECTOR RIDDICK:

Q. Are you aware of any criminal investigation into an OPS member at this time?

A. Into an OPS member?

Q. Yes.

A. No, sir.
BY MR. KRAMER:
Q. If an OPS officer committed a felony offense while on duty, would you be the unit that would be assigned to handle that investigation?
A. Yes, sir. We do that for the separation, because OPS, if we start having them dive into the gray area of now they're doing criminal investigations, then you have -- you don't have that check and balances of criminal versus policy and procedure. And that's the whole reason why our policy is written like that.
BY INSPECTOR SNOWDEN:
Q. Is there anything else you think may be important? Anything that you would like to tell us that we haven't specifically asked you?
A. Not that I can think of.
MR. KRAMER: Very well. That's all. Thank you.
(The deposition concluded at 1:00 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that WILLIAM BECK, who produced a ACSO ID Card as identification, personally appeared before me on April 20, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 7, 2023.

Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

DEPOSITION CERTIFICATE

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named WILLIAM BECK, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 7, 2023.

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

KYLE SALMAN

DATE TAKEN: April 20, 2023
TIME: 1:50 p.m. - 3:12 p.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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- - -

WHEREUPON,

KYLE SALMAN

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I swear.

EXAMINATION

BY MR. KRAMER?

Q. Could you state your name, please?

A. Kyle Douglas Salman.

Q. And can I call you Kyle?

A. Absolutely.

Q. Kyle, before we get started, since you're no longer a member of the Alachua County Sheriff's Office, and you don't have a lawyer, I just want to explain a couple things to you just to make sure you understand.

Although you haven't received your subpoena, you indicated, we did issue a subpoena for you; which means you are, in my opinion, under subpoena, and that gives you certain rights and also certain responsibilities. And the rights are that nothing that you tell me today can be used against you in any future proceeding.

A. Okay.

Q. So essentially you have immunity from

anything that you might tell me. And we are definitely going to ask you about things that we believe are criminal acts, and I want you to feel comfortable to tell me anything you know about them without concern that you're -- that there's going to be a form of retribution against you because of those things. You have that immunity, meaning we can't use what you say today against you in any way, shape, or form.

Of course, you know your responsibility, which is to answer all questions truthfully.

A. Absolutely.

Q. Okay. Do you have any questions for us before we begin?

A. No.

Q. Okay. Great. So I just want to start with your education.

A. I graduated high school, and I have some college at the University of Florida but did not finish.

Q. Okay. And are you currently a certified law enforcement officer in the State of Florida?

A. Law enforcement and corrections.

Q. Okay. And how long have you been certified as a law enforcement officer?

A. Law enforcement was 2010. Corrections was 2008.

Q. And can you review your corrections and law enforcement history with me? When did you start, and where did you work?

A. I was hired at the Alachua County Sheriff's Office in January 2008 as a correctional officer recruit. I put myself through the crossover academy while still working at the jail in 2010, continued to work at the jail -- at the sheriff's office until I resigned February of this year.

During that time I was promoted from detention officer to sergeant to lieutenant. I was assigned as an inspector in the office of professional standards at two various points for around a year each, or a little less, and back to lieutenant, back to inspector.

Q. Were you always on the corrections side, or were you on the law enforcement side also?

A. I've never worked in a law enforcement, like, patrol capacity. So they call it a detention deputy if you're certified to work at the jail, but I never worked --

Q. The road?

A. -- specifically like the road, yeah.

Q. Have you ever supervised the road-type individuals?

A. No.

Q. So essentially most of your history is corrections?

A. Correct.

Q. Okay. Can you explain, to whatever degree you're comfortable with, why you are separated from service with the sheriff's office?

A. Sure. So I have 15 years in FRS, all of it with the Alachua County sheriff's office. When I started working at the sheriff's office in 2008 I lived in Gainesville. My wife, who I met in Gainesville, got her job in Jacksonville.

We've been living in Jacksonville since 2010, but I loved my job so much that I continued to drive back and forth. I just felt like the Alachua County Sheriff's Office was an agency that just fit me very well, and honestly, I was successful there. I got promoted twice. And I just felt like the ethics aligned with mine, and all my friends worked there, and it's just where I wanted to work.

But over the last couple of years I just didn't enjoy working there that much; and it just wasn't worth it to me anymore to continue to sacrifice

my personal life and my relationship with my wife to drive back and forth, so it was a decision that we came to, I would just not work there anymore.

Q. And is that because of the change of administration that would have occurred in January of 2021?

A. I don't see how I would have come to that same conclusion if that administration hadn't changed like that, sure.

Q. Understood. So when you were in OPS, were you a lieutenant?

A. So my title was inspector. My rank was lieutenant, yes.

Q. And who would have been your -- I don't know if they call it chief inspector or --

A. Chief inspector.

Q. Okay. Who would have been your chief inspector?

A. When I first went to the office of professional standards, it was Todd Kelly. That was when Sheriff Darnell was the sheriff. That was in like October of whatever that last year before the administration change would have been, 2020.

And then shortly after the new administration took over, it was Captain Richmond, and then it was

Captain Brandon Kutner. And then there was a period where Brett Rhodenizer was kind of like the acting chief, even though he was the lead inspector. And then it was John Shabruch, was the last chief inspector I had.

Q. Were you in OPS when you parted -- separated from service?

A. No, I had maybe a month or so been sent back to the jail a second time.

Q. Okay. So were you responsible for the investigation of allegations against Latrell Simmons?

A. No.

Q. Okay. Were you a part of an audit? Did you participate in an audit that Brandon Kutner did upon coming into OPS or taking over OPS of the current pending cases?

A. An audit of --

Q. Like going through them and working -- I don't know if I'm saying it right. You're in there when Brandon Kutner comes in?

A. I'm trying to remember the timeline. Yes. So when he first went to OPS was when Richmond left. I was there. Brandon Kutner came in. At some point while Kutner was there, I got sent back to the jail and then brought back while Kutner was still there.

Q. Okay.
A. So I was there while he came, and he was there while I came back, if that makes sense.
Q. Do you know who did the investigation on Latrell Simmons?
A. I believe it was Sherry French.
Q. Okay.
A. And I think I was a witness; but at the time I had just been sent to the jail where Simmons would have been my direct supervisor, but I think the day before I started was the day he got suspended. So I never really worked for him, so I wasn't able to give them anything or tell them anything when they asked me questions.
Q. So they questioned you in the Latrell Simmons investigation, but you had no relevant knowledge.
A. Correct.
Q. And you don't recall any kind of like -- when Brandon Kutner comes in, any kind of like review being conducted of all the files that are pending in OPS at that time?
A. It could be your terminology throwing me off.
BY INSPECTOR SNOWDEN:
Q. Did Captain Kutner talk to you about cases that he had discovered involving individuals that

should have been sent to FDLE?

A. Oh, yeah. Yeah. And if that's what you're talking about --

BY MR. KRAMER:

Q. That's what I'm talking about, yeah.

A. Okay.

Q. What happened with that?

A. If I recall correctly, he was going through whatever files were in his office or his administrative assistant's office, trying to just catch up, I think, what the status of that office was. And I know he came across a case that had a lot of back and forth between him and administration.

It was a detention officer, Camiel Rowe, was one that I recall being a big discussion topic where she had been sustained that she left a housing unit in the female infirmary at the jail where you have a suicidal inmate that is on, you know, direct observation, somebody needs to watch them so they don't kill themselves, with documented 15-minute checks. So you have to fill out a little check box that says at, you know, 1:15 p.m. I looked at this inmate, this is what they were doing. 1:30 a.m., I looked at the person, and this is what they were doing.

Well, on video, she's gone. She leaves with nobody in there, no adult supervision, for 17 minutes, but yet her check sheets reflects that all the 15-minute checks had been done. How is it truthful that you are saying that you done 15-minute checks when you're gone for 17 minutes?

He saw it as a perjury-type situation, or whatever you want to call it, and thought that it should have been sent to FDLE and CGSTC. And I believe it was administration saying, "We don't want to send it."

And I believe Kutner's opinion was that it statutorily or by rule had to be assigned, and they were kind of blocking it.

BY INSPECTOR SNOWDEN:

Q. Was there also -- did he bring to your attention something about the admin specialist Kris Allfrey?

A. Kris Allfrey?

Q. Uh-huh.

A. I mean, I think in general he was not particularly happy with her performance, but specifically as to something she did other than --

Q. Do you know of any files that she got rid of or purged that shouldn't have been?

A. No. As far as files, I think she may have been a little sloppy in her recordkeeping abilities. I know, for instance, she had like a file in her computer that she labeled "pending" where she was like, you know, organizing files, but it wasn't on the drive that we have access to. So I think he was getting frustrated when he couldn't find something, and she's like, "Oh, it's in this. I haven't filed it yet."

But her purging files, I don't think so. I don't recall anything like that.

Q. When he came up as chief inspector, did he sit down with everybody and have a meeting and tell you what he expected, what a typical supervisor would do?

A. Yeah.

Q. And who was in there with you at that time?

A. Oh, man.

Q. Was Sherry French in there?

A. Sherry French, Brett Rhodenizer, Matt Beck, and me, I believe.

BY MR. KRAMER:

Q. Were you at all involved in the investigation of Pam James?

A. I was not directly -- I mean, I was involved

because -- so in the office of professional standards, an inspector would have cases that they work, right? I'm doing an investigation, I'm interviewing people, gathering all the evidence, typing it up, right?

And then you would have assistance cases where, really, the bulk of the work -- most of the cases in the agency are inspected or investigated by supervisors. So, you know, this sergeant or lieutenant has something that they need to investigate. They're doing the work, but they may ask OPS for assistance. We would call that an assistance case.

So Lieutenant Scott was actually investigating that case, but I was assigned as the assisting inspector. So yeah, I was -- anytime Jamie needed help, Lieutenant Scott needed help, I would help them with that case.

Q. Was there anything done that was unusual with that case as far as how Pam James was interviewed?

A. Extremely unusual. Very unusual.

Q. In what respect?

A. So when Pam James was called in for her subject employee interview, she essentially stopped the interview and said, "I have a prepared statement that I want to submit in lieu of an interview."

And at the time the captain, the chief inspector, was John Shabruch, and he was new to the position.

Well, Jamie Scott, Lieutenant Scott, she was already nervous for this investigation. That, I think, was her first real full investigation she'd ever done; and I think she felt a lot of pressure from work, and she really was uncomfortable with it. So she exited the interview and came to me.

I said, "No, she doesn't have the option to not do an interview. You're the investigating supervisor, go in there and tell her that she needs to answer your questions. She's compelled to do it; otherwise, it's insubordination. That's our way our policy reads, and that's how it's always been done."

Pam James again said, "I'm not answering questions," something along those lines. "I'm not answering questions. I'm submitting a written statement in lieu of doing this interview."

So Lieutenant Scott comes out again. This time I went and got Shabruch. I said, "Hey, here's what's happening."

And he wasn't comfortable saying you need to make her sit down and answer these questions, which is my understanding of how we've done it, and allowed her

to submit that written statement.

That was very unusual. And I think Shabruch later did some research and found out, yeah, we should have made her answer the questions.

Q. Was she cited for insubordination?

A. The original investigation was for insubordination. I think that was insubordinate, also; and somehow, when it's all said and done, the original insubordination case was all but tossed and lost forever.

I think, luckily, it was completed, but I want to say the undersheriff -- and I didn't hear the undersheriff say it himself, said that the investigation is canceled. When you have a complainant, a victim, so to speak, saying that they were harassed, how is that possible?

Q. Well, that was going to be my question. Is that possible?

A. Clearly, it was. I don't know how because I feel like, you know, you still have a victim, Jamie Scott, and there's no closure for her.

Q. Within the policies of the agency, as far as you understood it, was that a potential outcome of an investigation, simply that someone in the administration simply said this investigation is over?

A. I know tracking numbers can be canceled, but I've never heard of a complaint existing on something and it just disappear like that, no.

Q. Are you aware of any other similar circumstance where that has occurred other than the Pam James case?

A. Where a case is just --

Q. Somebody from the administration has just reached down and said this investigation is canceled? I'm not saying that there is. I'm just asking.

A. I'm trying to think back and -- excuse me. I haven't been working for the last couple of months, and I'm kind of like a "stay at home husband" brain; but I can't think of anything off the top of my head like that.

Q. Okay. Well, then, I'm going to ask you the opposite question, which is, have you -- do you have any experience with the administration reaching down to OPS and directing the outcome of an investigation?

A. I will tell you that I had a case where a subject employee had been in a YouTube video that a third party filmed, and the YouTube video made it look like this patrol sergeant did certain things that would have been unfavorable or what have you.

And I was assigned that case, and I was able

to show without doing interviews -- you have an administrative inquiry or an administrative investigation. Administrative inquiry is where you're able to kind of show without doing interviews, and there's no discipline attached to it, here's what happened.

I was able to do one of those and say the YouTube video was edited. This person didn't do what it looks like they did, and I'm asking for this case to be closed. And I've done that before as a supervisor, I've done that before in OPS, and it's always been signed off, good to go.

Well, this time I submitted it, and I think Captain Shabruch -- I don't think I ever saw it, but he told me he put an addendum on top of that and turned it in saying, yeah, case closed. You know, there's nothing to see here.

And then it got a sent back to me. And, of course, I didn't hear anybody from admin say it because I'm just getting this through Captain Shabruch, nope, you need to dig further. You need to look at this, that, and the other.

Well, next thing I know, I'm doing a 35-page investigation, interviewing, it seems like, half the agency to again come to the same conclusion. But why

was I directed by admin to do that when I was able to show that without doing all that?

So to answer your question, have I ever seen admin have their hands in things like that, that would be an example of it, yeah.

BY MR. KRAMER:

Q. Right. But specifically to say that he -- I get that, and thank you for sharing that -- but to say the outcome of this is going to be that they violated that policy, being sort of the opposite of squashing it? Saying you're going to do this investigation, and you're going to find a reason to discipline this person, fire this person, demote this person?

A. No, but I also didn't have any real contact with admin. It always came filtered through a chief inspector.

But I did an investigation on Howard Adams. He was a lieutenant at the jail. I was told to investigate these three charges even though what I have investigated, if I hadn't had any input from anybody else, would have been just our social media policy. I was told to also investigate insubordination and conduct unbecoming. This is when Captain Kutner was the chief inspector.

So what Howard Adams did -- he was a

lieutenant at the jail. There is a former employee Ray Swallows, Raymond Swallows, he posted some stuff on Facebook that painted current admin in a bad light. Howard Adams not only gave the like on Facebook, but he also, I think, shared it and added some other, you know, of his own words to it.

So I did that investigation, and I sustained the social media policy violation. And I think I also sustained the insubordination because, inside of Ray Swallows Facebook post, it criticized Howard Adams' direct supervisor and other people in his chain of command; but I did not sustain conduct unbecoming because there was nothing there that was racist, sexist, homophobic, or anything else that made me question his ability to perform his job, be fair, be honest, any of those things.

So I submitted my investigation with those findings, you know, two sustained, one not sustained, and administration sustained all of it.

So that's the only time I can say that I can think of off the top of my head where those findings were kind of dictated because I didn't find it, but they found it in my investigation.

I was never told you will sustain this, that, or the other, but I was told not to -- Howard Adams,

which I wasn't a big fan of, he was out of town on vacation, and I was told, "Complete your investigation without interviewing the subject employee."

Q. Did Captain Kutner sustain all three, or did Captain Kutner send it up with two and one, if you recall?

A. I think Kutner sustained all three; but without looking at the case, I couldn't say for sure. I think he did.

Q. I want to turn then Captain Kutner. First of all, just as background, it's my understanding that there is an audio recording system that's used in OPS, the audio video recording system that's used in the OPS suite.

A. In the interview room in there, yeah.

Q. Okay. And you're familiar with its operation?

A. Barely.

Q. Meaning you can turn it on and off?

A. I can turn it on and off. I don't know if I could tell you how to get it off the server.

Q. Or how all that works, right?

A. Right. But I can -- I can turn the TV and system on and click the record and the stop button.

Q. Okay. You're familiar -- or are you familiar

with the fact that you can monitor, meaning that you're seeing and hearing what's going on in the room without recording it?

A. Yeah, you can.

Q. And you also could see, hear, and record.

A. Yes.

Q. Is that correct?

A. Yes.

Q. And that there's multiple places within OPS where you can do that?

A. So there's the main setup that's got a flat-screen TV and all that, but you can also log in on a computer in there, any of the work station computers in there, and also look. That's the part I don't think I ever figured out how to use.

Q. Okay. It's my understanding that there were times when officers who were in that room were monitored while they were conducting their review of evidence, of the file. Do you know what I'm talking about, where they have an opportunity to do a file review?

A. Yeah, they get to see all the evidence against them.

Q. They might be in there by themself. They might be in there with a representative.

A. Right.
Q. Or they might be in there with a lawyer, right?
A. Right.
Q. And that while it may not have been recorded, that there were instances where they were monitored. Are you familiar with that?
A. No.
Q. Okay. Did you ever see anybody talk about that or did you ever see that occur?
A. No.
Q. Okay.
A. And I can understand where somebody would be concerned about that, because that is the room that -- I mean, they would have the option to go somewhere else, but that's the room where they're doing it. And sure, there's a camera there, and there's audio there, but I don't recall anybody ever flipping it on or looking at it or listening to it.
Q. Do you ever make -- did you ever make any effort to let the individuals using that room know this is a recorded room, but you're not being recorded?
A. That's what I would always tell them when it was my case.

Q. And would the system be on to where at that time, while they were in that room, to the point where all you would have had to do is turn the volume up, and you'd hear what was going on? Or was it fully shut down?

A. I believe -- well, I'll say this. I don't think there's a way to really fully shut it off to where somebody in, let's say, the chief inspector's office couldn't log in to the system; but the setup for the office is open like this, and I can see all four inspectors' screens from where I'm standing, and I've never seen anybody logged in or looking at it.

Q. Okay. But the chief inspector's office, someone could be using it, listening to it, hearing it inside that office, and you'd have no knowledge?

A. I think that would be possible.

Q. Okay. Have you ever been told that that occurred?

A. No, and I've never suspected anything like that either.

BY INSPECTOR SNOWDEN:

Q. Did you ever go into the ceiling and disconnect any of the wiring or cables that would be attached to any of the cameras?

A. No.

BY MR. KRAMER:

Q. Do you ever hear any sort of talk or any idea that Brandon Kutner was promoted to captain in order to avoid him becoming the president of the union?

A. I heard a rumor.

Q. What was that, and who did you hear it from?

A. Oh, gosh. I don't recall who I heard it from, but I did hear somebody or a couple people say, "Oh, he got promoted so that he couldn't bargain for the bargaining unit," or something like that. I know he was at some point some way involved in it.

Q. Were you or did you become aware of anyone ever being directed to change the content of an investigation once it had been recorded to the file?

A. Change the content of an investigation?

Q. For instance, there's a description of an interview -- I don't know how you describe interviews, but a description of an interview, and somebody comes in and says, "No, change that."

A. No.

Q. Have you ever been made aware of anybody deleting any recorded interviews or content from the, I think it's called, OPS tracking system?

A. No. And I will say that that software -- now that you're trying to mention the name of it --

MR. KRAMER: What's the name of it?

INSPECTOR RIDDICK: iRecord?

THE WITNESS: iRecord is the recording system for the room.

INSPECTOR RIDDICK: IAPro?

A. IAPro. That software came during my time there. Actually, I think it came during my break, when I wasn't there.

So my first stint in OPS was just like an Excel spreadsheet system. And then we got the IAPro. And I don't have knowledge of anybody deleting anything from either of them. But just so you're aware, I was in there during like two different kind of systems.

Q. Do you believe you were transferred out of OPS because of an investigation you conducted?

A. I feel like that, but I don't have any evidence to show that that's what happened. But I do feel like that's what --

Q. What investigation was it?

A. Well, I think it happened to me twice. The Howard Adams investigation that I talked about earlier where I didn't sustain the conduct unbecoming, my transfer was like right at the conclusion when I had my findings. And I got transferred to that poor guy's

old shift on nights while, you know, his office still had his stuff in it. I'm the guy that did the investigation, and his stuff is still in there.

Q. I guess the step I missed is, they fired him over this?

A. Oh, he got fired over that. And I don't know how you can justify firing a guy for making a statement, you know, on Facebook that, like I said, wasn't racist, sexist, homophobic, didn't cause you to doubt the guy's ability to do his job no more.

BY INSPECTOR SNOWDEN:

Q. Were the two that you sustained, were they fireable offenses?

A. I think it would have given them enough points to do it, sure, I think. Without going back and looking, I wouldn't be able to tell you for sure, but they sure sealed the deal when they sustained the rest of it.

BY MR. KRAMER:

Q. Because conduct unbecoming in and of itself is fireable?

A. I think it's a Level 5, which would be enough, yeah.

And then it happened to me again. So I described earlier the sergeant that had the

Facebook -- or YouTube video. I concluded that, and I didn't sustain any of the stuff that they were wanting me to look at, or that I was looking at.

I did sustain like a Level 1 basic violation because the sergeant's body camera wasn't on his chest; it was on his seat in the car, so all the interaction from this was from like the dash cam and the backup deputy's body cam. So it was like a Level 1 for not having had his body camera on.

Q. And this is Kevin Davis?

A. Kevin Davis. I forgot. Yeah. And very shortly after I finished that investigation, I got transferred out again and then sent to night shift.

Q. Is that considered punishment in the world of corrections?

A. I considered it a punishment considering, especially, that I was the senior lieutenant in the department. Why is the senior lieutenant, the guy with the most experience, being sent to night shift like that?

And I found out I was going to night shift because an agency-wide email was sent out telling everybody I was going to night shift. And I get a text on my phone "You're going to nights. You're going to nights."

Well, why I wasn't told? Why couldn't I be told in person I'm going to night shift? Why couldn't somebody mention it and reach out to tell me I'm going to night shift?

And when you asked me earlier why I left, things like that. And also, they're forcing to people at the jail to work overtime and not paying them for it, and I had a problem with that.

Q. Sure. Can you explain?

A. So they're short staffed. They have mandatory overtime. So what that means is, these detention officers are required to one overtime shift per month. And I'm not exactly sure what system they're using as far as picking those shifts, but suffice to say at some point you may not get a shift you want depending on when you get to pick that shift.

So if you work -- and let's be clear about what mandatory overtime is. You're being ordered by the agency, supervisors, hey, you must work this shift, right? And there's the threat, whether it's perceived or real or verbalized, that if you don't do what we're telling you to do, well, we all know what insubordination is. That's a fireable offense as we are all aware. If you don't do it, there's workplace discipline for it, right?

So you're forced to give your labor; but if you happen to have vacation time during that same pay period, well, we're not going to pay you for the overtime. We're just going to have you flex that vacation time away, and that way you don't get paid any overtime.

I think that's wrong. And, in fact, our written policy says that's not how it's done, but that's how this administration is having it done. So people are being forced to work overtime and not actually getting paid any overtime for it if they have vacation time during the same period.

And oh, by the way, depending on what team you're on, because the period is in the middle of the weekend, if you take a weekend off, you're going to have to be flexed out for one of those days.

Q. What does that mean, "flexed out"?

A. It means that you get vacation time sent back to your vacation pool so you're not burning it, but you're also not getting paid the overtime rate for the forced overtime that you worked. It's supposed to be protected overtime so that you are paid for it, but they're not treating it that way. It's our written -- it's in their written policy.

BY INSPECTOR SNOWDEN:

Q. So you work an 80-hour --
A. 84.
Q. 84?
A. Uh-huh. And let's say you work that overtime, that's 96, but you burn 12 hours vacation. Instead of being paid 96 hours and burning 12 hours vacation, you give those 12 hours vacation back, and you get paid straight time.
BY MR. KRAMER:
Q. And you're not getting those vacation hours back at time and a half?
A. Correct. And based on how short the place is, you're probably not ever going to really get to use it. It will just roll over to your sick leave.
Q. Does it roll over at a rate of one-to-one?
A. It does; but when you go to retire, resign, whatever, if you have ten years, you can sell it back at only half your rate.
Q. Did this happen to you personally?
A. It never happened to me personally. The lieutenants were never forced. But when I got re-assigned to night shift, and I'm looking around that this is going on, and I'm going to be responsible for time and payroll, I said I'm not doing that. I don't believe in that. That doesn't agree with, you

know, my philosophy. And like I said, when that happened, and I don't have to do this anymore, I'm out. I'm not involved in that. I'm not doing it.

Q. So when you said, "I didn't do it," meaning you never got to the point of having to be insubordinate because you left?

A. I left.

Q. But had you stayed, you would have been required to utilize this procedure?

A. Well, my sergeants would have had to do it. I mean, they're responsible for doing their squad's payroll, and I always had a habit of checking behind them to make sure it's all right.

So yeah, I'd be putting myself in a position where I'm looking at it, I'm seeing it happen; and I'm either going to do something about it and probably get in some kind of trouble or ignore, and I wasn't comfortable with that.

Q. So those individuals who didn't take any time off during the pay period, they did get the time and a half?

A. They did, yeah, but what are we saying? These people that are being worked more than they ever had been and being forced to work overtime shouldn't have vacation time? That's a recipe for disaster.

Q. Oh, for sure. For sure. No, I'm just making sure I understand. But they're still getting paid for it?

A. They're still getting paid for it. Absolutely, they are.

BY INSPECTOR RIDDICK:

Q. How short is the jail?

A. I know at one point when I was the commander, I had 49, and I think other shifts had maybe 51; and I think they're all in the low 30s, maybe high 20s. I mean, it is like dangerous, scary, ugly bad right now.

I know they don't have outside security ever. There are a lot of days and nights where they have no escorts, which means the only people that can really respond to emergencies are the supervisors.

Well, some of these shifts don't even have all the supervisors they're supposed to have. And, you know, if you got a supervisor doing an outside security check, another one using the restroom, who's coming when you're getting choked out?

And, you know, D Zone is max zone. They're running that with one officer instead of two sometimes; C Zone, same thing.

They're having at nights at least the 4-H officer also cover 3-H, so you have an officer running

two pods.

Q. Just for the record, there are four Hs in a hall?

A. Two Hs in a hall. And I don't think it's been run with less than two if they're doing their job.

So I will have -- I was look -- I was asked by security to look into how some fast food containers got into 1-H, and I was able to see on video where that fast food was in the 2-H officer area. They were eating, I think it was, Waffle House or something like that. And at the conclusion, I think they threw their containers in the trash, and then the trustee doing the trash was able to get the containers in there.

But what I observed -- and I was working as the admin lieutenant at the jail for a brief period before I got sent to nights. I was able to observe by reviewing video that these two officers that were assigned to 2-H were logging counts that they weren't doing. They were sitting in their chairs. And to do a count you have to get up and walk around and look in all these windows and count the inmates; there's no other way to do it. And all those inmates run 15-minute checks. And just like the female officer I was talking about earlier, here they are logging

15-minute checks that they weren't doing. In my mind, that's untruthful. That's performance of duty also.

I summarized all this in an email, and next thing I know it was just handled by CC, a notice of written corrective counseling.

Q. Who did that email go to?

A. I think I sent it to Matt Beck and Richie Watkins, and both of those guys got demoted like right after that. Beck got demoted from captain back to lieutenant, and Richie got demoted from lieutenant to sergeant.

Q. And is there a correlation, in your mind, to the email and the demotion?

A. I don't know. I don't know.

Q. Is there any other activity that you observed that you would have classified while you were there as illegal, immoral, or unethical?

A. I don't think I ever saw anything illegal, not that I know of, anyway. Probably things that aren't ethical, yeah. I think there are things that are unethical. I think that's part of why I left, because the ethics just don't align with mine anymore.

Yeah, I think there's a couple of investigations open right now. I'm not -- I don't work there anymore; so I don't know what the status

is, but I think Lieutenant Glen Stanley has a couple cases that are being investigated against him where the conclusion is just like out of whack with reality. I mean, it sure looks, from the outside looking in, like they're just trying to fire the guy and find anything they can to do it. I don't know if you've talked to him yet, Glen Stanley.

And then Matt Beck, when you do talk to him, I mean, I feel like he's been written corrective counselings that when you look at them, the person writing the corrective counseling has the policy wrong and is counseling him for doing something the right way. And then he got demoted. So yeah, that's not -- doesn't make sense to me.

INSPECTOR SNOWDEN: Who would that be that wrote the counseling?

BY MR. KRAMER:

Q. We can ask him. If we just remember to ask him, we can ask Matt Beck that. If you know, you can tell us. I just --

A. Well, I think Dorian Keith and John Hoover have written -- have both done corrective counselings on him.

That's another thing. John Hoover was fired by the grievance administration for being untruthful,

and then he was my captain. He got rehired and got promoted from detention officer to my captain. It was sustained untruthfulness, and now he's my boss. It's kind of tough.

BY INSPECTOR SNOWDEN:

Q. Was his file -- do you know if that was sent to FDLE?

A. I don't know.

Q. Pam James' interview, was that recorded?

A. What happened of it, I think so.

MR. KRAMER: Anything else?

All right. That's the end.

(The deposition concluded at 3:12 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that KYLE SALMAN, who produced a Florida Driver's License as identification, personally appeared before me on April 20, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 7, 2023.

Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named KYLE SALMAN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 7, 2023.

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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WAS (5:1) (5:6) (5:12) (5:13) (6:18) (6:19) (7:2) (7:12) (7:20) (7:21) (7:25) (8:1) (8:2) (8:3) (8:4) (8:22) (8:23) (8:24) (8:25) (9:2) (9:6) (9:8) (9:11) (10:8) (10:11) (10:14) (11:10) (11:12) (11:16) (11:21) (12:4) (12:6) (12:17) (12:19) (12:25) (13:13) (13:14) (13:15) (13:18) (13:19) (13:22) (14:2) (14:4) (14:6) (14:8) (15:2) (15:5) (15:6) (15:7) (15:9) (15:11) (15:17) (15:19) (15:23) (16:25) (17:7) (17:8) (18:1) (18:18) (18:22) (18:24) (18:25) (19:13) (19:24) (19:25) (20:1) (20:2) (22:25) (23:4) (24:3) (24:6) (24:11) (25:9) (25:13) (25:20) (25:24) (27:3) (27:6) (27:7) (27:8) (27:17) (27:21) (27:22) (27:23) (32:8) (33:7) (33:9) (33:10) (33:11) (33:14) (33:15) (33:17) (33:25) (34:4) (35:24) (36:1) (36:2) (36:6) (36:9) (37:6) (38:6)
WASN'T (6:25) (9:12) (12:5) (14:23) (20:1) (25:8) (26:9) (27:5) (28:1) (31:17)
WATCH (10:19)

WATKINS (34:8)
WAY (4:8)(14:14)(23:7)(24:11)(29:5)(29:13)(29:23)(33:23)(35:13)
WEEKEND (29:15)
WELL (6:19)(11:1)(14:4)(15:17)(16:16)(17:13)(17:23)(23:6)(25:21)(28:1)(28:22)(29:3)(31:10)(32:16)(35:21)
WENT (7:19)(8:22)(14:21)
WERE (5:18)(5:19)(7:10)(8:6)(8:10)(8:13)(10:9)(10:23)(10:24)(11:14)(12:23)(15:16)(19:22)(21:16)(21:17)(21:18)(22:6)(23:2)(24:12)(25:15)(26:12)(27:2)(30:21)(33:10)(33:18)(33:19)(33:20)(34:16)
WE'RE (28:22)(29:3)(29:4)
WEREN'T (33:19)(34:1)
WEST (2:4)(2:9)
WE'VE (6:15)(14:25)
WHACK (35:3)
WHAT (4:8)(10:2)(10:5)(10:7)(10:11)(10:23)(10:24)(12:14)(13:21)(16:24)(17:5)(17:8)(18:19)(18:25)(21:19)(22:24)(23:4)(24:6)(25:18)(25:19)(25:20)(28:11)(28:13)(28:18)(28:22)(29:13)(29:17)(31:22)(33:15)(34:25)(36:10)
WHATEVER (6:7)(7:22)(10:9)(11:8)(30:17)
WHAT'S (14:22)(21:2)(25:1)
WHEN (5:4)(6:11)(7:10)(7:19)(7:21)(8:6)(8:20)(8:22)(9:13)(9:18)(11:6)(12:7)(12:12)(13:22)(15:8)(15:14)(18:1)(18:23)(21:17)(22:24)(25:8)(25:24)(26:17)(28:5)(28:16)(30:16)(30:21)(31:1)(31:4)(32:8)(32:20)(35:8)(35:10)
WHERE (5:5)(6:22)(8:2)(9:9)(10:15)(10:17)(12:4)(13:6)(16:5)(16:7)(16:20)(17:3)(19:21)(21:10)(21:20)(22:6)(22:13)(22:16)(23:1)(23:2)(23:8)(23:11)(25:23)(31:15)(32:13)(33:9)(35:2)
WHEREUPON (3:1)
WHETHER (28:20)
WHICH (3:18)(4:11)(14:24)(16:17)(20:1)(26:22)(32:14)(38:10)
WHILE (5:9)(8:24)(8:25)(9:2)(9:3)(21:18)(22:5)(23:2)(26:1)(34:16)
WHO (6:13)(7:14)(7:17)(9:4)(12:17)(21:17)(24:6)(24:7)(31:19)(34:6)(35:15)(37:5)
WHO'S (32:19)
WHY (6:8)(17:25)(27:18)(28:1)(28:2)(28:5)(34:21)
WIFE (6:13)(7:1)
WILL (16:20)(19:24)(24:24)(30:14)(33:7)
WINDOWS (33:22)
WIRING (23:23)
WITH (4:16)(5:4)(6:8)(6:9)(6:11)(6:21)(7:1)(10:7)(10:20)(11:1)(11:22)(12:13)(12:17)(13:17)(13:18)(14:8)(16:18)(18:15)(19:17)(20:5)(20:16)(21:1)(21:25)(22:2)(22:7)(27:19)(28:8)(30:25)(31:18)(32:22)(33:5)(34:22)(35:3)
WITHIN (15:22)(21:9)
WITHOUT (4:5)(17:1)(17:4)(18:2)(20:3)(20:8)(21:3)(26:15)
WITNESS (1:9)(3:5)(9:8)(25:3)(37:8)(38:5)
WORDS (19:6)
WORK (5:5)(5:10)(5:22)(6:22)(7:3)(13:2)(13:6)(13:10)(14:8)(21:13)(28:7)(28:17)(28:19)(29:10)(30:1)(30:4)(31:24)(34:25)
WORKED (5:20)(5:23)(6:21)(9:12)(29:21)(31:23)
WORKING (5:9)(6:12)(6:24)(8:18)(16:12)(33:15)
WORKPLACE (28:24)
WORKS (20:22)
WORLD (27:14)
WORTH (6:25)
WOULD (7:3)(7:5)(7:7)(7:14)(7:17)(7:23)(9:9)(12:14)(13:2)(13:5)(13:11)(13:16)(16:24)(18:4)(18:21)(22:13)(22:15)(22:24)(23:1)(23:3)(23:16)(23:23)(26:14)(26:22)(31:8)(31:10)(34:16)(35:15)
WOULDN'T (26:16)
WRITING (35:11)
WRITTEN (14:18)(15:1)(29:8)(29:23)(29:24)(34:5)(35:9)(35:22)
WRONG (29:7)(35:11)
WROTE (35:16)
WWW (1:12)

Y

YEAH (5:25)(10:2)(10:5)(12:16)(13:15)(15:3)(17:16)(18:5)(20:15)(21:4)(21:22)(26:23)(27:11)(31:14)(31:22)(34:20)(34:23)(35:13)
YEAR (5:11)(5:15)(7:22)
YEARS (6:10)(6:23)(30:17)
YES (7:13)(8:21)(21:6)(21:8)
YET (11:3)(12:9)(35:7)
YOU (3:8)(3:10)(3:14)(3:15)(3:17)(3:18)(3:19)(3:20)(3:22)(3:25)(4:1)(4:2)(4:3)(4:4)(4:6)(4:7)(4:8)(4:10)(4:13)(4:21)(4:24)(5:3)(5:4)(5:5)(5:18)(5:19)(6:1)(6:7)(6:8)(7:10)(7:11)(8:6)(8:10)(8:13)(9:4)(9:15)(9:16)(9:18)(9:24)(10:17)(10:18)(10:21)(10:22)(11:5)(11:8)(11:24)(12:5)(12:14)(12:17)(12:23)(13:5)(13:8)(14:23)(15:14)(15:20)(15:23)(16:4)(16:16)(16:17)(16:20)(16:24)(17:1)(17:16)(17:21)(18:8)(19:5)(19:18)(19:24)(20:5)(20:19)(20:21)(20:25)(21:1)(21:4)(21:5)(21:10)(21:12)(21:19)(22:7)(22:9)(22:10)(22:20)(23:3)(23:17)(23:22)(24:2)(24:6)(24:12)(24:17)(24:21)(25:15)(25:16)(26:1)(26:7)(26:8)(26:9)(26:12)(26:16)(28:5)(28:9)(28:15)(28:16)(28:17)(28:19)(28:21)(28:22)(28:24)(29:2)(29:3)(29:4)(29:5)(29:15)(29:18)(29:21)(29:22)(30:1)(30:4)(30:5)(30:7)(30:8)(30:16)(30:17)(30:19)(30:25)(31:4)(31:5)(31:6)(31:8)(32:18)(32:21)(32:25)(33:21)(34:15)(34:16)(35:8)(35:10)(35:19)(36:6)
YOU'D (23:4)(23:15)
YOUR (3:8)(3:17)(4:10)(4:17)(5:3)(6:4)(7:14)(7:17)(9:22)(11:16)(14:13)(18:3)(20:2)(29:1)(29:19)(30:14)(30:18)(34:12)
YOU'RE (3:12)(4:5)(5:22)(6:8)(8:19)(10:2)(11:6)(14:11)(17:3)(18:11)(18:12)(20:16)(20:25)(21:2)(22:22)(24:25)(25:12)(27:24)(28:18)(29:1)(29:14)(29:15)(29:19)(29:20)(30:10)(30:13)(32:20)
YOUTUBE (16:21)(16:22)(17:8)(27:1)
YOU'VE (35:6)

Z

ZONE (32:21)(32:23)

Calhoun, Virgil

From: Rush, Jacob
Sent: Monday, April 17, 2023 4:59 PM
To: Jenkins, Kelvin; Calhoun, Virgil; Anderson, Scott
Cc: DeCoursey, Joel
Subject: WILLIAMS Draft affidavits
Attachments: Affidavit of S Anderson OPS.docx; Affidavit of V Calhoun OPS.docx; Affidavit of K Jenkins OPS.docx

Good afternoon,

I filled out a framework of what I gathered for you to use as a template. I believe the Jenkins and Calhoun drafts are complete. Check for accuracy. The Anderson one can use a bit of copy/paste from the IOC talking about March 1.

Insp. Anderson, if you could include your pedigree, I believe that would be impressive.

I need these back ASAP. I'd like to file them tomorrow 4/18. Tune up the Word file and shoot it back to me for my review to make sure we're not leaving out anything important to the 112 response. I'll send you back the final for notarization.

Glad to defend your good work,

Jacob A. Rush, Esq.
General Counsel, Alachua County Sheriff's Office
P.O. Box 5489, Gainesville, FL 32627-5489
2621 SE Hawthorne Road, Gainesville, FL 32641
Office: (352) 367-4024 / Fax: (352) 374-1801
jrush@alachuasheriff.org

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4/20/23
Scott Anderson
EXHIBIT
1

IN THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT IN AND FOR ALACHUA COUNTY, FLORIDA

WILLIAM F. WILLIAMS, IV,
Petitioner,

CASE NO.: 01-2023-CA-910

vs.

CLOVIS WATSON, JR. in his official capacity as SHERIFF of ALACHUA COUNTY
Respondent.
_____ _____ ____/

AFFIDAVIT OF INSPECTOR VIRGIL CALHOUN

Affiant is currently employed as an Inspector at the Alachua County Sheriff's Office, supervising the Office of Professional Standards. Affiant attests with personal knowledge the following:

1. I, on all dates relevant to this action, was the Inspector, at the rank of Lieutenant, in the Office of Professional Standards ("OPS").
2. I conducted Petitioner's investigation.
3. I was present when Petitioner and his attorney came to OPS to review evidence in his case in anticipation of a subject interview of Petitioner on March 1, 2023. Petitioner and his attorney reviewed all the evidence.
4. When they were finished reviewing the material, Petitioner's counsel, Bobi Frank, announced that there were multiple 112 violations, some of which she said were not curable.
5. Present with me was Lead Inspector Scott Anderson. We both attempted to speak with Ms. Frank, but she cut us off and spoke over us in a rude and derogatory manner.
6. Ms. Frank did not appear interested in any genuine dialogue over her accusations or a response from me.
7. We did not compel an interview from Petitioner and he left with his counsel.

8. I read Petitioner's allegations in this writ case, and dispute two areas specifically.

   a. At paragraph 19-20 Petitioner states that he or his attorney brought a plethora of 112 violations to Lead Inspector Anderson and me and that we refused to cure them. That did not happen. Ms. Frank just yelled at us and left, behavior that shocked us. When we tried to talk, she talked over us and didn't let us speak.

   b. On page 26 of the petition, Petitioner complains about two body camera videos that were not included. Those are videos by Petitioner's supervisors of them collecting his equipment pursuant to suspension. They have nothing to do with the allegations of this case.

9. I did not interview Chief Inspector Jenkins as a complainant in this case because he had no independent information regarding the Petitioner's conduct. Likewise, General Counsel Rush had no witness material to add. He was routinely called upon for his legal opinion. I used direct sources such as witness interviews and my own independent investigation.

Further Affiant sayeth naught.

_____
Inspector Virgil Calhoun

STATE OF FLORIDA

ALACHUA COUNTY

The foregoing instrument was acknowledged before me by means of ____ physical presence or __ online notarization, this _ ___ day of _____ _____, 2023, by _____ _____ _____ _____, who is either personally known or who has produced _____ _____ _____ ____ as identification.

_____ _____ ___

Notary Public My Commission Expires

Calhoun, Virgil

From: Calhoun, Virgil
Sent: Tuesday, April 18, 2023 8:05 AM
To: Rush, Jacob
Subject: RE: WILLIAMS Draft affidavits
Attachments: Affidavit of V Calhoun OPS.docx

Attached.

From: Rush, Jacob <jrush@alachuasheriff.org>
Sent: Monday, April 17, 2023 4:59 PM
To: Jenkins, Kelvin <kjenkins@alachuasheriff.org>; Calhoun, Virgil <vcalhoun@alachuasheriff.org>; Anderson, Scott <sanderso@alachuasheriff.org>
Cc: DeCoursey, Joel <jdecourseyjr@alachuasheriff.org>
Subject: WILLIAMS Draft affidavits

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I filled out a framework of what I gathered for you to use as a template. I believe the Jenkins and Calhoun drafts are complete. Check for accuracy. The Anderson one can use a bit of copy/paste from the IOC talking about March 1.

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Glad to defend your good work,

Jacob A. Rush, Esq.
General Counsel, Alachua County Sheriff's Office
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2621 SE Hawthorne Road, Gainesville, FL 32641
Office: (352) 367-4024 / Fax: (352) 374-1801
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IN THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT IN AND FOR ALACHUA COUNTY, FLORIDA

WILLIAM F. WILLIAMS, IV,
Petitioner,

vs.

CLOVIS WATSON, JR. in his official capacity as SHERIFF of ALACHUA COUNTY
Respondent.
_____ _____ __/

CASE NO.: 01-2023-CA-910

AFFIDAVIT OF INSPECTOR VIRGIL CALHOUN

Affiant is currently employed as an Inspector at the Alachua County Sheriff's Office, supervising the Office of Professional Standards. Affiant attests with personal knowledge the following:

Commented [CV1]: Pedigree – FSA Internal Affairs Investigations

1. I, on all dates relevant to this action, was the Inspector, at the rank of Lieutenant, in the Office of Professional Standards ("OPS").
2. I conducted Petitioner's investigation.
3. I was present when Petitioner and his attorney came to OPS to review evidence in his case in anticipation of a subject employee interview of Petitioner on March 1, 2023. Petitioner and his attorney reviewed all the evidence.
4. When they were finished reviewing the material, Petitioner's counsel, Bobi Frank, announced that there were multiple 112 violations, some of which she said were not curable.
5. Present with me was Lead Inspector Scott Anderson. We both attempted to speak with Ms. Frank, but she cut us off and spoke over us in a rude condescending and derogatory manner.
6. Ms. Frank did not appear interested in any genuine dialogue over her accusations or a response from me.

7. Due to Petitioner's counsel raising uncurable 112 violations ~~W~~we were ~~did~~ not ~~compel~~ able to an interview from Petitioner and he left with his counsel.

8. I read Petitioner's allegations in this writ case, and dispute two areas specifically.

   a. At paragraph 19-20 Petitioner states that he or his attorney brought a plethora of 112 violations to Lead Inspector Anderson and me. I. Petitioner statesand ~~that~~ we refused to cure them. That did not happen. Ms. Frank ~~just yelled~~ talked over us~~et us~~ and left, behavior that shocked us. When we ~~tried to talk~~ she allowed us to speak. ~~she talked o~~er us and ~~didn't let us~~ speaksshe would interrupt and talk down to us.

   b. On page 26 of the petition, Petitioner complains about two body camera videos that were not included. Those are videos by Petitioner's supervisors of them serving notice of administrative investigation and collecting his equipment pursuant to suspension. They have nothing to do with the allegations of this case as required by 112.

9. I did not interview Chief Inspector Jenkins as a complainant in this case because he had no independent information regarding the Petitioner's conduct. Likewise, General Counsel Rush had no witness material to add. He was routinely called upon for his legal opinion. I used direct sources such as witness interviews and my own independent investigation.

Commented [CV2]: If there is no independent information from Capt. Jenkins or yourself, then this admits there was no complainant with material knowledge.

Further Affiant sayeth naught.

_____ _____ _____

Inspector Virgil Calhoun

STATE OF FLORIDA

ALACHUA COUNTY

The foregoing instrument was acknowledged before me by means of __ physical presence or ____online notarization, this __ day of ___ _____, 2023, by _____ _____ _____, who is either personally known or who has produced _____ _____ ____as identification.

Notary Public

My Commission Expires

Calhoun, Virgil

From: Rush, Jacob
Sent: Tuesday, April 18, 2023 9:56 AM
To: Calhoun, Virgil
Subject: Williams affidavit
Attachments: Affidavit of V Calhoun OPS (Williams).pdf

for signature

Jacob A. Rush, Esq.
General Counsel, Alachua County Sheriff's Office
P.O. Box 5489, Gainesville, FL 32627-5489
2621 SE Hawthorne Road, Gainesville, FL 32641
Office: (352) 367-4024 / Fax: (352) 374-1801
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IN THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT IN AND FOR ALACHUA COUNTY, FLORIDA

WILLIAM F. WILLIAMS, IV,
Petitioner,

CASE NO.: 01-2023-CA-910

vs.

CLOVIS WATSON, JR. in his official capacity as SHERIFF of ALACHUA COUNTY
Respondent.
_____ _____ _____/

AFFIDAVIT OF INSPECTOR VIRGIL CALHOUN

Affiant is currently employed as an Inspector at the Alachua County Sheriff's Office, Office of Professional Standards. Affiant attests with personal knowledge the following:

1. I, on all dates relevant to this action, was the Inspector, at the rank of Lieutenant, in the Office of Professional Standards ("OPS").
2. I conducted Petitioner's investigation.
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4. When they were finished reviewing the material, Petitioner's counsel, Bobi Frank, announced there were multiple 112 violations, some of which she said were not curable.
5. Present with me was Lead Inspector Scott Anderson. We both attempted to speak with Ms. Frank, but she cut us off and spoke over us in a condescending and derogatory manner.
6. Ms. Frank did not appear interested in any genuine dialogue over her accusations or a response from me.
7. Due to Petitioner's counsel claiming "uncurable" 112 violations we did not compel an interview of Petitioner and he left with his counsel.
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a. At paragraph 19-20 Petitioner states that he or his attorney brought a plethora of 112 violations to Lead Inspector Anderson and me. Petitioner states we refused to cure them. That did not happen. Ms. Frank talked over us and left, behavior that shocked us. When she allowed us to speak, she would interrupt and talk down to us.

b. On page 26 of the petition, Petitioner complains, claiming a 112 violation, about two body camera videos that were not included. Those are videos by Petitioner's supervisors of them serving notice of administrative investigation and collecting his equipment pursuant to suspension. They have nothing to do with the allegations of this case as evidence contemplated by 112.

9. I did not interview Chief Inspector Jenkins as a witness complainant in this case because he had no unique information regarding the Petitioner's conduct. He assigned me to investigate a potential violation by Petitioner, which I did, developing my own evidence independent of his lead. Likewise, General Counsel Rush had no witness material to add. He was routinely called upon for his legal opinion, which was not evidence in this case. I used direct sources such as witness interviews and my own independent investigation.

Further Affiant sayeth naught.

_____
Inspector Virgil Calhoun

STATE OF FLORIDA
ALACHUA COUNTY
The foregoing instrument was acknowledged before me by means of __ physical presence or __online notarization, this __ day of _____, 2023, by _____, who is either personally known or who has produced _____ as identification.

_____
Notary Public

My Commission Expires

Calhoun, Virgil

From: Calhoun, Virgil
Sent: Tuesday, April 18, 2023 11:07 AM
To: Rush, Jacob
Cc: Jenkins, Kelvin
Subject: RE: Williams affidavit

The version below should be removed from the affidavit:
9. I did not interview Chief Inspector Jenkins as a witness complainant in this case because he had no unique information regarding the Petitioner's conduct. He assigned me to investigate a potential violation by Petitioner, which I did, developing my own evidence independent of his lead. Likewise, General Counsel Rush had no witness material to add. He was routinely called upon for his legal opinion, which was not evidence in this case. I used direct sources such as witness interviews and my own independent investigation.

This statement is accurate and should be inserted into the affidavit:
9. I received the initial evidence from Chief Inspector Kelvin Jenkins who advised he received information from the Office of the Sheriff, requesting an investigation into the Petitioner's conduct. He assigned me to investigate a potential violation by the Petitioner, which I did, through my own investigation. I did not interview Chief Inspector Jenkins based on adequate information he provided to me to begin an investigation. I used direct sources such as witness interviews and my own independent investigation.

Once this affidavit is edited as requested, I will review, sign and have it notarized.

From: Rush, Jacob <jrush@alachuasheriff.org>
Sent: Tuesday, April 18, 2023 9:56 AM
To: Calhoun, Virgil <vcalhoun@alachuasheriff.org>
Subject: Williams affidavit

for signature

Jacob A. Rush, Esq.
General Counsel, Alachua County Sheriff's Office
P.O. Box 5489, Gainesville, FL 32627-5489
2621 SE Hawthorne Road, Gainesville, FL 32641
Office: (352) 367-4024 / Fax: (352) 374-1801
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Calhoun, Virgil

From: Rush, Jacob
Sent: Tuesday, April 18, 2023 11:10 AM
To: Calhoun, Virgil
Cc: Jenkins, Kelvin
Subject: RE: Williams affidavit
Attachments: Affidavit of V Calhoun OPS (Williams).docx

Updated. Notarize and scan back.

Jacob Rush #889 ACSO General Counsel (352) 367-4024

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From: Calhoun, Virgil <vcalhoun@alachuasheriff.org>
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To: Rush, Jacob <jrush@alachuasheriff.org>
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Office: (352) 367-4024 / Fax: (352) 371-1801
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IN THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT IN AND FOR ALACHUA COUNTY, FLORIDA

WILLIAM F. WILLIAMS, IV,
Petitioner,

CASE NO.: 01-2023-CA-910

vs.

CLOVIS WATSON, JR. in his official capacity as SHERIFF of ALACHUA COUNTY
Respondent.
_____ _____ _____/

AFFIDAVIT OF INSPECTOR VIRGIL CALHOUN

Affiant is currently employed as an Inspector at the Alachua County Sheriff's Office, Office of Professional Standards. Affiant attests with personal knowledge the following:

1. I, on all dates relevant to this action, was the Inspector, at the rank of Lieutenant, in the Office of Professional Standards ("OPS").
2. I conducted Petitioner's investigation.
3. I was present when Petitioner and his attorney came to OPS to review evidence in his case in anticipation of a subject employee interview of Petitioner on March 1, 2023. Petitioner and his attorney reviewed all evidence.
4. When they were finished reviewing the material, Petitioner's counsel, Bobi Frank, announced there were multiple 112 violations, some of which she said were not curable.
5. Present with me was Lead Inspector Scott Anderson. We both attempted to speak with Ms. Frank, but she cut us off and spoke over us in a condescending and derogatory manner.
6. Ms. Frank did not appear interested in any genuine dialogue over her accusations or a response from me.
7. Due to Petitioner's counsel claiming "uncurable" 112 violations we did not compel an interview of Petitioner and he left with his counsel.
8. I read Petitioner's allegations in this writ case, and dispute two areas specifically.

a. At paragraph 19-20 Petitioner states that he or his attorney brought a plethora of 112 violations to Lead Inspector Anderson and me. Petitioner states we refused to cure them. That did not happen. Ms. Frank talked over us and left, behavior that shocked us. When she allowed us to speak, she would interrupt and talk down to us.

b. On page 26 of the petition, Petitioner complains, claiming a 112 violation, about two body camera videos that were not included. Those are videos by Petitioner's supervisors of them serving notice of administrative investigation and collecting his equipment pursuant to suspension. They have nothing to do with the allegations of this case as evidence contemplated by 112.

9. I received the initial evidence from Chief Inspector Kelvin Jenkins who advised he received information from the Office of the Sheriff, requesting an investigation into the Petitioner's conduct. He assigned me to investigate a potential violation by the Petitioner, which I did, through my own investigation. I did not interview Chief Inspector Jenkins based on adequate information he provided to me to begin an investigation. I used direct sources such as witness interviews and my own independent investigation.

Further Affiant sayeth naught.

_____ _____ _____

Inspector Virgil Calhoun

STATE OF FLORIDA
ALACHUA COUNTY

The foregoing instrument was acknowledged before me by means of _ physical presence or _online notarization, this _____ day of _____ _____, 2023, by _____ _____ _____ ____, who is either personally known or who has produced _____. _____. ____ as identification.

_____ _____ ____

Notary Public My Commission Expires

Calhoun, Virgil

From: Calhoun, Virgil
Sent: Tuesday, April 18, 2023 3:31 PM
To: Rush, Jacob
Subject: Affidavit
Attachments: Affidavit.pdf

Attached. Original will be delivered today.

Inspector Virgil Calhoun
Alachua County Sheriff's Office
Office of Professional Standards
VCalhoun@alachuasheriff.org
Monday – Friday

IN THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT IN AND FOR ALACHUA COUNTY, FLORIDA

WILLIAM F. WILLIAMS, IV,
Petitioner,

vs.

CLOVIS WATSON, JR. in his official capacity as SHERIFF of ALACHUA COUNTY
Respondent.
_____ _____ _____ _____ /

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4. When they were finished reviewing the material, Petitioner's counsel, Bobi Frank, announced there were multiple 112 violations, some of which she said were not curable.
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Further Affiant sayeth naught.

_____ _____ —
Inspector Virgil Calhoun

STATE OF FLORIDA
ALACHUA COUNTY

The foregoing instrument was acknowledged before me by means of ✓ physical presence or __ online notarization, this 18 day of April 2023, by Virgil Calhoun _____, who is either personally known or who has produced _____ _____. _____ as identification.

Margaret D

Notary Public

My Commission Expires

MARGARET DAVIS
Commission # GG 928034
Expires November 30, 2023
Bonded Thru Troy Fain Insurance 800-385-7019

SWORN STATEMENT

of

KRISTEN ALLFREY

DATE TAKEN: April 20, 2023
TIME: 3:15 p.m. - 3:38 p.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

Cynthia F. Leverett, FPR
Certified Stenographic Reporter
Notary Public, State of Florida
www.NatureCoastReporters.com
Post Office Box 2392
Chiefland, Florida 32644
386-256-1457

APPEARANCES

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Orlando, Florida 32802

INSPECTOR KEITH B. RIDDICK
keithriddick@fdle.state.fl.us
Florida Department of Law Enforcement
Office of Executive Investigations
2331 Phillips Road
Tallahassee, Florida 32308

- - -

WHEREUPON,

KRISTEN ALLFREY

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes, ma'am.

EXAMINATION

BY MR. KRAMER:

Q. Could you tell us your full name, please?

A. It's Kristin Allfrey.

Q. How are you employed?

A. I work for the office of professional standards as the administrative specialist.

Q. Is that at the Alachua County Sheriff's Office?

A. Well, we were. Now I'm out at the jail.

Q. Very good. But your employer is ACSO?

A. Yes.

Q. How long have you been an employee of Alachua County Sheriff's Office?

A. Twenty-five years.

Q. Okay. And do you have any -- you're not a sworn law enforcement officer?

A. No. No.

Q. Do you have any other job experience prior to coming to the Alachua County Sheriff's Office?

A. Yes. I worked for the Bureau of Emergency Communications with the State of New Hampshire, and I also worked for the Port Smith Naval Shipyard in New Hampshire.

Q. My guess is that over 25 years you've probably held a lot of positions at the Alachua County Sheriff's Office.

A. No.

Q. No?

A. Actually, I have not. I started as a secretary in the juvenile relations bureau, and then I went over to the jail as the support services assistant, and then OPS.

Q. And how long have you been in OPS?

A. Just two years.

Q. Okay. So you're really --

A. Just recent.

Q. -- quite recent to it?

A. Yeah.

Q. So can you just tell us which OPS -- I think they call them chief inspectors?

A. Yes.

Q. Which chief inspectors have you worked for?

A. Let's see. Todd Kelly was first. John Richmond, Brandon Kutner, John Shabruch, and now

Calvin Jenkins. Is that five? It should be five.

Q. That's one of the great things about having a court reporter, is I don't have to take notes.

Have you ever worked with the sheriff, the undersheriff, or the major?

A. Yes.

Q. And in what capacity did you work for them?

A. The undersheriff I worked with in juvenile relations. He actually was on the board, my interview board, and he was the sergeant at that time.

Lance Yaeger I had known for years. I had known him as a deputy all the way through.

And now the sheriff I don't know. I don't know him at all.

Q. Have you ever worked for him?

A. No.

Q. Okay. Since you've been at the OPS, have you been asked by anyone to purge or delete any computer records within the agency?

A. Yes.

Q. Can you explain that?

A. Well, there's been some cases that we initiated; and we wanted to investigate them, but we had been told by the undersheriff to purge them, to just close them out.

We were also told at one point to delete a case, which we did.

Q. Okay. So let's go through those as best you remember one by one.

A. Well, that's -- yeah. My memory is not the greatest, so I tried to write things down so that I would remember.

The case that was deleted was a detention officer, James Lemon. He was actually a sergeant, and a sexual harassment case was brought against him. And the detention officer -- one of the detention officers that had done an interview, after the case was closed, Sergeant Lemon was dropped to a detention officer.

This detention officer, Cory Short, had posted his interview on YouTube. And we all felt that -- my whole office felt that that was a violation of our social media policy because it had everybody in uniform, and it was the total interview. And when they pursued that, for some reason, the undersheriff ordered us to delete the case.

Q. I want to make sure I understand, and I want you to tell me exactly what that entails.

A. Sure.

Q. Because when you tell me that you're deleting a case, this is what I understand. An entry has been

made into the computer system that documents an event at the sheriff's office.

A. Okay. Well, let's -- we now have a new system; it's called IAPro. So everything is going into that system, all the documents, interviews, and whatnot. We will not delete anything from that.

Prior to that, we were scanning documents, and then we were just putting them into folders. And we had paper copies that would be in the file, and we had an Excel spreadsheet that we would just keep track of the numbers; which wasn't a very good system. Now with IAPro it is much better, but then is when this case happened.

Q. Okay.

A. So it just -- it went away.

Q. And when you say it went away, what all went away? Would it be the entry into the computer? Were there interviews? Were there items?

A. Yes, there were interviews. They were items. Because it just didn't go anywhere, then it got purged. And we only keep it for a year, so it's gone. We just closed it per the undersheriff, now it's gone.

Q. It remained in the system for one year?

A. Yes. The documents did, yes.

Q. What's the next?

A. Let's see what else we had. The Kevin Davis complaint.

Back in January Kevin Davis had brought to us a complaint against General Counsel Jake Rush, and he brought a folder of documents and handed it to Captain Brandon Kutner then at the time. And his complaint was that the general counsel didn't really know his job.

When Captain Kutner took that folder to the undersheriff. The undersheriff took all that paperwork, and he felt there was no case. He didn't want to look into it. He just thought it was frivolous.

So Kevin Davis kept calling us and asking us what was the story on this case. And the file was never -- never returned to us, and they just told us that we were not to look into it.

And this happens to us on a lot of these cases. We'll get complaints, and we'll take it to them. And they basically will tell us whether we can or whether we can't. Which I understand, I mean, they can do that, but a lot of times they want us to like take our drafts and give it to the general counsel and let the general counsel kind of do a checks and balances so that we don't get into litigation. Well,

that's not common practice. We don't normally do that.

Q. Right. But if these become records of the agency --

A. Yes.

Q. -- and they're destroyed by the undersheriff --

A. Yes. Yes, he asked us to destroy it, the Kevin Davis case that we've now started the third case. We've started all over again from scratch.

Q. Because Kevin Davis has made this complaint three times?

A. No. His original case that he's in litigation with right now, that started with Inspector Marzouk, who wasn't there very long. None of my inspectors have been there very long.

They didn't particularly like the way she did her case, and apparently there -- I don't know. There was an issue with a phone call between her and Bobi Frank, and so they took her off the case.

Then they gave it -- well, they took her part and gave it to Inspector Calhoun, and Calhoun did his part and submitted it. Well, they didn't like that either because Calhoun and Marzouk didn't feel that conduct unbecoming was sustained.

In their investigation, they just didn't feel that that was something that was a sustainable charge, and the general counsel and the undersheriff didn't like that. They wanted that sustained, and Virgil Calhoun refused. He just didn't feel that that was right.

And the undersheriff and the general counsel are constantly saying out loud that they're not trying to run the cases, they're not trying to influence it, yet every time we submit it, they send it back.

Now, the thing is, they can take that case, and they can make their own recommendations. It doesn't really matter what the inspector says. At the end of the day, he can look at that, the sheriff can, and say, "No, you're terminated. I don't care. You know, that is sustained."

But they wouldn't do that. They wanted Virgil Calhoun to sustain that charge.

Q. Has any portion of any investigation as it relates to Kevin Allen been --

A. Kevin Davis.

Q. -- Kevin Davis been altered, deleted, or changed at the direction of any person?

A. Not that I can't answer for certain.

Q. Is it in the --

A. It is in the IAPro. It's just that it's -- General Counsel and Undersheriff wanted us to get rid of what Nancy Marzouk had done because they didn't want her name associated with it, and the general counsel had made mention that they were going to try to figure out a legal way to delete that case and start over.

Q. So --

A. That's all I know.

Q. If you were to go back today at the end of this interview and go look for the phone call that is the problem between Nancy Marzouk between Bobi Frank, is it there?

A. I don't -- I've never seen it; so I don't believe so, but I never really looked.

Q. Do you have access to IAPro?

A. I do. I have do have access, but I never -- I never thought to look. I'm going to say it's probably not.

Q. Then who could have deleted it?

A. I don't know that it ever got there.

Q. Oh, it got there.

A. Oh, it did get there? Well, then, maybe it's still there. I've not looked; and I didn't even think about looking, so I'm not sure. I could go back in my

office, pull it up, and then maybe there it is.

Q. Do you have the ability to delete something like that from the system?

A. I do not, no. There are only two people that have that right, and that would be Scott Anderson and Kelvin Jenkins in my office. Neither one of them, I know, would do that, but there are others. I know our IT people, I'm sure, have access to do that, but not my office.

BY INSPECTOR SNOWDEN:

Q. How about anybody in the suite?

A. As far as I know, no. I think General Counsel Rush has access to look at things, but I think that's it. In fact, he's going to training with me on IAPro next week, so --

Q. So let's go back to anything else that has been altered, changed, or deleted. Can we focus on anything in IAPro that you're aware of?

A. No, I don't. No, not in IAPro.

Q. So prior to IAPro, is there anything else that you've been directed to alter, change, or delete at the instruction of the --

A. Only that we have closed a few cases per the undersheriff; whereas, we pull a tracking number, we start the paperwork, and then all of a sudden, no,

we're not going to -- we're not pursuing that.

Q. At any time are those cases -- are you being told to preserve them for the period of time that they're required to be preserved; but then, once that period of time lapses, they can go away?

A. That I do, yes, and I've always done that. That's been common practice even in the past administration. So if it's not sustained, I keep it for one year. If it is sustained, and that employee leaves, we keep that. I mean, that's in our file-bound system with HR. And now it's also in our IAPro, and then that file is stored off site.

Q. Is there any time where you've been asked to delete something from the system, prior to IAPro, prior to one the year?

A. No, not to my knowledge. No, I don't believe I have.

BY INSPECTOR SNOWDEN:

Q. What about the James Lemon, Cory Short?

A. The James Lemon, Cory Short just kind of went away. That one just -- I don't know.

Q. Was that on the Excel spreadsheet or was that in IAPro?

A. That was closed on the Excel spreadsheet. That case was just closed.

Q. Is there still a record of that spreadsheet?
A. Actually, yes, I do still have a record of that. Yes, I do. I should have printed it out. I didn't even think of it.
BY MR. KRAMER:
Q. Are you aware of anyone from the suite directing -- other than what you've already described, directing the outcome of an investigation with directions to fire or demote anyone?
A. No.
Q. Are you the person who would be responsible to transmit the case -- there are certain investigations that are required to go to FDLE.
A. Yes. Yes.
Q. Are you the person who would make that transmission?
A. Yes.
Q. And have you ever been told not to transmit a case to FDLE that required transmission?
A. No. No.
Q. Have you ever been told the opposite, to transmit a case to FDLE that did not require transmission?
A. No.
BY INSPECTOR RIDDICK:

Q. Were you told to send the Annie Waller investigation?

A. Yes. Yes.

I guess I should say, to my knowledge, I have not. I mean, sometimes I'm not -- I'm just the assistant. I'm just do as I'm told. So I'm not really sure, you know, if that indeed had to go or did not have to go. I just --

BY MR. KRAMER:

Q. Is there any other instance that you have noted there that occurred?

A. I just have kept all kinds of just different things, but it's -- a lot of it is kind of -- that's the YouTube one.

And Major Stafford sent Chief Inspector Shabruch an email stating the undersheriff told -- Decoursey ordered him to cancel the investigation.

Let's see. Just when Matt Beck got demoted when he was captain of security. Kyle Salman had been transferred in and out of OPS. And a lot of that was just because of people who disliked them. We've had a lot of that.

And that's the Kevin Davis thing we just went over.

Joshua -- oh, yeah. The Joshua Scarborough

incident. I did write this down, and I don't know if this is pertinent; but Scarborough filed a complaint on November 16th, for excessive force, of last year. He was tased when he refused to comply, and the complaint was investigated and reviewed by Colonel Chad Scott and Kelvin Jenkins, who is in patrol at the time. He was not in OPS. And it resulted in no findings, case was closed on the 16th.

General Counsel Jake Rush provided information to OPS that he received and checked as a result of the pending litigation filed on behalf of Scarborough. Nancy Marzouk was assigned the case as a result of the complaint, and her findings concurred with the previous investigation; that there were no findings, and that the deputies in question acted fine.

Scarborough retained Attorney Robert Rush. General Counsel Jake Rush has been constantly pressing Captain Jenkins to find merit to Scarborough's claim even though we've said that there was no excessive force.

It's things like that that have been happening in my office.

We just -- oh, yes. We just had a detention officer, Tiaquandra Johnson. She met with McDougall

on February 2nd. OPS was notified that she might be under the influence of narcotics.

She was kind of caught up in this love triangle, and there was an investigation that was going on. They were not able to come up with any findings on this investigation. And while she was with McDougall, she was told to go get a 12-panel drug screen. She was suspended immediately.

The drug panel was negative, and all of a sudden everybody was asking me for her disciplinary file. She did not have but just one complaint in her file. It was a couple years ago. And even the major had no idea what was going on.

The next day she was terminated, no paperwork, no nothing; I don't know why.

Q. Could you give the name again?

A. Her name is Tiaquandra, T-I-A-Q-U-A-N-D-R-A, Johnson. Her ex-husband was Detention Officer Johnny Echeverri, E-C-H-E-V-E-R-R-I. And another detention officer, Clyde Berringer, who was her live-in boyfriend, that was the love triangle. There was a domestic dispute.

Q. I want to go back to the issue with Counsel Rush. I want to make sure I understand the facts. The name of the officer -- there's a defendant who's

made a claim of excessive force.

A. Yes, his name is Scarborough. They arrested him.

Q. And he makes a claim of excessive force. It gets investigated initially by who? Who's the first to investigate it?

A. I believe it was Nancy Marzouk.

Q. So that investigation is complete, no findings?

A. Yes, it came up with no findings.

Q. And then at some point somebody from the suite says reopen it and do it again?

A. No, that's -- that's the Kevin Davis one that's reopening. No. Scarborough retained -- because he didn't like the investigation, so now he's retained Attorney Robert Rush and has filed a lawsuit against the sheriff's office.

Q. So has that investigation ever been reinvestigated?

A. No.

Q. Has any of the findings been changed?

A. No.

Q. And Counsel Rush has then contacted -- is it Kelvin Jenkins?

A. Well, he wanted Kelvin to get Nancy Marzouk

to say that it was an excessive force, and they wouldn't do it; they refused, my office refused.

Q. And there are time limitations on how long?

A. Absolutely.

Q. Six months?

A. Yeah.

Q. And were you still within the time limitations?

A. Yes.

Q. So it would still be possible to -- without any further proceeding, simply just change the result of the investigation from unfounded to sustained?

A. No, because she has closed it. Unless they decided to -- well, no, they couldn't because it has been closed. I believe that case has been closed.

Q. So how could this request of Counsel Rush be fulfilled?

A. Before it was closed, he wanted it -- he wanted it to be -- he kept alluding to the fact that he wanted us to find excessive force; and they just kept going around and around until they finally said, "This is done. We're not doing it," and it was over.

Q. And if I understand correctly, the investigation happens, then Nancy Marzouk would make her findings?

A. Yes.

Q. And then her findings, because she says unfounded, she's not going to then suggest discipline. So then it goes up to her supervisor, which would have been?

A. Kelvin Jenkins.

Q. Kelvin Jenkins, who then reviews it and says, "I agree. Unfounded," and then it goes on?

A. Right. It goes on and on.

Q. All the way to the sheriff?

A. Uh-huh.

Q. And where in that process is Mr. Rush interjecting himself?

A. Just in conversation.

Q. I mean, has the -- Nancy has already signed off on it?

A. Well, before she signed off on it, the office -- the suite and my office kept going back and forth, back and forth. And a lot of times -- like right now she is on her fourth revision on a case that she's doing right now because every time it goes over, they send it back.

Q. How many times was this case sent back?

A. That I don't know. I can't tell you exactly. I'm sure it was, but I can't tell you how many times.

I just know my -- my captain is constantly going to the sheriff's office and constantly coming back with the same paperwork and very, very frustrated.

BY INSPECTOR RIDDICK:

Q. Why have there been five different chief inspectors since you've been there?

A. I can't say for sure, but my guess would be because each time we get a case, and they don't like what is going on, it seems like I get a whole new -- and it happens, the notice will come out on a Wednesday or Thursday, and it's done by Monday.

BY INSPECTOR SNOWDEN:

Q. You said they're changing the --

A. They changed the whole office. They -- the first time they left me, who had only been there for a few months; and Inspector Kyle Salman, who had only been there for a very short time; and it was just the two of us. They took all the seasoned inspectors. They just took them out and transferred them. So we had no direction, none whatsoever.

Q. And then they replaced them with --

A. Replaced them with Richmond and a whole new crew of inspectors.

Q. And Brandon Kutner?

A. Brandon Kutner and, again, all new

inspectors.

Q. So you said that when Kevin Davis came up with this folder of documents, and that was provided, you don't know if that was ever scanned in?

A. It was not handed to me. I know that that day Brandon Kutner had come out of his office and said, "I thought that Kevin's claim was frivolous," and he said, "but apparently not."

So I don't know what was all in those documents. I just know he took that document -- that folder and went straight to the suite. And when he left, my captain that I have now, Kelvin Jenkins, was in patrol at the time. Brandon Kutner had gone to his office and did not have that folder with him and expressed his frustrations to Captain Jenkins, and it wasn't -- it wasn't pretty. He was very upset.

Q. So Kutner took it to Decoursey?

A. Yes.

Q. When he went to --

A. When he went to visit Kelvin he had no folder, and he had no folder when he came back to me.

Q. Would he be the one to determine whether or not a complaint was going to be opened or --

A. Our chief inspector is, yes. And we have a checklist. So when somebody calls us, the inspectors

will talk to that person. They go over this checklist just to make sure, you know, that this is -- this rises to the level of OPS. Because a lot of times your investigations can be handled at the division level, and that's what they do; and they take it to the captain, and then they say, okay, here's what we've got. And he says, yes, we need to do this.

And then previously we never -- with the past administration, T.K. never -- or Todd Kelly never had to go to the, you know, Huckstep or Sadie Darnell to ask permission to proceed with a case; now we do.

Q. Would that packet of -- that folder of papers, what would happen to that whether or not there was a -- if you're not going to open a case, what's going to happen to that packet? Is that going to come back to you? Is it going to go back to the complainant?

A. If we were going to open a case, that packet should have come back to me to scan in. And then we should have been able to start the paperwork, but we were told -- we were told nothing.

Q. Okay. So if a case is not going to be opened, what happens with the folder?

A. We don't usually get anything. That was just an isolated incident where Kevin Davis just brought

all of this documentation because he thought for sure we were going to be investigating this.

And Brandon thought that it was pertinent for him to take that to the undersheriff seeings where it was a complaint against his general counsel, and he wasn't expecting that folder to be taken.

The undersheriff told him he wanted to look it over, called him up and said nope, and never saw it again. Obviously, Kevin Davis still has those documents, I'm sure.

Q. Would an entry be made that Kevin Davis came up for a tracking number or anything?

A. No, because it didn't -- it didn't get that far.

MR. KRAMER: Anything else?

BY INSPECTOR SNOWDEN:

Q. Are you aware of any other issue?

A. No, I don't think so.

BY INSPECTOR RIDDICK:

Q. Have you been asked to go back and tell anybody what was discussed today?

A. No. No.

Q. Any other immoral or unethical issues that you're aware of, or criminal issues?

A. No, no criminal issues. I'm sure there's all

kinds of, I mean, frivolous bullying. You have a lot of that.

I don't know if you've heard about the Devinny.

MR. KRAMER: Yes, Travis Devinny.

THE WITNESS: Okay. So I don't need to tell you about that. I knew you'd probably heard most of it.

MR. KRAMER: All right. That will be it. Thank you.

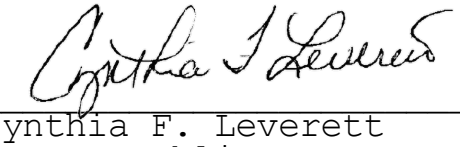
(The deposition concluded at 3:52 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that KRISTEN ALLFREY, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 7, 2023.



Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named KRISTEN ALLFREY, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 7, 2023.

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

SWORN STATEMENT

of

JOSH CREWS

DATE TAKEN: April 19, 2023
TIME: 3:39 p.m. - 4:45 p.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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- - -

WHEREUPON,

JOSHUA CREWS

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes, ma'am.

EXAMINATION

BY MR. KRAMER:

Q. Could you state your full name, please.

A. Joshua Crews.

Q. And how are you employed?

A. I'm a deputy sheriff with the rank of captain over the special operations bureau, or division, sorry, at the Alachua County Sheriff's Office.

Q. I want to start by asking you your educational background.

A. High school education, some college, and tons of certifications and other law enforcement-related qualifications.

Q. And how -- you're obviously a sworn certified law enforcement in the State of Florida. How long have you been so?

A. Since -- so I was a correctional officer from 1997 to September 11th of 2000, and then I was hired at the sheriff's office from 2000 to present. So sworn law enforcement officer only about 23 years,

just shy.

Q. Very good. And could you briefly review the positions you've held at the sheriff's office?

A. Obviously, patrol deputy. Interdiction deputy, which was assigned to the narcotics unit. Training deputy. I was promoted to sergeant May of 2008. I held the rank of sergeant in patrol. Training, narcotics, juvenile relations bureau.

I may be missing something, but -- and then I was promoted to the rank of lieutenant May 11th of 2018. I held that rank, and I served in patrol, criminal interdiction unit, where I worked with violent gang -- violent -- help me out, violent task force.

Q. Violent crimes?

A. Violent crimes, yeah, task force, with Chris Ellsey. And then court security as a lieutenant, narcotics as a lieutenant, and then promoted to the rank of captain in August of this past year.

Q. And in what role have you served as captain?

A. I've been in special operations the entire time. I guess that's worth noting. I've been assigned to the SWAT team -- or was assigned to the SWAT team throughout the majority of my career at the Alachua County Sheriff's Office, December of 2002,

with an 11-month break, finally effectively retiring or resigning from the team August 28th upon my promotion to captain this past year.

Q. Is that because as the captain you're not allowed --

A. Yes, sir, that's a matter of practice.

Q. Okay. Is there a captain of the SWAT team?

A. So the SWAT teams falls under special operations. It would fall in my department -- my division.

Q. So while you're no longer a member of the team, you now supervise the entire squad division?

A. Yes, sir. I have all the special teams. So I have your bomb team, your SWAT team, negotiations, I have all of them, aviation, K-9.

Q. Okay.

A. Yes, sir.

Q. So I do want to come back to that, but I want to ask you this question first. Prior to coming to this interview for which you've been subpoenaed, were you asked by any member of the Alachua County Sheriff's Office any question regarding content or reason for you coming here?

A. They asked me -- asked me to come down to the suite and talk to them about what I was being

subpoenaed for, what the subpoena looked like, and I read it to them. There wasn't much to it, no style number. And they speculated what it could possibly be, which is -- they speculated some jail incidents that had taken place.

Q. Meaning the deaths at the jail?

A. Correct.

BY INSPECTOR RIDDICK:

Q. Who is "they"?

A. Sheriff, Undersheriff, Colonel, they were all --

BY INSPECTOR SNOWDEN:

Q. Legal counsel?

A. Yes, he was in the room. It was in the sheriff's suite. So keep in mind this subpoena arrived the day after they promoted me. So common practice for majors to be in the suite is kind of a thing, so it wasn't like, hey, you know, calling me out of a position that's uncomfortable or whatever. I had started mingling in that area to try to get things accomplished around the sheriff's office.

Q. Okay. Fair enough.

A. They didn't -- they asked me to call Darry Lloyd, because that's what the subpoena said. And I left a message with his executive assistant.

And I told them, you know, I'd tell them what I know once I found out. Of course, I told them what I knew, and they were puzzled.

I ended up getting called at 8:30 that night by Lance Yaeger, and he said, "I've been thinking about the people that you're in that group with" -- And my group of nine, I could pull it up and find it. Well, not right now. My computer is not working in your building -- but "that group of nine that you're with," which is -- it was like me, Billy Beck, Dorian Keith, Brett Rhodenizer -- how many did I have? Anyways, he knew the group of nine.

I told him who the batches were in my email group. So he said, "Based on that, I really think it is the Ashley Miller case," which was a case -- and I don't remember all the particulars, but it was a case where OPS, CID, and my division, JRB, which is juvenile relations bureau, worked together to investigate it because it was a domestic between -- allegations between a deputy and his wife, and kids were involved.

And so he said, "I think that's it."

And I said, "Yes, sir. It sounds like you got it all figured out."

BY INSPECTOR SNOWDEN:

Q. Who was the deputy?

A. Jack Miller. Deputy Jack Miller. But I don't think anything was done inappropriate with that investigation. I think it was handled appropriately.

BY MR. KRAMER:

Q. Let me ask you this. What's the current policy in the sheriff's office for your teams that you supervise when you're being -- if there's a request to assist another agency?

A. The other agency needs to -- their sheriff needs to contact our sheriff.

Q. Have you had instances where that has occurred?

A. Uh-huh.

Q. And have there been instances where that necessity has caused significant delay?

A. So early on I do believe there was significant delay in our response to assisting other agencies, but that kind of plays into my 11-month hiatus from SWAT.

Since Colonel Chad Scott has come on, working with him, he has given us approval at his level to go ahead and start them while he gets that final communication piece fixed. So of recent I don't think it's really slowed anything down.

Q. Is that true of bombs?
A. Up until August, I didn't have view of them. Does that make sense?
Q. Yes.
A. And I was in narcotics. And you probably know from cases we generated, we were very busy.
Yeah, I don't -- I haven't seen anything where I can recall where I was like, yeah, that's definitely unnecessary.
If I get an out-of-county response, I go ahead -- so they have to go to the station, get the bomb truck and go that way. So I just got to get approval before they break the county line. Well, it takes them a while to get there, so I get them -- we get them going.
Q. All right.
A. But that's been -- like I said, I've been captain since August this past year.
Q. This is a little bit uncomfortable question. Are you aware of any promotions that are due to political favor or promises within the agency?
A. Say it again.
Q. Political favor or promises. Promotions that are not being based on merit, qualifications for the position, but are being done because of political

promises or favoritism within the agency?

A. I have no specific recollection or view of that. There's nothing that I've seen where that's happened, including myself.

Q. You're highly qualified to hold the rank of captain, and you're highly qualified to hold the rank of major, correct?

A. I believe I am qualified to hold the rank of captain. If I'm being one thousand percent honest, I think that I should probably hold that rank for a year or more.

I believe in learning each position as you go through. And as much as I'm very humbled by the opportunity, I know my shortcomings, and I could have seasoned more in that position.

Q. Fair enough.

A. But I'm way more qualified than the previous major.

Q. Who was?

A. Lance Yaeger.

Q. And he's now not a major?

A. Well, previous major in the department that I'll be in.

Q. Understood. So your qualifications to lead the department that you are going to lead -- or, I

guess, it's now division?

A. It's department. So you go bureau, division, department.

Q. Okay.

A. So I'll have the department which houses judicial services and training division and the criminal investigations division.

BY INSPECTOR SNOWDEN:

Q. Who's the current captain at the jail?

A. So we had a major over the jail. Her name is Dorian Keith. We have Captain John Hoover and Captain Corey Warren. I believe that's it.

Q. How long has the captain been there?

A. Not very long, sir. Well, it depends. Do you use all this time together? Because he was fired by the previous administration for lying during an administrative investigation, internal investigation.

Q. When was he brought back?

A. I don't have the exact date, sir. I want to say it's been like the last year.

Q. With the new administration?

A. Oh, yes, sir, 100 percent with the new administration. And then he was promoted directly from detention officer to captain.

Q. Does that seem unusual to you?

A. It does, but I had -- again, I've got no direct visual of -- I can assume that there was probably a political payback in that. I've heard rumors that he was involved in the campaign; but I don't know or talk to John Hoover, and I'm not involved in the jail at all.

Q. Understood. So to sort of ask you the opposite of that question, which is, are you aware of anybody being demoted or disciplined for reasons that are other than conduct for perhaps disqualification from the office or rank that they hold?

A. Say it one more time.

Q. Are you aware of anyone within the agency who's been demoted or has been sanctioned through OPS or what have you for actions other than that they did something wrong?

A. Well, yeah.

Q. Can you describe that?

A. Well, myself. I was removed from the SWAT team for speaking up on behalf of an appointment of Cleveland Cox to the SWAT team. And there was no investigation, there's no documentation, no nothing. I was just removed.

And I was told when I contacted the PBA that that was within the sheriff's managerial rights; that

he could pick his SWAT commander, and there was no obligation to keep appointments.

Q. Okay. Anyone other than yourself?

A. Matt Yakubsin was demoted while he was in his probationary period; he was never given a reason, as far as I know. It was speculated that he liked a Facebook post, and that's why he was demoted. He was also removed from his command position of the honor guard unit as well.

Q. Is there anyone else that you're aware of?

A. I'm sure, but realize it's been a crazy 28 months.

Q. I do understand.

A. There were 69 transfers, promotions, movements from March to July of '21.

Q. That's unusual?

A. Three major personnel orders. Never in all of Sheriff Darnell's history do I ever remember having a personnel order that had 29 on one order.

Q. Does that cause significant disruption to the agency?

A. Well, yeah.

Q. Are you aware of circumstances where individuals who are unqualified to hold the position have been put into position in place of individuals

who are qualified to hold the position?

A. Absolutely.

Q. And can you give an example or more than one example?

A. Well, Lance Yaeger is the easiest one. He was made a captain. This guy had been -- had left multiple positions because of conflict with his supervisors at those positions and had found himself at Newberry High School as a school resource officer. And I believe, because of his relationship with Jake Rush, he was made captain over the criminal investigation division.

He's got no supervisor, no law enforcement supervisor background. He does have military supervisor background; but his institutional knowledge of supervising people and managing all that goes into that, including payroll and property and equipment assignments, all that, he didn't get that.

He didn't get that first-line supervisor as a sergeant, you know, how to do a line inspection and what that entails, or, you know, managing a squad on the road as a lieutenant or any of that. He missed it all.

He never tested; which what that means, too, is the thing that I do believe in the test is, is that

if you pass the test, you read the policy at least once in your career. In order to pass the testing, you got to know what's going to be on the test, which all comes from the policy, which is a ton of studying.

I studied for probably 45 days doing anywhere from two to six hours a day to prepare for the two times that I took the sergeant's test and the two times I took the lieutenant's test in order to get promoted.

Q. Other than Lance Yaeger, are there individuals -- let me give you an example. My understanding is that experienced long-term members of the CID division responsible for the most serious crimes, investigations of the most serious crimes that the sheriff's office handles, were summarily removed and replaced with individuals who had no investigating experience.

A. That's accurate. Folks like Robbie Parker, Robert Campbell and other detectives that have been in the bureau were removed and replaced by folks like Cleveland Cox and other unexperienced deputies under the guise of we want to give other people an opportunity to gain experience; but there was no rotation schedule, there was no nothing.

It was just, you know, large blocks of people

replaced all at once, which also has caused a ton of problems with trying to get them trained and certified, and created financial impacts as well due to getting those training and certifications back up to date.

One of the probably most egregious acts to me was, we went without a specialist for pulling phone data; which in today's day and age in law enforcement, everything is verified through geofencing and phone information, text messaging, telephone calls. And all that is from the smartphone.

And we moved detectives that were trained in that position from CID and left it with trying to get people trained up.

Q. So in the interim you have essentially no availability to conduct a proper investigation if that investigation required a detective who had those training and certifications?

A. In fact, there was -- I remember during the time -- Mike Moore was one of those detectives. They were -- they would ask -- the detective supervisors would ask for the ability to borrow Mike Moore, and they would refuse them that ability to even borrow him.

BY INSPECTOR SNOWDEN:

Q. Because he had that expertise?

A. He's certified. He's got the certifications. It doesn't matter where he's assigned, he can still do it. He's got the certifications. And I'm not the tech guy. It's a very common phone data extraction program used, Cellebrite. So he was certified in Cellebrite, I believe, is what the biggest issue was.

BY MR. KRAMER:

Q. And explain to me how that refusal occurred? I don't understand how that would -- you have a sergeant who's asking another sergeant and saying, hey --

A. Oh, no. At the time you couldn't go out of your division without going through your chain of command. You have to make that request up through, you know, Captain Yaeger, and Captain Yaeger would either reach over to patrol and ask or he would refuse it at his level.

I can't tell you -- again, this was wasn't something I was directly involved in. It's just something I was hearing was happening, so --

Q. Understood.

A. I'm sure Mike Moore can answer more those questions directly to his removal. I heard that his request was to step down from reviewing the ICAC-type

photographs; that he felt like he had seen enough in his time, which I wholeheartedly agree with that. There's a separation date. We shouldn't expose folks to that kind of egregious imagery. I thought it was reasonable.

He asked to go to a property position and still help with cell phones and other technology, but he just didn't want to have to look at the photos; and he was transferred to patrol.

Q. Was he questioned for fitness for duty?

A. I don't know. I don't believe so.

Q. Has anybody given you directions regarding not utilizing email or text messaging to make communications within the sheriff's office?

A. Yes, sir.

Q. Who would that be, and what are the directions?

A. It was -- I've heard it multiple times from Undersheriff Decoursey, "I wish y'all would quit sending these emails. Why do you have to put everything in writing? Just go have a conversation."

It's kind of a general -- I've heard him as recently -- Sergeant Mike Hurlocker submitted a request to get a training car, older training car, from fleet to be assigned to the K-9 unit. So he

submitted an IOC explaining why he would need that, which is general practice for our agency. We've done that kind of thing for -- he's asking for something extra, especially a vehicle, extra vehicle to be assigned to his unit as a mainstay so that we can potentially cause destruction.

Not to get too deep in the weeds on this, but during that the undersheriff called a meeting where the chief of staff, Danielle Judd; I; Steve King; and Sergeant Hurlocker were all present.

And he kind of starts off the meeting like, "You know, I don't know why we have to do all this writing. Why can't y'all just go and have a conversation? I really need y'all to quit doing that. Go have a conversation with somebody."

Q. So let's say you do have that conversation, and this car gets moved from one division to another. Is there now going to be -- what happens if that's -- somebody doesn't like that?

A. So that's contradictory to previous practice. You can't just go and ask fleet for a car because you're talking -- you're asking them for something outside of an oil change; and you're not in their division, so you would have to go through the chain of command through Ms. Judd and then back down to the

fleet manager in order to get that. So you would be potentially facing some type of discipline.

Q. So if I understand you correctly, what the chief deputy is --

A. Undersheriff.

Q. -- the undersheriff is suggesting to you is an action that, if your officers took it, could result in discipline?

A. Could.

BY INSPECTOR RIDDICK:

Q. Do you have like annual audits that -- where, for look of a better term, that bean counters want to know where everything is, to include a car?

A. Yes, sir. I think we have biannual, what we call, line inspections where everything on our fixed asset has to be accounted for. So I think at this time that's everything that's more than $5,000 they have to lay their hands on and inspect it.

And then, of course, everything that you're assigned, your supervisor is supposed to check on you and make sure that you got it, it's in working order, check the expiration dates and all that jazz.

Q. Which requires a paper trail?

A. Yes, sir. We have an automated line inspection system that's very easy to use and

understand.
BY MR. KRAMER:
Q. Does anybody -- did you push back to the undersheriff and say, "Hey, these things are necessary for the conduct of" -- "to conduct the agency's proper business"?
A. No, sir.
BY INSPECTOR SNOWDEN:
Q. Is there a reason why you didn't?
A. He's the undersheriff.
BY MR. KRAMER:
Q. So is this just a lack of ability to understand the way the agency functions?
A. From --
Q. The undersheriff?
A. I don't know, sir.
Q. Are you familiar with the term "misfeasance"?
A. You can explain it. I think I know what it means.
Q. It means that you're doing something that is -- you're just unqualified. You don't know what you're doing. You're negligent in the way that you're conducting yourself. Is this misfeasance?
A. Potentially.
Q. Okay. Have you ever -- are you aware of or

have you ever been part of any conversation where the administration is looking for a reason to demote or fire someone, or is directed, for instance, to say to you, Captain Crews, you need to find a reason to fire this employee?

A. That's never happened to me.

Q. Are you aware of that occurring to any employee?

A. The only person that I feel -- there's only two that I feel like that they would have probably had a conversation so bold with, and that's Lance Yaeger and George Corwine. They know me well enough, they wouldn't come to me and ask me that.

Q. So you're -- I want to see if I understand what you're saying. You're saying those are the two people who might do that?

A. Correct.

BY INSPECTOR SNOWDEN:

Q. Or might have been told that?

A. Correct. If that's ever happened, those are the only two that I think are -- I mean, other than conversations amongst themselves, excluding them, then that's the only two that I know that have done things that are just -- seem off.

BY MR. KRAMER:

Q. And what you're also saying is that because of the person that the agency knows you to be, and your reputation within the agency, no one would say that to you because the response they would get from you would be negative?

A. Correct. They know me well enough that that's not -- that's not in my character. You're not going to -- I've had supervisors that I've worked for that didn't like some -- I'll give you an example.

Captain John Richmond. When I was moved to the patrol criminal interdiction unit -- and he'll tell you this -- he was not a fan of Sergeant Kevin Davis, and he wanted to replace him. And I told him that everybody gets a fair shake with me. I will set my expectations for Sergeant Davis, and if he can't meet them, then that's what will happen; but I'm going to do my best to make the best out of him.

And so I set expectations for Sergeant Davis and asked him to meet them; he was unable, and that's unfortunate. And we did have to replace him, but that was only after a well documented and much discussed counseling, trying to get him better that that happened.

Q. Understood.

A. I'm just -- that's not who I am.

Q. Understood. Are you aware of why there have been so many changes within the OPS staff at the sheriff's office?

A. No. I am aware there have been a ton of changes with the OPS staff.

Q. But you do not know the reasons why?

A. It doesn't seem like I can apply logic to it.

Q. Right. Is this another circumstance where they've removed experienced OPS investigators, who understand 112 and the rights of officers, and replaced them with people who know nothing?

A. You know, I think initially, yes; but then if you look at the personnel orders, they're replacing folks that are starting to gain experience in the job with people who don't have any experience at all.

Q. Correct.

A. So like initially they had a group over there that was -- had been there for a while, knew their way around. They replaced all but one and left one. And then a little while later they did the same thing.

And so in a little while later, you know, there's been -- I can't even keep up with it, but I believe there was a total of -- I think we've had six different inspectors since they took office. So you've got -- when I say six different, chief

inspectors, the head of OPS.

So you had Todd Kelly, I think it was, who was there when they took office.

Q. John Richmond?

A. John Richmond. Todd Kelly, John Richmond, Brandon Kutner, Brett Rhodenizer, John Shabruch, and Kelvin Jenkins.

Q. Out of all of those individuals, are any of them experienced in OPS that you know of?

A. Todd Kelly.

Q. Correct. But if I understand correctly, Todd Kelly was the OPS chief inspector under the Darnell administration.

A. Correct.

Q. And was there for three months before he was removed?

A. Accurate.

Q. And then maybe John Shabruch has been an OPS inspector at some point?

A. I do not believe so. I mean, he served there as a captain, and he was a -- he supervised CID as a lieutenant. I don't remember him being an inspector. I mean, I can be wrong.

Q. Have you been spoken to or spoken to anyone in OPS who was concerned about the manner in which the

OPS investigations were being handled?

A. Yes, sir.

Q. Can you describe that?

A. Me and Captain Shabruch are pretty tight, and so I'm sure everything he told you that we discussed.

Q. Are there specific instances of individuals who you feel like OPS has used as a weapon, for lack of a better term, to damage them or drive them out of the agency or unfairly remove them from service?

A. I think we have got a ton of inconsistent practices going on. We're not applying the rules the same across the board.

Q. Is there a pattern to who the rules are being applied to in a pleasant manner and who the rules are being applied to unfairly?

A. I'd have to think on it. It's really -- sometimes it's really hard to figure that pattern out. The only pattern that I do see is if you are against -- you are vocally against the administration, they are heavier handed on that person. If you are in support of administration, then they're probably even to the opposite; they're lenient.

Q. Are you aware of any actions that have occurred in the administration that you believe are illegal, in violation of Florida Statute, or in

violation of 119 or 112?

A. Illegal?

Q. I'll expand it. The next is going to be in any way unethical.

A. Yes. Illegal, I don't know. I don't know. Maybe. You know, one of the things I'm bold enough to say is, I don't know all the laws. As much as I try to stay abreast of the criminal laws, I haven't been a huge student of the type of law that we're talking about here.

Q. Yes, sir.

A. I never thought I'd have to do this or have to really focus a whole bunch on that, but here we are.

Unethical? Yeah. Yes, sir.

Q. Can you describe any instance of unethical conduct that you've been witness to?

A. So I would go back to Cleveland Cox. I was SWAT commander when they took office. We held tryouts in the spring of '21. At the completion of the tryouts, I submitted an IOC, inneroffice correspondence, explaining who tried out, who was selected, who wasn't selected, and why the ones that weren't selected weren't selected. And, in fact, I think I even included why the ones were selected, gave

an explanation for everybody.

I submitted that IOC through the chain of command. Jayson Levy signs it, who's executive lieutenant at the time assigned to Captain Blizzard. Captain Blizzard signs it, sends it to Major Corwine.

I received an email back from Shannon Gillis, who's the executive assistant to George Corwine, and she says "There's no need to include the explanation why you didn't select someone. Please redo your IOC and submit it with, basically, who tried out, who's recommended, who's not recommended, date of tryouts, that kind of thing."

So I did as I was told and submitted it and held on to my original. And I was contacted on a SWAT training day sometime later, June-ish, and I was told your -- Cleveland Cox and Atilius Balvis (phonetic) were going to be placed on the SWAT team.

So in my recommendation, I recommended Kaifa Tyson as my number one pick, who finished number one on our selection process; Atilius Balvis. And the not recommended were Cleveland Cox and Stephen Sultanian (phonetic).

And then I had two that didn't make the tryout. They failed the physical portion, and they were Caroline Whittington and one of the Litzkow boys;

I think it may have been Carlton, but I'm not 100 percent sure.

I get -- basically, Lieutenant VanGorder drives to SWAT training, pulls me aside, says, "Hey, I'm being told" -- "I got an OIC back, and this is what it says." It shows that Atilius Balvis is selected for SWAT. And then down on the unrecommended spot, it says Cleveland Cox is appointed to SWAT.

So I call my captain, Bella Blizzard. She's my captain over special ops, so she's sitting in the seat I'm in now. I call her, "Hey, I strongly disagree with this. Could you please meet with the undersheriff since George is out town?"

He was in Notre Dame finishing some portion of college. He was there for multiple weeks; and while he was gone, Lori Stoffel (phonetic) was made the acting major over his division.

She says, "I'm willing to go meet with the undersheriff. Let me talk to Lori Stoffel. I'll get back you."

She calls me back, she says, "Lori is calling George. She'll let me know in a little bit."

She calls me back again, "Hey, I've been told that I cannot, and that it's strongly recommended that you don't."

Well, again, I strongly believe that this was an improper selection. It was circumventing how we have done it since the invention of the team, since the original concept started, which I believe was in 1978-ish. The team has always selected their team members. It's a vote based on the totality of everything, so work history, physical ability, mental ability, peer respect. Those are the big, you know, four-prong tests on that.

He was voted down because of mostly the peer respect and his history. His work history was terrible. He had a couple of ongoing investigations that were being done at a sergeant level during the selection process; and I had inquired about those, which is a matter of practice that I had been doing for all my selections.

I would send -- if I got my applicants, I would send an email to their direct supervisor. Tell me what's going on with this person, let me know what you think. I got a very colorful email back on Cleveland Cox. And so there was a lot of reasons why. It wasn't just one thing.

So I went in, I took my original IOC which documented some of the reasons why, one of which was he had posted a TikTok video in uniform on duty in his

patrol car expressing his opinion of child support. He was basically using a social media platform in his uniform to basically state that he didn't think it was fair -- that his child support situation and others like his wasn't fair. It's not overly hateful either direction, but by policy it is absolutely directly in violation of our current policy. That's one of -- there's several issues.

I go and meet with the undersheriff in spite of what George had told me, and I have a good meeting. The meeting goes well. Undersheriff is finishing my sentences. "Man, it sounds like, you know, this guy would be a square peg in a round hole. Yeah, you know, you don't want a guy on your team that's got all these troubles," this and that.

So at the end of the conversation, I felt like I was going to get what I was asking for. So I looked at him, and I said, "Undersheriff" -- he says, "I'm going to take all this information you've given me. I'm going to go talk to the sheriff about it, and we'll get back to you."

And I said, "Okay." I said, "Well, I heard they're going to cut this personnel order here in a little bit," like that day. "Do you want me to go to HR and ask them to hold on that?

He said, "No, no. You don't need to do that. I'll handle everything from here."

So the personnel order came out, and the personnel order reflected that Cleveland Cox was going on the SWAT in spite of my best effort.

I was driving home after that personnel order came out, and George Corwine called me and said, "Hey, did you see this personnel order?"

I said, "Yes, sir, I did."

He said, "Well, not everything is on there yet. There's some that affects you."

And I said, "Okay. What's that?"

He says, "You're being removed from the SWAT team."

And I said, "Removed from the SWAT commander, or the SWAT team?"

He says, "Yes, all of it."

And I said, "Can I ask why?"

He says, "Was is it not relayed to you not to" -- "that it was recommended that you not meet with the undersheriff about Cleveland Cox?"

And I said, "Yes, sir."

And then he asked me a follow-up question, and I don't remember it. I just remember my response was, "You know, at this time I feel like it's in my

best interest not to answer any more of your questions unless you're ordering me to."

And he said, "I'm not."

I said, "Okay, then. You have a nice day," and I hung up the phone.

Q. And does Cleveland Cox remain on the SWAT team to this day?

A. He does.

BY INSPECTOR SNOWDEN:

Q. Was this before or after he was transferred to CID also?

A. He gets transferred to CID, I think, two months afterwards.

Q. Does he get promoted?

A. That's a year later, I think. That's actually with me. He got promoted to captain with me, so over a year later.

Q. Cleveland Cox got promoted to captain?

A. Sergeant.

Q. Oh, okay.

A. August 28th, yes, sir. He was promoted the same day as me.

BY MR. KRAMER:

Q. So he's a sergeant in CID?

A. No, sir, he went back to patrol as a

sergeant. He's actually on military leave. I think he's doing officer candidate school or something along those lines.

BY INSPECTOR RIDDICK:

Q. What discipline -- is there a matrix or policy that states what should be investigated by OPS versus what you can do as a line supervisor? Can you handle investigation of one of your subordinates that ends up in him getting fired?

A. Technically, yes, you could. As a sergeant or lieutenant, you definitely could still handle an internal investigation that could result in a termination.

It would most likely be because -- it's not necessarily a super egregious investigation of itself, but they have what we call carryover points. So it's the totality of all of their carryover points that would get them terminated. It's rare, but yeah.

Q. It would be the straw that broke the camel's back?

A. Yes, sir.

BY INSPECTOR SNOWDEN:

Q. What dictates what has to go to OPS as opposed to handle at a command level?

A. Can I circumvent your question, try to get to

where you're trying to go?

Q. Yes, sir.

A. Okay. So in the midst of all this, I knew of an internal investigation in reference to Cleveland running code through downtown Gainesville, and in fact I went and reviewed the video of it because I wanted to know exactly what we were talking about and -- but he had advised over the radio that he was going to drive priority.

Priority is, you drive the speed limit, but you use your lights and siren to break intersections; and then you turn them back off again, and you drive the speed limit. You might be able to leave your lights on. You still drive the speed limit. Anyways, it's not code response.

He is in the video, from my memory, he is somewhere right around our dry cleaners on Main Street. I don't remember the name. Those dry cleaners, I think they're in the video as soon as it kicks on. He drives to University Avenue, heads east to Hawthorne Road. His speeds are as high as, I believe, 84 miles an hour at one point in time. He's running code all the way to Hawthorne Road and then turns his lights and sirens off. And while no lights and sirens are on, he's driving 84 miles an hour for a

while.

He has a terrible history of driving. He had served a 28-day suspension from his vehicle because of an at-fault crash. And he was basically on like a, you know, extra -- like "watch him every month" kind of thing. So anytime he ran code or advised priority, his supervisor at the time was spot checking him, which was Sergeant Cranes.

So Sergeant Cranes notifies Lieutenant VanGorder. All these personnel orders come out. Sergeant Cranes goes to the courthouse, along with myself. Sergeant VanGorder goes to the special operations division, and the investigation is kind of in limbo because nobody is directly supervising him now.

So I get with Sergeant Cranes, "Show me this video. Let me look at it." He works for me at the time at the courthouse.

He shows me the video. Like, that's really bad. He's basically lying on the radio. I mean, driving like a very unsafe person. He's advised that he's doing something he's not. So, to me, he's lying. It's kind of black and white, but whatever.

I said, "Yeah, that needs to be looked into. You need to look into that."

He says to me, "Well, I've been directed by Lieutenant Sims that we're not looking into this any more. So I'm fine looking it, if that's what you want me to do. And I'll go ahead and do the internal investigation, but would you do me favor? Would you give it to Lieutenant Sims?"

So as Josh would do, I tried to get a face-to-face with Chris. And I meet with him and said, "Hey, are you familiar with this thing, this driving issue with Cleveland Cox and the TikTok video?

He says, "Yes, sir, I am."

I said, "I guess you directed Cranes not to investigate it. Can you give me some clarity?"

He says something along the lines of he's been given a clean slate. That was handled by Captain Stafford, and you need to walk away from that. It's going to get you in trouble.

Q. Is that what you did?

A. Yeah. It wasn't my investigation. I couldn't investigate it because I had no span of control over Cleveland Cox. So if I went and did an investigation at that point in time, I'd be conducting an unauthorized investigation because he doesn't work for me. So my hands were tied at that point. I couldn't do anything with it.

Q. Could you make an OPS complaint? Could you be the complainant in an OPS complaint?

A. OPS?

Q. Uh-huh.

A. I mean, technically, I could have done that, but I was being told that Captain Stafford had already verbally counseled him. So, I mean, knowing how that's works, he's been disciplined.

Does that make sense?

Q. It does?

A. So discipline has been rendered. Double jeopardy. It would be a violation of 112 to then investigate him again.

So I played that game myself out of protection for my subordinates. If they do something that's mediocre, or at least stupid, but it's their first offense, I give them a corrective counseling and let it go.

I'm like, "This could have been formal. I'm giving you this. Now you've been disciplined. I'm trusting that this will never happen again."

It could have been driving too fast or whatever. They've got a clean history, but I'm willing to take that chance to try to get it corrected at that level. It wouldn't be out of place -- I'm not

saying that -- it's just saying that I want them to get disciplined because I don't want somebody to come behind me and discipline them again. And so, in order to protect my subordinate, I will do that; but this was not something I would have done that for.

Q. Correct.

A. This is for that deputy that generally does the right things, and he had a lapse in judgment this one time and has no OPS record; that's who I would do that for.

MR. KRAMER: Understood.

BY INSPECTOR SNOWDEN:

Q. I appreciate you circumventing my question, but that's not where I was trying to go.

A. Okay. Now go.

Q. My question was, what determines when it's going to be investigated by a sergeant or a lieutenant as opposed to OPS doing the investigation?

A. That's kind of a tricky thing. So we are supposed to consult with them on any tracking number pulled for an internal investigation, and they hold the ultimate authority of taking that. So it's really up to OPS.

BY INSPECTOR RIDDICK:

Q. They have a right to first refusal?

A. Correct. Yes, sir.

Q. I don't know that you mentioned it. When he turned the lights off, did he turn them back on at some point?

A. I can't recall if he turned them back on. I just know he drove with his lights on on Hawthorne Road and then drove 84 miles an hour past the sheriff's office with no lights and siren almost as if he knew he was doing something wrong but didn't want to cause attention from the office.

BY MR. KRAMER:

Q. Ultimately, the reason this is unethical, if I understand you correctly, is that this is egregious conduct that could subject the public to harm if he has a history of poor driving behavior; and that, instead of handling it in a manner that's consistent with how the agency might handle this for some other individual, which could be significant discipline that could be up and to include termination, it was handled by a verbal warning, which is wholly inappropriate for the circumstance and the safety of the public and other officers?

A. Absolutely.

Q. Understood. Is there any other instance of unethical conduct that you can -- that you recall as

we sit here today that comes to your mind?

A. Yes, and I'm having a really hard time recalling it, the details of it, but Richard Howell promoted to the rank of lieutenant. It's coming to me.

I nominated him amongst all the other deputies for an award for the Southeast 45th Street shooting where they went in and got between the victims and were shot at and returned fire, were able to subdue the subject. It was quite -- I mean, you remember doing -- you did the debrief at the courthouse. You know all about it; but it was quite the incident and quite a display of heroism, so I wrote up a nomination.

Almost a solid year later, if not more, they were recognized for that after I submitted it maybe twice. They were recognized for it, and he was given a medal of valor.

At the time he was a brand new lieutenant assigned to the drug unit. He had a conversation with the -- when they're giving out the awards, he has a conversation with -- so prior to -- I'm trying to get all this right.

Prior to the award ceremony he has a conversation over the water cooler with our at the

time PIO, Kaylie Biel (phonetic), and says, "Hey, you know, I'm in narcotics. So whatever pictures you take, I'd really not like them to be put on social media. You know, it's hard enough going through something like this, and it just happening, but being recognized for it in the public eye isn't that great either."

It's just like a "I don't feel comfortable getting recognized in the public eye."

So they go in there, and they take pictures. He gets in the picture. He walks up, says, "Hey, can you take a picture without me in it? I'd like the picture with me in it, but please don't post that."

They take another picture. They then post the picture without him in it to social media. It comes to the sheriff's attention that he's not in the picture, and it seems as if he took offense that he didn't want to be associated with the sheriff in this picture.

And so I -- Kaylie goes and talks to the sheriff and says, "Listen, he didn't want to be in the picture because he said that he's in narcotics, but also because it's hard enough getting recognized" -- "it's hard enough being in a shooting, and being recognized for it makes it all raw."

And so there's a bunch of discussion on how they're going to handle it. I think there was some discussion about potential demotion and other issues that come out of it.

I felt obligated to go try to speak on his behalf, so I did, to the colonel. And I ended up speaking with the undersheriff about it, and the undersheriff ordered me to get him a fit for duty test done.

Q. Do you have any reason to believe he was unfit for duty?

A. Absolutely 100 percent I did not.

Q. And you were working with him on a regular basis?

A. Yes. We had been on the SWAT for multiple years. If Rich was struggling, I am a confidant that he would confide in.

Q. He was not struggling?

A. He was not struggling. He just does not like public attention for shooting and killing someone, which I think is admirable.

Q. Of course.

A. I attempted to explain that, and I was still ordered to do that. I contacted Dr. McDougall myself and told him my thoughts on it, but that it had to be

done. And so he did it for us.

Additionally, on this -- and I think this plays into just how unethical this is. A fit for duty evaluation, generally speaking, is done for that law enforcement that you are absolutely worried that they're going to hurt themselves or someone else. Do we agree?

Q. Yes.

A. He is deployed on a hurricane detail in -- it starts with a "C."

INSPECTOR RIDDICK: Charlotte?

A. Charlotte County. Thank you.

He is over -- he is the lieutenant over my deploy team and is reporting directly back and forth with me.

Grant McDougall is traveling to Charlotte County because he has a practice there. So I call Grant. I'm like, "Hey, are you in Charlotte County?"

He's like, "I am."

I said, "Well, can you set up an appointment at your practice there to get this done and get us an answer?"

He's like, "I can do it as soon as tomorrow."

I said, "Perfect. Let's get it done."

So I go and make contact with HR, tell her,

"Listen, this is what we have scheduled. Grant is willing to do it."

She says, "Okay. I'll let the undersheriff know."

I'm then called back later on by Reshawn that the undersheriff is not good with that. Let him continue to finish out his deployment, and we can get it done when he gets back.

So my biggest heartburn with all that was, you can't have it both ways. He either needs a fit for duty or he doesn't. He can't get a fit for duty when it's convenient for the sheriff's office.

MR. KRAMER: Understood.

Any other questions?

INSPECTOR SNOWDEN: No, sir.

BY MR. KRAMER:

Q. Anything else that I've missed that you're aware of that I haven't asked you about?

A. Sure. I'm sure.

Q. Okay. Well, we'll be conducting further interviews. If you think of something that you -- would have qualified as an answer in this interview that you need to supplement, if you'll let your lawyer know, then --

THE WITNESS: Is there anything that --

MR. WEBSTER: We'll talk.

MR. KRAMER: There's not a problem. You can come back.

THE WITNESS: It's been a long 28 months.

MR. KRAMER: I understand. And we'll just come back, and we'll continue the interview. It's just we have another person who's here.

THE WITNESS: I understand.

MR. KRAMER: I just don't want to keep him here. I may want to reschedule him, depending on the situation.

But no, there's no worries. I just want to conclude for today. We'll just say that.

THE WITNESS: Okay.

(The statement concluded at 4:45 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that JOSH CREWS, who produced a ACSO Badge as identification, personally appeared before me on April 20, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 7, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

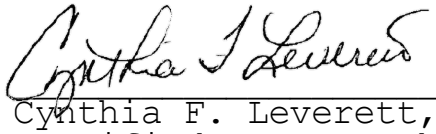
I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named JOSH CREWS, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 7, 2023.



Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

PETER KING

DATE TAKEN: April 20, 2023
TIME: 4:49 p.m. - 5:15 p.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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- - -

WHEREUPON,

PETER KING

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes, I do.

EXAMINATION

BY MR. KRAMER:

Q. Sergeant, my name is Brian Kramer. I'm the state attorney. I want to start by asking you to state your name.

A. Peter King.

Q. How are you currently employed?

A. Employed at the Alachua County Sheriff's Office.

Q. And how long have you been a sworn certified law enforcement officer?

A. Twenty-two years. It will be 23 at the end of July.

Q. Do you have any experience other than the Alachua County Sheriff's Office?

A. No, sir.

Q. And what's your educational background?

A. High school only and some college just based on the training I got from the police academy and from there.

Q. And training --
A. Yes, sir.
Q. -- with the agency?
A. Uh-huh.
Q. All right. Very good. I want to ask you, if you could, just briefly describe the positions that you've held within the Alachua County Sheriff's Office.
A. First, it was patrol. After that, it was school resource and JRB, but I was a deputy at the time. From there I went to the warrants bureau, and I did 12 years over there as a warrants investigator, serving the arrest warrants. And then I got promoted to sergeant and moved from warrants into OPS, which is the office of professional standards, as an inspector. After that, about a year and a half there, I was transferred into the training bureau. I spent two weeks and transferred to school resource, JRB, juvenile relations bureau, as a supervisor; and that's where I've been for the last couple months.
Q. All right. Were you in OPS during the time that Brandon Kutner was the OPS --
A. Yes, sir. I came in up under Brandon when I got promoted in 2021, October of 2021.
Q. What training did you receive when you went

into OPS?

A. Prior, I didn't have any training; but once I got over there, they sent me to the internal affairs office of professional standards training. It was -- I think it's put -- it's put on by the state attorney's office, and then it was -- it was at the Gulf Resort in St. Augustine.

Q. Understood. When you came in to OPS, are you aware of OPS files that were required to have been sent to FDLE because of the nature of the allegation being sustained that had not been sent to FDLE?

A. Well, there was some talk about some files that were supposed to go that they didn't know if they did or not. One of those files -- now that you mentioned that, one of those files was now Captain Hoover. There were sustained allegations of untruthfulness, and I think he got terminated.

And they were saying his stance was supposed to go up before the board; I don't know if it did or not. Turn around years later, he's back at the sheriff's office, and now he's the captain.

But I don't know what files -- that was just like hearsay, because that was all a new world to me, being up in internal affairs.

Q. Understood. When you were in internal

affairs, were you familiar with the iRecord system?

A. Yes.

Q. And were you at the jail or were you at the main sheriff's office?

A. Our office is out at the jail on the second floor.

Q. It's moved from time to time.

A. Right. At first it was at the sheriff's office, and then it got moved out of there when the sheriff took office. He took that area. He remodeled that area and moved internal affairs, office of OPS, out to the jail, and they live on the second floor up there.

Q. Are you familiar with the iRecord system that's there?

A. The record? Yes.

Q. And are you aware that it can essentially either be monitoring the room, meaning that no recording is being made, but the camera is active and the microphone is active? Or it could be recorded, correct?

A. Correct.

Q. Are you aware of that system being used to monitor individuals who are in the room while they were in there?

A. With the attorney?
Q. Uh-huh.
A. Like when they would come in with their attorney and doing their preview of all the evidence, stuff like that?
Q. Right.
A. You can't do that. You're not supposed to do that. I know it didn't happen when I was in there that I know of.
Q. Do you know -- I'm not asking if you did it.
A. Oh, no, no. No, sir, I don't know -- I don't have any idea or heard of anything happening like that.
Q. Are you aware of any recordings being done with individuals who were in that room were unaware that they were being recorded?
A. No, sir. No. The only recordings I'm aware of is when we were actually doing investigations, doing our interview. Once everything was good to go, and we had to start our investigation with our target employee and their representative there, that's the recordings I know about.
Q. Okay. There is a way to monitor that system that is outside of the general area of OPS but inside the OPS chief inspector's office. Are you aware of

that?

A. Yes.

Q. Do you know whether or not Brandon Kutner was utilizing that system to listen in on conversations between employees who are under investigation and their representatives?

A. During the investigation when I -- like if I was the one questioning?

Q. Like, would they think that they were having a conversation?

A. Oh, no, I don't know. I don't -- I don't know anything about that.

Q. You never heard of that occurring?

A. No, sir.

Q. Would you have been aware that that would be unlawful?

A. Yes, sir.

Q. Just checking.

A. That was one of the things they told me -- because when I went over to internal affairs, like I say, I had no knowledge. I hadn't went to school or training or anything. So they were explaining to me that whenever they go in and have their -- reviewing the information for the investigation, that you can't record any of that. And so that was like, okay,

that's good. At least I know.

And so when I went to my training I was like ahead of the game because I was learning some stuff, like on-the-job training, when I got there.

Q. Understood.

A. Yeah, so --

Q. Were you advised when you got there that it wasn't lawful to record someone like on the phone, if you were interviewing them by phone, unless you informed them that you were going to record that interview?

A. I wasn't -- I knew I had to ask them and let them know it was being recorded. That was part of our policy, to inform them, "Hey, you're being recorded."

And then I would tell them who I had there with me when I was recording, and I put it on one of our sheets.

Q. You were trained to make those disclosures --

A. Yes.

Q. -- to any person who you were recording by telephone?

A. Yes.

Q. Are you aware of any circumstances in which a case that had been entered into your tracking system was deleted or ordered to be deleted?

A. No, sir.
Q. Are you aware of any circumstance where any information that had been entered into the system had been ordered to be altered or changed?
A. No, sir. Not being entered in?
Q. Right. So, for instance, you've made a report.
A. Right.
Q. And I'm just going to use you. It doesn't have to be you.
A. Okay. That's fine.
Q. You've made a report, and you've entered it into the -- I think it's called IAPro?
A. IAPro, yes.
Q. And then someone says -- from above you, somebody of higher rank says, "I don't like what you put in there. Change it"?
A. Let me see how to put that.
There were some investigations that were done; and based on some of the findings, they -- I don't know if they were happy with the findings of the investigation. And then so they were sent back and said, "Hey, look into this further."
BY INSPECTOR SNOWDEN:
Q. What did that mean to you?

A. Go back in and try and find some more stuff to go on that report, to me.

So like if you -- we did an investigation, and the investigation was under complete; and if they were looking for something else, and it wasn't there, what they were looking for, then that's when it goes back and see if you can find something, look in there for something else. That's what it meant to me.

BY MR. KRAMER:

Q. Were you ever directed to reach a particular conclusion in an investigation?

A. No, sir.

Q. Were you ever directed to select a particular discipline as a result of the conclusion you did reach?

A. No, sir. I can tell you, based on my investigations, the ones that I did, I had -- let's say I had -- I had two investigations, I know, for sure, that I investigated. I came out with my findings.

So I had an investigation for Deputy Vickers. It was a criminal investigation that came to our office for a criminal violation. I got assigned that investigation. We named it the Cat Caper.

He actually -- it was a -- the guy had --

deputy had shot some cats in his property because they were urinating and messing up his yard; and his wife and kids were sick, and he had went through several measures to try and get the cats from coming over there.

The county responded because the neighbor had called and saw the guy -- a deputy carrying a cat. The county responded. In the report he says that, you know, the cats were everywhere. He could see the cats. And they did an investigation. They did necropsies on the cats and found out that nothing was inhumane and everything was legit. And they didn't file any charges, and they weren't going to pursue any charges.

Based on their investigation, I closed my case not sustained on criminal conduct based on Clay County's information. And so I didn't sustain anything. It was closed, and I sent my case up.

Then later I was told that it was -- they looked back into it, and the deputy was supposed to end up getting like two days' suspension because of the way it will look, because his vehicle was in the yard, an ASO vehicle was in the yard.

So that -- my case had got -- I will say my charges got amended. My -- the way I closed it was

the same, but it was a separate amendment written for the -- I don't know if it was unfavorable conduct or conduct unbecoming; but that's what happened with one of my cases. It was changed after I did it. I don't know about going in and changing stuff, but it was changed after I did it.

BY INSPECTOR SNOWDEN:

Q. Did you change it, or did somebody else change it?

A. No, somebody else changed it. I didn't change any of my investigations.

BY MR. KRAMER:

Q. Are you aware of any person who's been -- or any kind of conversation where someone says, "We need to find a reason to discipline this person"?

A. To say find a reason to discipline, I don't know; but I can tell you, my -- it would be my first full day in OPS, is when they launched the investigation on, at the time, Captain Latrell Simmons.

So how the day went -- if you don't mind me explaining to you.

It was like my second day there. I have no idea what's going on in OPS. We go and get the ID card from -- and keys from one of the lieutenants at

the jail that had got suspended, that was under investigation.

When we returned back to the office, the captain brings us in. Captain Kutner brings us in and says, "Hey, here's what's going on now. Latrell Simmons is under investigation."

I can't remember the allegation of what they charged him -- what they were, but it was like shocking to me.

And Captain goes, "French," he said, "Sherry, you're going to run first chair. And, P.K., you got second chair."

And so it's shocking because I'm -- this is about like my first full day in there, and I'm getting in the deep end, thrown in the deep end. And I don't know if they knew how close Latrell and I were, or are, and I'm getting put in on second chair on that.

So that was something that was like, hey, now we looking at this, and I don't know or heard anything that he did anything wrong other than --

Q. But he's disciplined?

A. After that investigation, he got disciplined, yes.

Q. Did you participate in the investigation?

A. I don't think I did anything in that

investigation. So that was handed to Inspector French. And like I said, it was my first day there.

Inspector French, once she got it, and they told her they was investigating, she had that case, she kind of like went off, like, "I'm not" -- "that's so much bull crap. I'm not doing that. You know they're looking for something, and it ain't there. I'm not going to do it."

And Brandon was like, "Sherry, you have this case. You have to investigate it."

So she calmed down and said, "Look, I'll do it. I'll investigate it; but if nothing is there, nothing is there. I'm not trying to make up anything. I'm not going to like fabricate anything. I'm just going to do the investigation," and she did it. Which was -- you know, me watching her talk to the captain like that, I was like, okay, Sherry, I'm down. That's good, you know.

So Sherry did the investigation. Whatever they were trying to find, if there was something there, it wasn't there. Sherry end up finding -- the only thing she found in that investigation, as I remember, is that he didn't sign off his DMS; that's it.

And so from that, he end up getting demoted,

and then he got transferred to the road.

Q. And was it your impression that the outcome of that investigation was predetermined, that they were going to discipline him no matter what?

A. Yeah, I kind of felt that way.

Q. Have you been ordered to report or asked to report the content of this interview with anybody at the sheriff's office?

A. No, sir.

BY INSPECTOR SNOWDEN:

Q. Did you put in to go to OPS, or were you just told you're going to OPS?

A. Oh, no, I was told. So I got -- when I promoted, the sheriff called me down, you know, said, "Hey, I want to congratulate you on promoting you to sergeant. Now you'll be going from here, from warrants, and you're being transferred to OPS."

I was like, "OPS? What I'm doing in OPS?"

He said, "The same thing you're doing now. You investigate."

I was like, "Investigate? Okay."

So that's how I got promoted. When I got my stripes, then went back to the office, and the next pay period I was transferred over to OPS.

BY MR. KRAMER:

Q. Is there anything else that you're aware of that we haven't discussed that was illegal or immoral or unethical?

A. Those are some big words. That's some bad stuff.

I can't think of anything. I mean, there was some investigations that we thought probably should have went on that didn't get looked into.

Q. Which were?

A. There was an investigation -- so it wasn't in our house, as an OPS house. There was a Pam James. Sergeant James had a -- she was getting written up for insubordination. And the lieutenant that was conducting that investigation, that was on their side of the house, so she wasn't very familiar with the process.

So she started that, and she would come up to -- she come up to OPS and got with Lieutenant Salman because he was from the jail side, and he was in OPS. That's whose spot I took when I went to OPS. He got moved out, and then I came in, and then he later come back.

So she came up and talked to him to get like guidance on how to do the investigation and stuff like that. And during that time, that process, it came

down from, as we say, the suite, that they had to stop that investigation. And it just -- we ended it. We didn't do it, but it was ended by the jail side.

Q. Any others?

A. That was one. And then there was one with Cory Short. Whatever that investigation was, it was going, and then it came down from the suite to stop investigating that.

And the thing about that was that he -- they said he's always trying to sue you, and that was the thing. They didn't want to get another lawsuit, so that investigation like stopped there too.

MR. KRAMER: Anything you want to confer about?

MS. WEBSTER: Just a minute.

(Off-the-record discussion between witness and his counsel.)

THE WITNESS: Oh, okay. So I had a case -- and I meant to go to that one.

Hollingsworth, Erica Hollingsworth. That was assigned to me after I came back from -- I think I was off a few days, or a day or so, but that case was assigned to me. And she was noticed by whoever I think it was working on Monday, which could have been Lieutenant Kyle Salmon, or

Inspector Kyle Salman at the time, but she got notice for insubordination and untruthfulness.

The basis of that case was that she -- so the county commissioners gave the sheriff's office funds to give the agency seven percent raises across the board. She was told by -- during the shift briefings by Major Stafford that if you only had a certain number of years, based on the scale, two years or less, you will only be getting a certain percent.

And so she was under the impression that the county commissioners gave us enough money for everyone to get the seven percent across the board, so it raised questions. So she asked questions during her roll call. She asked the sergeants, and she asked -- she took it up the chain. And the major, you know, told them again, if you're under two years, you're only getting this percentage for the COLA.

And so she was concerned. She, in turn, reaches out to the county commissioners via email and said, "Hey, my name is" -- she identified herself as Erica Hollingsworth. "I work at the jail. I'm being told that because I only have two years in, I can't" -- "I'm not getting the

full seven percent raise. I'm only getting the COLA," which was like three or four percent. I don't know which way it went at the time. "Do you have any answers for this?"

So that, in turn, came down to the sheriff's office. You know, the county commission wants to know why, if we're giving you funds to give everybody seven percent, why this person is only -- why is she asking why she's going to get this amount. What's going on?

So I think that sparked an investigation from the suite. It came over to us. She got notice. I got handed the case. During that, I didn't clearly identify who my complainant was.

I did my investigation. They wanted the list of who I was going to talk to for -- my witness list. They wanted to know who my witnesses was, will be, and that would include all the commissioners that were seated at the time and the ones that wasn't seated, which was one, and then the lieutenant and the sergeant, and then the major.

So I conducted my investigation, and it was determined, based on what I concluded with my facts and based on the policy, she didn't have

any policy violations.

So the unfavorable conduct and the untruthfulness, I'm guessing they were trying to see if she said something that wasn't true or if somebody ordered her and she went against her order. So that -- that was not founded at all.

Reading the possible policies, I did look at an unfavorable conduct, which was a level one, which is a level violation where if you represent the sheriff's office or speak on behalf of the sheriff's office, you have to get permission.

And based on my interview with the commissioners and how she communicated with them via the email, you know: My name is so-and-so. I'm a correctional officer at the jail. We need these raises, then this is why. Staff is so short. We're losing people left and right.

She was giving them an inside look of what was going on and why it was crucial that we needed the raises, and she was wondering why she wasn't getting hers.

So from there they contacted the sheriff's office about, hey, why isn't everybody getting this raise? Why is hers going to be short? We need some answers.

So that came over to Danielle Judd. She told the sheriff that this might -- you need to look at this. There's some concerns. And then it came to OPS.

When it came to OPS, I didn't know how it came, so I had to -- I didn't even put down a complainant at first. I just had all my witnesses and my allegations.

And when I went for my interview, it was brought to my attention after she met with -- she was with an attorney, and they did the review -- that there was a possible 112 violation. So she identified, hey, you don't have a witness -- I mean, you don't have a complainant. I'm sorry. You don't have a complainant.

So I'm like, okay. We close it down for a couple of days. And I had to go back and talk to Ms. Judd and figure out how to determine who was the complainant in this. And after talking to her, she had the concerns of, you know, what might be happening.

So she told the sheriff, the undersheriff, and they told her -- I don't know how it went, but my recollection of me talking to her, I got out of her that it was her concern that it could

be an issue that needed to be looked into by OPS. So I listed her as my complainant, but it was coming from there to look into this investigation. That's my interpretation of it, the best I can remember.

So I did my investigation. I found -- I didn't sustain any allegations. And for the one that could be close to it, which was unfavorable conduct, I did not sustain that either. And that was based because, as I said earlier, she made contact with the commissioners not representing the sheriff's office and not speaking on behalf of the sheriff. She did it based on her as an individual on her time off, on her own computer, and which you have that right to contact the county commissioners.

And during my investigation, my facts of it for me and my interpretation was that -- when I talked to the county commissioners, they didn't see her as speaking for the sheriff's office or on behalf for the sheriff. They saw her as an individual giving an insight of what was going on and speaking on behalf of her herself; that was it.

BY MR. KRAMER:

Q. And what happens with that investigation?

A. So that got reviewed. So once I closed it out with not sustained, I turn it in to the chief inspector. And then the chief inspector reviewed it, and he -- I think he determined that unfavorable conduct was fitting for the allegation to be sustained. So that was changed, and that one got sent up; but once I did it --

Q. Did it stay that way, or did it get changed again?

A. I don't know if it got changed again. So I know it -- I think it got the unfavorable conduct changed by chief inspector and forwarded up the chain of command.

MR. KRAMER: Thank you so much. We sure appreciate it.

(The state concluded at 5:16 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that PETER KING, who produced a ACSO ID Card as identification, personally appeared before me on April 20, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 7, 2023.

Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named PETER KING, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 7, 2023.

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

SCOTT SHELPMAN

DATE TAKEN: April 26, 2023
TIME: 9:07 a.m. - 9:35 a.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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- - -

WHEREUPON,

SCOTT SHELPMAN

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. Good morning, sir. My name is Brian Kramer. I'm the state attorney. Would you state your full name for the record, please?

A. Scott Allen Shelpman.

Q. Mr. Shelpman, how are you employed?

A. I'm employed at Alachua County Sheriff's Office, and I'm technical support adviser over radios and cell phones.

Q. Okay. And how long have you been doing that job?

A. I've been supervisor for three years. I've been in the radio shop for eight years. I've been at the sheriff's office for a little over 15 years.

Q. And did you have any other law-enforcement-related experience prior to that?

A. Law enforcement, no.

Q. What was your background prior to --

A. I worked at ShandsCair as a dispatcher.

Q. So that would have been -- you've been at the sheriff's office, then, for 20 years?

A. No, the sheriff's office, February 18th was 15 years.

Q. Fifteen years. Okay. Sorry. My math isn't great.

A. That's okay.

Q. I can't do it that fast.

So I would like for you to explain, if you could. Does the sheriff's office utilize any computer programming or service on its cell phones that the sheriff's office owns to record and preserve things that might occur on those cell phones that are required to be preserved by Florida Statutes?

A. Well, I am not familiar with Florida Statute, but we do have a program named Smarsh or Mobile Guard which captures all texts on cell phones.

Q. Is it Smarsh, S-M-A-R-S-H?

A. Correct.

Q. And that program, its only function is to caption all text messaging?

A. Correct.

Q. And if you would explain, how would one find that text messaging at the sheriff's office if it was needed for an investigation or if it was needed for

case-related materials?

A. There would be a records request. I put -- I enroll most phones at the sheriff's office, but I do not have access to go in and pull records from Smarsh. Only the IT director has the ability to actually go and pull records.

Q. Okay. There is essentially an interface between the computer system and the Smarsh program that the IT director has that a request could come to the IT director, and the IT director could access that interface and find those text messages, correct?

A. That is correct, if you were opted in to Smarsh.

Q. And with the sheriff's office telephones, assuming that Smarsh is not active, for what period of time would text messaging be preserved on the device itself?

A. Well, for as long as the user of the phone kept the text messages there.

Q. And are they Apple devices?

A. They are Apple devices.

Q. So there's settings in Apple that could cause those to automatically delete after a certain period of time?

A. You could set it up like that.

Q. And just so I'm clear, if Smarsh is active on a phone, and a user of a sheriff's office phone attempted to go in and delete a text message from the phone, it would be on the Smarsh server?

A. That's correct.

Q. So you're the person who is responsible for installing these on all the phones at the sheriff's office?

A. I am.

Q. And how do you know whether or not Smarsh has been activated on a phone?

A. Well, I get alerts from Smarsh every day. I usually check it in the morning. It will literally tell you these people have missed heartbeats. They call them heartbeats.

So you just look at that person. And you take a look, and you see, hey, we've tried 15 times. They still haven't opted in. And then, you know, as the weeks go by, you can take a look again; and we've tried X amount of times, and they still haven't opted in.

Q. To your knowledge, is it the policy at the sheriff's office that all of the phones at the sheriff's office are to be connected to this Smarsh program?

A. To my knowledge, it's a policy of the sheriff's office.

Q. To your knowledge, other than the sheriff himself, are all the phones at the sheriff's office connected to Smarsh?

A. No. I do believe that the colonel has never opted in either.

Q. So is it your understanding that the sheriff has a phone that is issued by the Alachua County Sheriff's Office?

A. Uh-huh.

Q. And you're aware of that because you were the person who issued it?

A. Uh-huh.

Q. That's correct?

A. Correct.

Q. And that phone is not registered to the Smarsh system?

A. It is not.

Q. And are you aware that the colonel, who is Chad Scott --

A. Correct.

Q. -- has a phone that's issued by the sheriff's office?

A. I am.

Q. And are you aware that -- whether or not that phone is connected to the Smarsh system?

A. I do not believe it is connected.

Q. And you would know this because you would get a notification that it's been properly activated?

A. Correct.

Q. Is there a procedure or protocol that you would follow if, let's say, it's a deputy that was issued a sheriff's office phone and they did not connect to the Smarsh system?

A. If a deputy did not connect, I would normally harass him until he does.

Q. So it's not a disciplinary issue?

A. It is not.

Q. Eventually if the person -- this may be a hypothetical question, and it's fine. If the person said to you, "I'm never going to," what would you then do?

A. Well, I would just let them know that it is policy of the sheriff's office; and that I really don't want to contact your superior, but I will.

Q. Okay. So you wouldn't contact your superior. You would contact their superior.

A. Normally speaking, I may talk to mine; but quite frankly, I don't usually have this problem.

So just to elaborate. Most of the time with a deputy or somebody who's not called the sheriff or the colonel or the undersheriff, we normally would do that. I won't even give them their phone until I've opted it in for them.

So I literally set it up in Smarsh. And anywhere from 15 minutes to an hour later, a text will come from Verizon asking you to just reply back "yes." I just reply back "yes" for them, and I would opt them in.

When I give out a new phone to a new person, I just let them know, "Hey, all your texts are being recorded. Be careful what you send and text."

Q. Of course. And I'm assuming you tell them, "Please don't use your text messaging for personal business."

A. Correct.

Q. Is there a policy that you're aware of at the sheriff's office that their phones cannot be used for personal business?

A. I think it's more of a suggestion. It's a good practice not to use them for personal business, but I don't believe it outright states that you can't use any personal business on the phone.

Q. Has anyone offered you any explanation or

given any reason why the sheriff and the colonel are not connected to the Smarsh system?

A. No, sir.

Q. Have you ever inquired of any person to ask why they are not connected to the Smarsh system?

A. So I sent multiple emails at first to my chain of command, which would have been Michelle Clement, and I also sent it to the IT director, John Moorehouse, at the time. I just took snippets of the Smarsh and said, "Hey, 222 attempts, still hasn't opted in. Hey, here's a copy of an email sent to his secretary where she says she's going to opt him in."

Those things never happened. I believe Michelle said that she forwarded one of them to Chief of Staff Judd, but that's a remembrance that I have in conversation with Michelle.

Q. Okay. When you used the number 222, was that just a figure of speech? Or is that the actual number of attempts that you recall?

A. I believe there's actually a snippet with 222 attempts on it.

Q. I just wanted to clarify because it's a large number and --

A. So this program tries daily.

Q. Okay. Right. So 222 attempts also equates

to 222 days?

A. Yes, sir.

MR. KRAMER: All right. Gentlemen, are there any follow-up questions with regard to the Smarsh system?

BY INSPECTOR SNOWDEN:

Q. So the app alerts the individual that has the phone that you need to opt in. If you haven't opted in, it does that daily?

A. Quite frankly, I don't know that he's gotten 222 texts. It's just letting me know there's been 222 attempts. And he's certainly gotten at least a few texts about opting in; but without having his phone, I couldn't tell you.

Q. Was there a specific reason that when you issued him his phone it wasn't already --

A. That I just didn't opt it in?

Q. Right.

A. Number one, the sheriff, as you know, writes policy. We normally would allow the sheriff and his command staff to do it.

Number two, it was kind of a weird situation. I was basically home, and I got a call from Director Moorehouse saying, "Hey, you need to come back, and you need to put phones and radios together for the new

sheriff. He wants to pick up all his stuff as midnight."

So I turned around, came back. I put their stuff together, and, you know, I think I left around 8:00, 8:30 that night.

And I was told that these phones that he had right now were probably not going to be his forever phone, they're just -- you know, they're older models. Normally speaking, we allow the sheriff to pick whatever model of iPhone or Android he would want, and that's what happened like a week later.

So I put those together. And being as it's a policy, and he's the policymaker, I usually allow them -- I don't just go ahead and put them in to something like that. I tell them what it is, and then I ask them to opt in, and then I allow them to do the opt-in. I don't do it for them because I don't want, frankly, something like this coming back. I don't usually give regular deputies that choice; but the sheriff being the sheriff, we have always given that choice.

Q. Who's the current IT director?

A. Currently it's Mike Robinson.

BY INSPECTOR RIDDICK:

Q. Other than the sheriff and the colonel,

anybody else in the command staff that hasn't opted in?

A. No, just those two, to my knowledge.

Q. So we know if you don't opt in on the Smarsh system, you don't get the texts. How about the emails that are done from an agency phone?

A. All emails are connected to our email server, so that would be a function of IT anyway. They have all that whether it's on their phone or they're synched.

Q. But as far as you know, there's not a way to opt out of that?

A. Oh, no. For emails?

Q. Uh-huh.

A. Not to my knowledge.

BY MR. KRAMER:

Q. So let's move on, then, and I'm going to ask you about the placement of radios in vehicles at the sheriff's office. Is that part of your responsibility?

A. It is.

Q. And do you have people who work underneath you who also do that?

A. I do.

Q. And is the normal course of business that

there is a maintenance plan or a maintenance operation that occurs with vehicles and radios that they get regularly maintenance?

A. There is.

Q. And did that occur with the sheriff's vehicle?

A. It did.

Q. And was there some form of incident that occurred or some kind of something that was unusual about maintenancing the radio for the sheriff?

A. Well, fleet had his vehicle for a PM, probably an oil change or something on his vehicle. And while my guy, Robert Glen, was down there PMing another radio in a deputy's vehicle, it came up in conversation with the guys at fleet that, "Hey, do you need to look at the sheriff's radio while it's here?"

He said, "Yeah, it's due next month. Let's go ahead and get it done since I'm here."

So he started working on that. I don't remember the whole story, but somehow the sheriff came down, saw that Robert was in his -- so his radio package was in the back underneath the floor of his Tahoe, and he has a remote head up front, hand-held head, that he can maneuver the radio with.

So Robert was in the back with his computer,

doing a PM on the radio, and was essentially asked, "What are you doing? Why are you in my vehicle."

And he explained why he was there. And again, I wasn't there, but words were said. And I got a call from Robert, who basically said, "You need to come down here right now, or I'm going to give this man a piece of mind" sort of thing.

Which Robert was a 30-, 31-year-old veteran at Alachua County Fire Rescue. He had retired. This was a job that he did because he liked doing radios. So I certainly believed that he may give the sheriff a piece of his mind, so I went down there.

When I got there, Robert was cleaning his stuff out of the back of the sheriff's vehicle. The sheriff was standing there. I said hello. The sheriff said hello back. We gathered up Robert's stuff, and nothing was said to me at that time.

Later on, I don't know if it was the same day or the next day, but my boss, Michelle Clement, called me in and said, "Hey, what happened?"

And I told her the story to the best of my ability. And then we were asked to come to a meeting at Chief of Staff Judd's office with Steve King from fleet, his boss at the time -- sorry, I forgot her name -- but Michelle and myself.

So anyway, at that meeting we were told that we are never to get in the sheriff or the undersheriff's vehicle without making an appointment with their secretary, Tara Malone, at the time, and that, frankly, we weren't to get in anybody's vehicle without their permission.

So we said, understood. And then we were asked --

Q. Is that unusual?

A. That is unusual.

Q. Is it unusual because it's actually your job to get in people's vehicles and perform maintenance on the things that make the sheriff's office be able to function?

A. That's correct.

Q. And so it's now the policy of the office that you have to have the permission of a deputy before you go into their vehicle to maintenance a radio?

A. We basically don't go into a deputy's vehicle anymore without them asking us to for some specific reason. So like a deputy will come by and say, "Hey, I'm having this issue with my radio in my vehicle," to which we will then take care of his radio; but we do not any longer go and search down vehicles for deputies unless they have a problem.

Q. So you just have eliminated planned maintenance?

A. You've got it. We do their portables, of course; but with the mobiles, it just seemed like it would be more of a hassle to do things the way -- like fleet wasn't being super cooperative about it because they didn't want to get in trouble. We didn't want to get in trouble. So I just said, "You know what, Michelle? When the guys have a problem, they'll come to us and we'll take care of their problem."

BY INSPECTOR SNOWDEN:

Q. Is that the only radio that's been in the been sheriff's vehicle?

A. It is. After this incident I was asked by Chief of Staff Judd if I had any radios that were still in boxes that were not opened, to which I said that is not our normal practice; because when radios come in, we take them out of the boxes. We take everything out, separate it. We put the radio on a computer, and we program it because it comes as a brick.

So we program our frequencies into the radio at that time and then put them in our Camlock cabinet so that they're ready for install when they're ready for them. I told her I didn't have any brand new ones

in the box, but I had an order coming in probably within another month or two.

So I was asked to set two aside still in boxes, unopened, and they sit on the shelf to this day. When they came in, I let her know that they were here. I think the plan was for us to walk the boxes over, open the boxes, program the radios there and install them into the vehicles, but when I asked her -- you know, I told her that the radios were in, they're in boxes. She said, "Okay. I'll get back with you," and then I never heard anything back. So they still sit on my shelf in the box, ready.

BY INSPECTOR RIDDICK:

Q. Who was the other one for?

A. The undersheriff.

MR. KRAMER: Anything else?

All right. Very good that's the end of your statement. Thank you for being here. We appreciate it. We'll let you know if we need you further.

(The statement concluded at 9:35 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that SCOTT SHELPMAN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named SCOTT SHELPMAN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

1

120 (2:4)
15 (3:20)(4:4)(6:17)(9:7)
18TH (4:3)
19 (19:8)(20:15)

2

20 (4:2)
2023 (1:5)(19:6)(19:8)(20:15)
222 (10:10)(10:17)(10:20)(10:25)(11:1)(11:11)
2331 (2:13)
2392 (1:12)
26 (1:5)(19:6)

3

30 (15:8)
31-YEAR-OLD (15:8)
32308 (2:14)
32601 (2:5)
32644 (1:13)
32802 (2:10)
352-374-3670 (2:5)
386-256-1457 (1:13)

4

400 (2:9)

8

8:00 (12:5)
8:30 (12:5)

9

9:07 (1:5)
9:35 (1:5)(18:21)
9-27-24 (19:13)

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ABLE (16:13)
ACCESS (5:4)(5:10)
ACKNOWLEDGED (3:3)
ACTION (20:10)(20:11)
ACTIVATED (6:11)(8:5)
ACTIVE (5:15)(6:1)
ACTUAL (10:18)
ACTUALLY (5:5)(10:20)(16:11)
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AFTER (5:23)(17:14)
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AHEAD (12:14)(14:18)
ALACHUA (3:13)(7:9)(15:9)(19:3)(20:3)
ALERTS (6:12)(11:7)
ALL (4:17)(4:21)(6:7)(6:23)(7:4)(9:12)(11:3)(12:1)(13:7)(13:9)(18:17)
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ALREADY (11:16)
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AND/OR (20:13)
ANDROID (12:10)
ANOTHER (14:14)(18:2)
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ASKING (9:8)(16:20)
ASSUMING (5:15)(9:14)
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ATTEMPTS (10:10)(10:19)(10:21)(10:25)(11:12)
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ATTORNEY'S (1:6)
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AWARE (7:12)(7:20)(8:1)(9:18)

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BACKGROUND (3:24)
BASICALLY (11:23)(15:5)(16:19)
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BEING (9:12)(12:12)(12:20)(17:6)(18:18)
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BOSS (15:19)(15:24)
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BOXES (17:16)(17:18)(18:4)(18:6)(18:7)(18:10)
BRAND (17:25)
BRIAN (2:3)(3:8)
BRICK (17:21)
BUSINESS (9:16)(9:20)(9:22)(9:24)(13:25)
BUT (4:16)(5:3)(8:21)(8:24)(9:23)(10:15)(11:13)(12:19)(13:11)(14:20)(15:4)(15:19)(15:25)(16:23)(17:4)(18:1)(18:8)

C

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CAME (12:3)(14:14)(14:20)(18:5)(20:5)
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CERTIFIED (1:11)(20:21)
CERTIFY (19:5)(20:5)(20:6)(20:9)
CERTIFYING (20:13)
CHAD (7:21)
CHAIN (10:7)
CHANGE (14:12)
CHECK (6:13)
CHIEF (10:14)(15:23)(17:15)
CHIEFLAND (1:13)

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INSPECTOR KEITH B. RIDDICK
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Florida Department of Law Enforcement
Office of Executive Investigations
2331 Phillips Road
Tallahassee, Florida 32308

- - -

WHEREUPON,

SCOTT SHELPMAN

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. Good morning, sir. My name is Brian Kramer. I'm the state attorney. Would you state your full name for the record, please?

A. Scott Allen Shelpman.

Q. Mr. Shelpman, how are you employed?

A. I'm employed at Alachua County Sheriff's Office, and I'm technical support adviser over radios and cell phones.

Q. Okay. And how long have you been doing that job?

A. I've been supervisor for three years. I've been in the radio shop for eight years. I've been at the sheriff's office for a little over 15 years.

Q. And did you have any other law-enforcement-related experience prior to that?

A. Law enforcement, no.

Q. What was your background prior to --

A. I worked at ShandsCair as a dispatcher.

Q. So that would have been -- you've been at the sheriff's office, then, for 20 years?

A. No, the sheriff's office, February 18th was 15 years.

Q. Fifteen years. Okay. Sorry. My math isn't great.

A. That's okay.

Q. I can't do it that fast.

So I would like for you to explain, if you could. Does the sheriff's office utilize any computer programming or service on its cell phones that the sheriff's office owns to record and preserve things that might occur on those cell phones that are required to be preserved by Florida Statutes?

A. Well, I am not familiar with Florida Statute, but we do have a program named Smarsh or Mobile Guard which captures all texts on cell phones.

Q. Is it Smarsh, S-M-A-R-S-H?

A. Correct.

Q. And that program, its only function is to caption all text messaging?

A. Correct.

Q. And if you would explain, how would one find that text messaging at the sheriff's office if it was needed for an investigation or if it was needed for

case-related materials?

A. There would be a records request. I put -- I enroll most phones at the sheriff's office, but I do not have access to go in and pull records from Smarsh. Only the IT director has the ability to actually go and pull records.

Q. Okay. There is essentially an interface between the computer system and the Smarsh program that the IT director has that a request could come to the IT director, and the IT director could access that interface and find those text messages, correct?

A. That is correct, if you were opted in to Smarsh.

Q. And with the sheriff's office telephones, assuming that Smarsh is not active, for what period of time would text messaging be preserved on the device itself?

A. Well, for as long as the user of the phone kept the text messages there.

Q. And are they Apple devices?

A. They are Apple devices.

Q. So there's settings in Apple that could cause those to automatically delete after a certain period of time?

A. You could set it up like that.

Q. And just so I'm clear, if Smarsh is active on a phone, and a user of a sheriff's office phone attempted to go in and delete a text message from the phone, it would be on the Smarsh server?

A. That's correct.

Q. So you're the person who is responsible for installing these on all the phones at the sheriff's office?

A. I am.

Q. And how do you know whether or not Smarsh has been activated on a phone?

A. Well, I get alerts from Smarsh every day. I usually check it in the morning. It will literally tell you these people have missed heartbeats. They call them heartbeats.

So you just look at that person. And you take a look, and you see, hey, we've tried 15 times. They still haven't opted in. And then, you know, as the weeks go by, you can take a look again; and we've tried X amount of times, and they still haven't opted in.

Q. To your knowledge, is it the policy at the sheriff's office that all of the phones at the sheriff's office are to be connected to this Smarsh program?

A. To my knowledge, it's a policy of the sheriff's office.

Q. To your knowledge, other than the sheriff himself, are all the phones at the sheriff's office connected to Smarsh?

A. No. I do believe that the colonel has never opted in either.

Q. So is it your understanding that the sheriff has a phone that is issued by the Alachua County Sheriff's Office?

A. Uh-huh.

Q. And you're aware of that because you were the person who issued it?

A. Uh-huh.

Q. That's correct?

A. Correct.

Q. And that phone is not registered to the Smarsh system?

A. It is not.

Q. And are you aware that the colonel, who is Chad Scott --

A. Correct.

Q. -- has a phone that's issued by the sheriff's office?

A. I am.

Q. And are you aware that -- whether or not that phone is connected to the Smarsh system?

A. I do not believe it is connected.

Q. And you would know this because you would get a notification that it's been properly activated?

A. Correct.

Q. Is there a procedure or protocol that you would follow if, let's say, it's a deputy that was issued a sheriff's office phone and they did not connect to the Smarsh system?

A. If a deputy did not connect, I would normally harass him until he does.

Q. So it's not a disciplinary issue?

A. It is not.

Q. Eventually if the person -- this may be a hypothetical question, and it's fine. If the person said to you, "I'm never going to," what would you then do?

A. Well, I would just let them know that it is policy of the sheriff's office; and that I really don't want to contact your superior, but I will.

Q. Okay. So you wouldn't contact your superior. You would contact their superior.

A. Normally speaking, I may talk to mine; but quite frankly, I don't usually have this problem.

So just to elaborate. Most of the time with a deputy or somebody who's not called the sheriff or the colonel or the undersheriff, we normally would do that. I won't even give them their phone until I've opted it in for them.

So I literally set it up in Smarsh. And anywhere from 15 minutes to an hour later, a text will come from Verizon asking you to just reply back "yes." I just reply back "yes" for them, and I would opt them in.

When I give out a new phone to a new person, I just let them know, "Hey, all your texts are being recorded. Be careful what you send and text."

Q. Of course. And I'm assuming you tell them, "Please don't use your text messaging for personal business."

A. Correct.

Q. Is there a policy that you're aware of at the sheriff's office that their phones cannot be used for personal business?

A. I think it's more of a suggestion. It's a good practice not to use them for personal business, but I don't believe it outright states that you can't use any personal business on the phone.

Q. Has anyone offered you any explanation or

given any reason why the sheriff and the colonel are not connected to the Smarsh system?

A. No, sir.

Q. Have you ever inquired of any person to ask why they are not connected to the Smarsh system?

A. So I sent multiple emails at first to my chain of command, which would have been Michelle Clement, and I also sent it to the IT director, John Moorehouse, at the time. I just took snippets of the Smarsh and said, "Hey, 222 attempts, still hasn't opted in. Hey, here's a copy of an email sent to his secretary where she says she's going to opt him in."

Those things never happened. I believe Michelle said that she forwarded one of them to Chief of Staff Judd, but that's a remembrance that I have in conversation with Michelle.

Q. Okay. When you used the number 222, was that just a figure of speech? Or is that the actual number of attempts that you recall?

A. I believe there's actually a snippet with 222 attempts on it.

Q. I just wanted to clarify because it's a large number and --

A. So this program tries daily.

Q. Okay. Right. So 222 attempts also equates

to 222 days?

A. Yes, sir.

MR. KRAMER: All right. Gentlemen, are there any follow-up questions with regard to the Smarsh system?

BY INSPECTOR SNOWDEN:

Q. So the app alerts the individual that has the phone that you need to opt in. If you haven't opted in, it does that daily?

A. Quite frankly, I don't know that he's gotten 222 texts. It's just letting me know there's been 222 attempts. And he's certainly gotten at least a few texts about opting in; but without having his phone, I couldn't tell you.

Q. Was there a specific reason that when you issued him his phone it wasn't already --

A. That I just didn't opt it in?

Q. Right.

A. Number one, the sheriff, as you know, writes policy. We normally would allow the sheriff and his command staff to do it.

Number two, it was kind of a weird situation. I was basically home, and I got a call from Director Moorehouse saying, "Hey, you need to come back, and you need to put phones and radios together for the new

sheriff. He wants to pick up all his stuff as midnight."

So I turned around, came back. I put their stuff together, and, you know, I think I left around 8:00, 8:30 that night.

And I was told that these phones that he had right now were probably not going to be his forever phone, they're just -- you know, they're older models. Normally speaking, we allow the sheriff to pick whatever model of iPhone or Android he would want, and that's what happened like a week later.

So I put those together. And being as it's a policy, and he's the policymaker, I usually allow them -- I don't just go ahead and put them in to something like that. I tell them what it is, and then I ask them to opt in, and then I allow them to do the opt-in. I don't do it for them because I don't want, frankly, something like this coming back. I don't usually give regular deputies that choice; but the sheriff being the sheriff, we have always given that choice.

Q. Who's the current IT director?

A. Currently it's Mike Robinson.

BY INSPECTOR RIDDICK:

Q. Other than the sheriff and the colonel,

anybody else in the command staff that hasn't opted in?

A. No, just those two, to my knowledge.

Q. So we know if you don't opt in on the Smarsh system, you don't get the texts. How about the emails that are done from an agency phone?

A. All emails are connected to our email server, so that would be a function of IT anyway. They have all that whether it's on their phone or they're synched.

Q. But as far as you know, there's not a way to opt out of that?

A. Oh, no. For emails?

Q. Uh-huh.

A. Not to my knowledge.

BY MR. KRAMER:

Q. So let's move on, then, and I'm going to ask you about the placement of radios in vehicles at the sheriff's office. Is that part of your responsibility?

A. It is.

Q. And do you have people who work underneath you who also do that?

A. I do.

Q. And is the normal course of business that

there is a maintenance plan or a maintenance operation that occurs with vehicles and radios that they get regularly maintenance?

A. There is.

Q. And did that occur with the sheriff's vehicle?

A. It did.

Q. And was there some form of incident that occurred or some kind of something that was unusual about maintenancing the radio for the sheriff?

A. Well, fleet had his vehicle for a PM, probably an oil change or something on his vehicle. And while my guy, Robert Glen, was down there PMing another radio in a deputy's vehicle, it came up in conversation with the guys at fleet that, "Hey, do you need to look at the sheriff's radio while it's here?"

He said, "Yeah, it's due next month. Let's go ahead and get it done since I'm here."

So he started working on that. I don't remember the whole story, but somehow the sheriff came down, saw that Robert was in his -- so his radio package was in the back underneath the floor of his Tahoe, and he has a remote head up front, hand-held head, that he can maneuver the radio with.

So Robert was in the back with his computer,

doing a PM on the radio, and was essentially asked, "What are you doing? Why are you in my vehicle."

And he explained why he was there. And again, I wasn't there, but words were said. And I got a call from Robert, who basically said, "You need to come down here right now, or I'm going to give this man a piece of mind" sort of thing.

Which Robert was a 30-, 31-year-old veteran at Alachua County Fire Rescue. He had retired. This was a job that he did because he liked doing radios. So I certainly believed that he may give the sheriff a piece of his mind, so I went down there.

When I got there, Robert was cleaning his stuff out of the back of the sheriff's vehicle. The sheriff was standing there. I said hello. The sheriff said hello back. We gathered up Robert's stuff, and nothing was said to me at that time.

Later on, I don't know if it was the same day or the next day, but my boss, Michelle Clement, called me in and said, "Hey, what happened?"

And I told her the story to the best of my ability. And then we were asked to come to a meeting at Chief of Staff Judd's office with Steve King from fleet, his boss at the time -- sorry, I forgot her name -- but Michelle and myself.

So anyway, at that meeting we were told that we are never to get in the sheriff or the undersheriff's vehicle without making an appointment with their secretary, Tara Malone, at the time, and that, frankly, we weren't to get in anybody's vehicle without their permission.

So we said, understood. And then we were asked --

Q. Is that unusual?

A. That is unusual.

Q. Is it unusual because it's actually your job to get in people's vehicles and perform maintenance on the things that make the sheriff's office be able to function?

A. That's correct.

Q. And so it's now the policy of the office that you have to have the permission of a deputy before you go into their vehicle to maintenance a radio?

A. We basically don't go into a deputy's vehicle anymore without them asking us to for some specific reason. So like a deputy will come by and say, "Hey, I'm having this issue with my radio in my vehicle," to which we will then take care of his radio; but we do not any longer go and search down vehicles for deputies unless they have a problem.

Q. So you just have eliminated planned maintenance?

A. You've got it. We do their portables, of course; but with the mobiles, it just seemed like it would be more of a hassle to do things the way -- like fleet wasn't being super cooperative about it because they didn't want to get in trouble. We didn't want to get in trouble. So I just said, "You know what, Michelle? When the guys have a problem, they'll come to us and we'll take care of their problem."

BY INSPECTOR SNOWDEN:

Q. Is that the only radio that's been in the been sheriff's vehicle?

A. It is. After this incident I was asked by Chief of Staff Judd if I had any radios that were still in boxes that were not opened, to which I said that is not our normal practice; because when radios come in, we take them out of the boxes. We take everything out, separate it. We put the radio on a computer, and we program it because it comes as a brick.

So we program our frequencies into the radio at that time and then put them in our Camlock cabinet so that they're ready for install when they're ready for them. I told her I didn't have any brand new ones

in the box, but I had an order coming in probably within another month or two.

So I was asked to set two aside still in boxes, unopened, and they sit on the shelf to this day. When they came in, I let her know that they were here. I think the plan was for us to walk the boxes over, open the boxes, program the radios there and install them into the vehicles, but when I asked her -- you know, I told her that the radios were in, they're in boxes. She said, "Okay. I'll get back with you," and then I never heard anything back. So they still sit on my shelf in the box, ready.

BY INSPECTOR RIDDICK:

Q. Who was the other one for?

A. The undersheriff.

MR. KRAMER: Anything else?

All right. Very good that's the end of your statement. Thank you for being here. We appreciate it. We'll let you know if we need you further.

(The statement concluded at 9:35 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that SCOTT SHELPMAN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named SCOTT SHELPMAN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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WHEREUPON,

SCOTT SHELPMAN

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. Good morning, sir. My name is Brian Kramer. I'm the state attorney. Would you state your full name for the record, please?

A. Scott Allen Shelpman.

Q. Mr. Shelpman, how are you employed?

A. I'm employed at Alachua County Sheriff's Office, and I'm technical support adviser over radios and cell phones.

Q. Okay. And how long have you been doing that job?

A. I've been supervisor for three years. I've been in the radio shop for eight years. I've been at the sheriff's office for a little over 15 years.

Q. And did you have any other law-enforcement-related experience prior to that?

A. Law enforcement, no.

Q. What was your background prior to --

A. I worked at ShandsCair as a dispatcher.

Q. So that would have been -- you've been at the sheriff's office, then, for 20 years?

A. No, the sheriff's office, February 18th was 15 years.

Q. Fifteen years. Okay. Sorry. My math isn't great.

A. That's okay.

Q. I can't do it that fast.

So I would like for you to explain, if you could. Does the sheriff's office utilize any computer programming or service on its cell phones that the sheriff's office owns to record and preserve things that might occur on those cell phones that are required to be preserved by Florida Statutes?

A. Well, I am not familiar with Florida Statute, but we do have a program named Smarsh or Mobile Guard which captures all texts on cell phones.

Q. Is it Smarsh, S-M-A-R-S-H?

A. Correct.

Q. And that program, its only function is to caption all text messaging?

A. Correct.

Q. And if you would explain, how would one find that text messaging at the sheriff's office if it was needed for an investigation or if it was needed for

case-related materials?

A. There would be a records request. I put -- I enroll most phones at the sheriff's office, but I do not have access to go in and pull records from Smarsh. Only the IT director has the ability to actually go and pull records.

Q. Okay. There is essentially an interface between the computer system and the Smarsh program that the IT director has that a request could come to the IT director, and the IT director could access that interface and find those text messages, correct?

A. That is correct, if you were opted in to Smarsh.

Q. And with the sheriff's office telephones, assuming that Smarsh is not active, for what period of time would text messaging be preserved on the device itself?

A. Well, for as long as the user of the phone kept the text messages there.

Q. And are they Apple devices?

A. They are Apple devices.

Q. So there's settings in Apple that could cause those to automatically delete after a certain period of time?

A. You could set it up like that.

Q. And just so I'm clear, if Smarsh is active on a phone, and a user of a sheriff's office phone attempted to go in and delete a text message from the phone, it would be on the Smarsh server?

A. That's correct.

Q. So you're the person who is responsible for installing these on all the phones at the sheriff's office?

A. I am.

Q. And how do you know whether or not Smarsh has been activated on a phone?

A. Well, I get alerts from Smarsh every day. I usually check it in the morning. It will literally tell you these people have missed heartbeats. They call them heartbeats.

So you just look at that person. And you take a look, and you see, hey, we've tried 15 times. They still haven't opted in. And then, you know, as the weeks go by, you can take a look again; and we've tried X amount of times, and they still haven't opted in.

Q. To your knowledge, is it the policy at the sheriff's office that all of the phones at the sheriff's office are to be connected to this Smarsh program?

A. To my knowledge, it's a policy of the sheriff's office.

Q. To your knowledge, other than the sheriff himself, are all the phones at the sheriff's office connected to Smarsh?

A. No. I do believe that the colonel has never opted in either.

Q. So is it your understanding that the sheriff has a phone that is issued by the Alachua County Sheriff's Office?

A. Uh-huh.

Q. And you're aware of that because you were the person who issued it?

A. Uh-huh.

Q. That's correct?

A. Correct.

Q. And that phone is not registered to the Smarsh system?

A. It is not.

Q. And are you aware that the colonel, who is Chad Scott --

A. Correct.

Q. -- has a phone that's issued by the sheriff's office?

A. I am.

Q. And are you aware that -- whether or not that phone is connected to the Smarsh system?

A. I do not believe it is connected.

Q. And you would know this because you would get a notification that it's been properly activated?

A. Correct.

Q. Is there a procedure or protocol that you would follow if, let's say, it's a deputy that was issued a sheriff's office phone and they did not connect to the Smarsh system?

A. If a deputy did not connect, I would normally harass him until he does.

Q. So it's not a disciplinary issue?

A. It is not.

Q. Eventually if the person -- this may be a hypothetical question, and it's fine. If the person said to you, "I'm never going to," what would you then do?

A. Well, I would just let them know that it is policy of the sheriff's office; and that I really don't want to contact your superior, but I will.

Q. Okay. So you wouldn't contact your superior. You would contact their superior.

A. Normally speaking, I may talk to mine; but quite frankly, I don't usually have this problem.

So just to elaborate. Most of the time with a deputy or somebody who's not called the sheriff or the colonel or the undersheriff, we normally would do that. I won't even give them their phone until I've opted it in for them.

So I literally set it up in Smarsh. And anywhere from 15 minutes to an hour later, a text will come from Verizon asking you to just reply back "yes." I just reply back "yes" for them, and I would opt them in.

When I give out a new phone to a new person, I just let them know, "Hey, all your texts are being recorded. Be careful what you send and text."

Q. Of course. And I'm assuming you tell them, "Please don't use your text messaging for personal business."

A. Correct.

Q. Is there a policy that you're aware of at the sheriff's office that their phones cannot be used for personal business?

A. I think it's more of a suggestion. It's a good practice not to use them for personal business, but I don't believe it outright states that you can't use any personal business on the phone.

Q. Has anyone offered you any explanation or

given any reason why the sheriff and the colonel are not connected to the Smarsh system?

A. No, sir.

Q. Have you ever inquired of any person to ask why they are not connected to the Smarsh system?

A. So I sent multiple emails at first to my chain of command, which would have been Michelle Clement, and I also sent it to the IT director, John Moorehouse, at the time. I just took snippets of the Smarsh and said, "Hey, 222 attempts, still hasn't opted in. Hey, here's a copy of an email sent to his secretary where she says she's going to opt him in."

Those things never happened. I believe Michelle said that she forwarded one of them to Chief of Staff Judd, but that's a remembrance that I have in conversation with Michelle.

Q. Okay. When you used the number 222, was that just a figure of speech? Or is that the actual number of attempts that you recall?

A. I believe there's actually a snippet with 222 attempts on it.

Q. I just wanted to clarify because it's a large number and --

A. So this program tries daily.

Q. Okay. Right. So 222 attempts also equates

to 222 days?

A. Yes, sir.

MR. KRAMER: All right. Gentlemen, are there any follow-up questions with regard to the Smarsh system?

BY INSPECTOR SNOWDEN:

Q. So the app alerts the individual that has the phone that you need to opt in. If you haven't opted in, it does that daily?

A. Quite frankly, I don't know that he's gotten 222 texts. It's just letting me know there's been 222 attempts. And he's certainly gotten at least a few texts about opting in; but without having his phone, I couldn't tell you.

Q. Was there a specific reason that when you issued him his phone it wasn't already --

A. That I just didn't opt it in?

Q. Right.

A. Number one, the sheriff, as you know, writes policy. We normally would allow the sheriff and his command staff to do it.

Number two, it was kind of a weird situation. I was basically home, and I got a call from Director Moorehouse saying, "Hey, you need to come back, and you need to put phones and radios together for the new

sheriff. He wants to pick up all his stuff as midnight."

So I turned around, came back. I put their stuff together, and, you know, I think I left around 8:00, 8:30 that night.

And I was told that these phones that he had right now were probably not going to be his forever phone, they're just -- you know, they're older models. Normally speaking, we allow the sheriff to pick whatever model of iPhone or Android he would want, and that's what happened like a week later.

So I put those together. And being as it's a policy, and he's the policymaker, I usually allow them -- I don't just go ahead and put them in to something like that. I tell them what it is, and then I ask them to opt in, and then I allow them to do the opt-in. I don't do it for them because I don't want, frankly, something like this coming back. I don't usually give regular deputies that choice; but the sheriff being the sheriff, we have always given that choice.

Q. Who's the current IT director?

A. Currently it's Mike Robinson.

BY INSPECTOR RIDDICK:

Q. Other than the sheriff and the colonel,

anybody else in the command staff that hasn't opted in?

A. No, just those two, to my knowledge.

Q. So we know if you don't opt in on the Smarsh system, you don't get the texts. How about the emails that are done from an agency phone?

A. All emails are connected to our email server, so that would be a function of IT anyway. They have all that whether it's on their phone or they're synched.

Q. But as far as you know, there's not a way to opt out of that?

A. Oh, no. For emails?

Q. Uh-huh.

A. Not to my knowledge.

BY MR. KRAMER:

Q. So let's move on, then, and I'm going to ask you about the placement of radios in vehicles at the sheriff's office. Is that part of your responsibility?

A. It is.

Q. And do you have people who work underneath you who also do that?

A. I do.

Q. And is the normal course of business that

there is a maintenance plan or a maintenance operation that occurs with vehicles and radios that they get regularly maintenance?

A. There is.

Q. And did that occur with the sheriff's vehicle?

A. It did.

Q. And was there some form of incident that occurred or some kind of something that was unusual about maintenancing the radio for the sheriff?

A. Well, fleet had his vehicle for a PM, probably an oil change or something on his vehicle. And while my guy, Robert Glen, was down there PMing another radio in a deputy's vehicle, it came up in conversation with the guys at fleet that, "Hey, do you need to look at the sheriff's radio while it's here?"

He said, "Yeah, it's due next month. Let's go ahead and get it done since I'm here."

So he started working on that. I don't remember the whole story, but somehow the sheriff came down, saw that Robert was in his -- so his radio package was in the back underneath the floor of his Tahoe, and he has a remote head up front, hand-held head, that he can maneuver the radio with.

So Robert was in the back with his computer,

doing a PM on the radio, and was essentially asked, "What are you doing? Why are you in my vehicle."

And he explained why he was there. And again, I wasn't there, but words were said. And I got a call from Robert, who basically said, "You need to come down here right now, or I'm going to give this man a piece of mind" sort of thing.

Which Robert was a 30-, 31-year-old veteran at Alachua County Fire Rescue. He had retired. This was a job that he did because he liked doing radios. So I certainly believed that he may give the sheriff a piece of his mind, so I went down there.

When I got there, Robert was cleaning his stuff out of the back of the sheriff's vehicle. The sheriff was standing there. I said hello. The sheriff said hello back. We gathered up Robert's stuff, and nothing was said to me at that time.

Later on, I don't know if it was the same day or the next day, but my boss, Michelle Clement, called me in and said, "Hey, what happened?"

And I told her the story to the best of my ability. And then we were asked to come to a meeting at Chief of Staff Judd's office with Steve King from fleet, his boss at the time -- sorry, I forgot her name -- but Michelle and myself.

So anyway, at that meeting we were told that we are never to get in the sheriff or the undersheriff's vehicle without making an appointment with their secretary, Tara Malone, at the time, and that, frankly, we weren't to get in anybody's vehicle without their permission.

So we said, understood. And then we were asked --

Q. Is that unusual?

A. That is unusual.

Q. Is it unusual because it's actually your job to get in people's vehicles and perform maintenance on the things that make the sheriff's office be able to function?

A. That's correct.

Q. And so it's now the policy of the office that you have to have the permission of a deputy before you go into their vehicle to maintenance a radio?

A. We basically don't go into a deputy's vehicle anymore without them asking us to for some specific reason. So like a deputy will come by and say, "Hey, I'm having this issue with my radio in my vehicle," to which we will then take care of his radio; but we do not any longer go and search down vehicles for deputies unless they have a problem.

Q. So you just have eliminated planned maintenance?

A. You've got it. We do their portables, of course; but with the mobiles, it just seemed like it would be more of a hassle to do things the way -- like fleet wasn't being super cooperative about it because they didn't want to get in trouble. We didn't want to get in trouble. So I just said, "You know what, Michelle? When the guys have a problem, they'll come to us and we'll take care of their problem."

BY INSPECTOR SNOWDEN:

Q. Is that the only radio that's been in the been sheriff's vehicle?

A. It is. After this incident I was asked by Chief of Staff Judd if I had any radios that were still in boxes that were not opened, to which I said that is not our normal practice; because when radios come in, we take them out of the boxes. We take everything out, separate it. We put the radio on a computer, and we program it because it comes as a brick.

So we program our frequencies into the radio at that time and then put them in our Camlock cabinet so that they're ready for install when they're ready for them. I told her I didn't have any brand new ones

in the box, but I had an order coming in probably within another month or two.

So I was asked to set two aside still in boxes, unopened, and they sit on the shelf to this day. When they came in, I let her know that they were here. I think the plan was for us to walk the boxes over, open the boxes, program the radios there and install them into the vehicles, but when I asked her -- you know, I told her that the radios were in, they're in boxes. She said, "Okay. I'll get back with you," and then I never heard anything back. So they still sit on my shelf in the box, ready.

BY INSPECTOR RIDDICK:

Q. Who was the other one for?

A. The undersheriff.

MR. KRAMER: Anything else?

All right. Very good that's the end of your statement. Thank you for being here. We appreciate it. We'll let you know if we need you further.

(The statement concluded at 9:35 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that SCOTT SHELPMAN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named SCOTT SHELPMAN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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Q. So that would have been -- you've been at the sheriff's office, then, for 20 years?

A. No, the sheriff's office, February 18th was 15 years.

Q. Fifteen years. Okay. Sorry. My math isn't great.

A. That's okay.

Q. I can't do it that fast.

So I would like for you to explain, if you could. Does the sheriff's office utilize any computer programming or service on its cell phones that the sheriff's office owns to record and preserve things that might occur on those cell phones that are required to be preserved by Florida Statutes?

A. Well, I am not familiar with Florida Statute, but we do have a program named Smarsh or Mobile Guard which captures all texts on cell phones.

Q. Is it Smarsh, S-M-A-R-S-H?

A. Correct.

Q. And that program, its only function is to caption all text messaging?

A. Correct.

Q. And if you would explain, how would one find that text messaging at the sheriff's office if it was needed for an investigation or if it was needed for

case-related materials?

A. There would be a records request. I put -- I enroll most phones at the sheriff's office, but I do not have access to go in and pull records from Smarsh. Only the IT director has the ability to actually go and pull records.

Q. Okay. There is essentially an interface between the computer system and the Smarsh program that the IT director has that a request could come to the IT director, and the IT director could access that interface and find those text messages, correct?

A. That is correct, if you were opted in to Smarsh.

Q. And with the sheriff's office telephones, assuming that Smarsh is not active, for what period of time would text messaging be preserved on the device itself?

A. Well, for as long as the user of the phone kept the text messages there.

Q. And are they Apple devices?

A. They are Apple devices.

Q. So there's settings in Apple that could cause those to automatically delete after a certain period of time?

A. You could set it up like that.

Q. And just so I'm clear, if Smarsh is active on a phone, and a user of a sheriff's office phone attempted to go in and delete a text message from the phone, it would be on the Smarsh server?

A. That's correct.

Q. So you're the person who is responsible for installing these on all the phones at the sheriff's office?

A. I am.

Q. And how do you know whether or not Smarsh has been activated on a phone?

A. Well, I get alerts from Smarsh every day. I usually check it in the morning. It will literally tell you these people have missed heartbeats. They call them heartbeats.

So you just look at that person. And you take a look, and you see, hey, we've tried 15 times. They still haven't opted in. And then, you know, as the weeks go by, you can take a look again; and we've tried X amount of times, and they still haven't opted in.

Q. To your knowledge, is it the policy at the sheriff's office that all of the phones at the sheriff's office are to be connected to this Smarsh program?

A. To my knowledge, it's a policy of the sheriff's office.

Q. To your knowledge, other than the sheriff himself, are all the phones at the sheriff's office connected to Smarsh?

A. No. I do believe that the colonel has never opted in either.

Q. So is it your understanding that the sheriff has a phone that is issued by the Alachua County Sheriff's Office?

A. Uh-huh.

Q. And you're aware of that because you were the person who issued it?

A. Uh-huh.

Q. That's correct?

A. Correct.

Q. And that phone is not registered to the Smarsh system?

A. It is not.

Q. And are you aware that the colonel, who is Chad Scott --

A. Correct.

Q. -- has a phone that's issued by the sheriff's office?

A. I am.

Q. And are you aware that -- whether or not that phone is connected to the Smarsh system?

A. I do not believe it is connected.

Q. And you would know this because you would get a notification that it's been properly activated?

A. Correct.

Q. Is there a procedure or protocol that you would follow if, let's say, it's a deputy that was issued a sheriff's office phone and they did not connect to the Smarsh system?

A. If a deputy did not connect, I would normally harass him until he does.

Q. So it's not a disciplinary issue?

A. It is not.

Q. Eventually if the person -- this may be a hypothetical question, and it's fine. If the person said to you, "I'm never going to," what would you then do?

A. Well, I would just let them know that it is policy of the sheriff's office; and that I really don't want to contact your superior, but I will.

Q. Okay. So you wouldn't contact your superior. You would contact their superior.

A. Normally speaking, I may talk to mine; but quite frankly, I don't usually have this problem.

So just to elaborate. Most of the time with a deputy or somebody who's not called the sheriff or the colonel or the undersheriff, we normally would do that. I won't even give them their phone until I've opted it in for them.

So I literally set it up in Smarsh. And anywhere from 15 minutes to an hour later, a text will come from Verizon asking you to just reply back "yes." I just reply back "yes" for them, and I would opt them in.

When I give out a new phone to a new person, I just let them know, "Hey, all your texts are being recorded. Be careful what you send and text."

Q. Of course. And I'm assuming you tell them, "Please don't use your text messaging for personal business."

A. Correct.

Q. Is there a policy that you're aware of at the sheriff's office that their phones cannot be used for personal business?

A. I think it's more of a suggestion. It's a good practice not to use them for personal business, but I don't believe it outright states that you can't use any personal business on the phone.

Q. Has anyone offered you any explanation or

given any reason why the sheriff and the colonel are not connected to the Smarsh system?

A. No, sir.

Q. Have you ever inquired of any person to ask why they are not connected to the Smarsh system?

A. So I sent multiple emails at first to my chain of command, which would have been Michelle Clement, and I also sent it to the IT director, John Moorehouse, at the time. I just took snippets of the Smarsh and said, "Hey, 222 attempts, still hasn't opted in. Hey, here's a copy of an email sent to his secretary where she says she's going to opt him in."

Those things never happened. I believe Michelle said that she forwarded one of them to Chief of Staff Judd, but that's a remembrance that I have in conversation with Michelle.

Q. Okay. When you used the number 222, was that just a figure of speech? Or is that the actual number of attempts that you recall?

A. I believe there's actually a snippet with 222 attempts on it.

Q. I just wanted to clarify because it's a large number and --

A. So this program tries daily.

Q. Okay. Right. So 222 attempts also equates

to 222 days?

A. Yes, sir.

MR. KRAMER: All right. Gentlemen, are there any follow-up questions with regard to the Smarsh system?

BY INSPECTOR SNOWDEN:

Q. So the app alerts the individual that has the phone that you need to opt in. If you haven't opted in, it does that daily?

A. Quite frankly, I don't know that he's gotten 222 texts. It's just letting me know there's been 222 attempts. And he's certainly gotten at least a few texts about opting in; but without having his phone, I couldn't tell you.

Q. Was there a specific reason that when you issued him his phone it wasn't already --

A. That I just didn't opt it in?

Q. Right.

A. Number one, the sheriff, as you know, writes policy. We normally would allow the sheriff and his command staff to do it.

Number two, it was kind of a weird situation. I was basically home, and I got a call from Director Moorehouse saying, "Hey, you need to come back, and you need to put phones and radios together for the new

sheriff. He wants to pick up all his stuff as midnight."

So I turned around, came back. I put their stuff together, and, you know, I think I left around 8:00, 8:30 that night.

And I was told that these phones that he had right now were probably not going to be his forever phone, they're just -- you know, they're older models. Normally speaking, we allow the sheriff to pick whatever model of iPhone or Android he would want, and that's what happened like a week later.

So I put those together. And being as it's a policy, and he's the policymaker, I usually allow them -- I don't just go ahead and put them in to something like that. I tell them what it is, and then I ask them to opt in, and then I allow them to do the opt-in. I don't do it for them because I don't want, frankly, something like this coming back. I don't usually give regular deputies that choice; but the sheriff being the sheriff, we have always given that choice.

Q. Who's the current IT director?

A. Currently it's Mike Robinson.

BY INSPECTOR RIDDICK:

Q. Other than the sheriff and the colonel,

anybody else in the command staff that hasn't opted in?

A. No, just those two, to my knowledge.

Q. So we know if you don't opt in on the Smarsh system, you don't get the texts. How about the emails that are done from an agency phone?

A. All emails are connected to our email server, so that would be a function of IT anyway. They have all that whether it's on their phone or they're synched.

Q. But as far as you know, there's not a way to opt out of that?

A. Oh, no. For emails?

Q. Uh-huh.

A. Not to my knowledge.

BY MR. KRAMER:

Q. So let's move on, then, and I'm going to ask you about the placement of radios in vehicles at the sheriff's office. Is that part of your responsibility?

A. It is.

Q. And do you have people who work underneath you who also do that?

A. I do.

Q. And is the normal course of business that

there is a maintenance plan or a maintenance operation that occurs with vehicles and radios that they get regularly maintenance?

A. There is.

Q. And did that occur with the sheriff's vehicle?

A. It did.

Q. And was there some form of incident that occurred or some kind of something that was unusual about maintenancing the radio for the sheriff?

A. Well, fleet had his vehicle for a PM, probably an oil change or something on his vehicle. And while my guy, Robert Glen, was down there PMing another radio in a deputy's vehicle, it came up in conversation with the guys at fleet that, "Hey, do you need to look at the sheriff's radio while it's here?"

He said, "Yeah, it's due next month. Let's go ahead and get it done since I'm here."

So he started working on that. I don't remember the whole story, but somehow the sheriff came down, saw that Robert was in his -- so his radio package was in the back underneath the floor of his Tahoe, and he has a remote head up front, hand-held head, that he can maneuver the radio with.

So Robert was in the back with his computer,

doing a PM on the radio, and was essentially asked, "What are you doing? Why are you in my vehicle."

And he explained why he was there. And again, I wasn't there, but words were said. And I got a call from Robert, who basically said, "You need to come down here right now, or I'm going to give this man a piece of mind" sort of thing.

Which Robert was a 30-, 31-year-old veteran at Alachua County Fire Rescue. He had retired. This was a job that he did because he liked doing radios. So I certainly believed that he may give the sheriff a piece of his mind, so I went down there.

When I got there, Robert was cleaning his stuff out of the back of the sheriff's vehicle. The sheriff was standing there. I said hello. The sheriff said hello back. We gathered up Robert's stuff, and nothing was said to me at that time.

Later on, I don't know if it was the same day or the next day, but my boss, Michelle Clement, called me in and said, "Hey, what happened?"

And I told her the story to the best of my ability. And then we were asked to come to a meeting at Chief of Staff Judd's office with Steve King from fleet, his boss at the time -- sorry, I forgot her name -- but Michelle and myself.

So anyway, at that meeting we were told that we are never to get in the sheriff or the undersheriff's vehicle without making an appointment with their secretary, Tara Malone, at the time, and that, frankly, we weren't to get in anybody's vehicle without their permission.

So we said, understood. And then we were asked --

Q. Is that unusual?

A. That is unusual.

Q. Is it unusual because it's actually your job to get in people's vehicles and perform maintenance on the things that make the sheriff's office be able to function?

A. That's correct.

Q. And so it's now the policy of the office that you have to have the permission of a deputy before you go into their vehicle to maintenance a radio?

A. We basically don't go into a deputy's vehicle anymore without them asking us to for some specific reason. So like a deputy will come by and say, "Hey, I'm having this issue with my radio in my vehicle," to which we will then take care of his radio; but we do not any longer go and search down vehicles for deputies unless they have a problem.

Q. So you just have eliminated planned maintenance?

A. You've got it. We do their portables, of course; but with the mobiles, it just seemed like it would be more of a hassle to do things the way -- like fleet wasn't being super cooperative about it because they didn't want to get in trouble. We didn't want to get in trouble. So I just said, "You know what, Michelle? When the guys have a problem, they'll come to us and we'll take care of their problem."

BY INSPECTOR SNOWDEN:

Q. Is that the only radio that's been in the been sheriff's vehicle?

A. It is. After this incident I was asked by Chief of Staff Judd if I had any radios that were still in boxes that were not opened, to which I said that is not our normal practice; because when radios come in, we take them out of the boxes. We take everything out, separate it. We put the radio on a computer, and we program it because it comes as a brick.

So we program our frequencies into the radio at that time and then put them in our Camlock cabinet so that they're ready for install when they're ready for them. I told her I didn't have any brand new ones

in the box, but I had an order coming in probably within another month or two.

So I was asked to set two aside still in boxes, unopened, and they sit on the shelf to this day. When they came in, I let her know that they were here. I think the plan was for us to walk the boxes over, open the boxes, program the radios there and install them into the vehicles, but when I asked her -- you know, I told her that the radios were in, they're in boxes. She said, "Okay. I'll get back with you," and then I never heard anything back. So they still sit on my shelf in the box, ready.

BY INSPECTOR RIDDICK:

Q. Who was the other one for?

A. The undersheriff.

MR. KRAMER: Anything else?

All right. Very good that's the end of your statement. Thank you for being here. We appreciate it. We'll let you know if we need you further.

(The statement concluded at 9:35 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that SCOTT SHELPMAN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named SCOTT SHELPMAN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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PERSONAL (9:15)(9:20)(9:22)(9:24)
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PHONES (3:15)(4:11)(4:13)(4:17)(5:3)(6:7)(6:23)(7:4)(9:19)(11:25)(12:6)
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SAYING (11:24)
SAYS (10:12)
SCOTT (1:3)(3:2)(3:11)(7:21)(19:5)(20:5)

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A. Correct.

Q. And that phone is not registered to the Smarsh system?

A. It is not.

Q. And are you aware that the colonel, who is Chad Scott --

A. Correct.

Q. -- has a phone that's issued by the sheriff's office?

A. I am.

Q. And are you aware that -- whether or not that phone is connected to the Smarsh system?

A. I do not believe it is connected.

Q. And you would know this because you would get a notification that it's been properly activated?

A. Correct.

Q. Is there a procedure or protocol that you would follow if, let's say, it's a deputy that was issued a sheriff's office phone and they did not connect to the Smarsh system?

A. If a deputy did not connect, I would normally harass him until he does.

Q. So it's not a disciplinary issue?

A. It is not.

Q. Eventually if the person -- this may be a hypothetical question, and it's fine. If the person said to you, "I'm never going to," what would you then do?

A. Well, I would just let them know that it is policy of the sheriff's office; and that I really don't want to contact your superior, but I will.

Q. Okay. So you wouldn't contact your superior. You would contact their superior.

A. Normally speaking, I may talk to mine; but quite frankly, I don't usually have this problem.

So just to elaborate. Most of the time with a deputy or somebody who's not called the sheriff or the colonel or the undersheriff, we normally would do that. I won't even give them their phone until I've opted it in for them.

So I literally set it up in Smarsh. And anywhere from 15 minutes to an hour later, a text will come from Verizon asking you to just reply back "yes." I just reply back "yes" for them, and I would opt them in.

When I give out a new phone to a new person, I just let them know, "Hey, all your texts are being recorded. Be careful what you send and text."

Q. Of course. And I'm assuming you tell them, "Please don't use your text messaging for personal business."

A. Correct.

Q. Is there a policy that you're aware of at the sheriff's office that their phones cannot be used for personal business?

A. I think it's more of a suggestion. It's a good practice not to use them for personal business, but I don't believe it outright states that you can't use any personal business on the phone.

Q. Has anyone offered you any explanation or

given any reason why the sheriff and the colonel are not connected to the Smarsh system?

A. No, sir.

Q. Have you ever inquired of any person to ask why they are not connected to the Smarsh system?

A. So I sent multiple emails at first to my chain of command, which would have been Michelle Clement, and I also sent it to the IT director, John Moorehouse, at the time. I just took snippets of the Smarsh and said, "Hey, 222 attempts, still hasn't opted in. Hey, here's a copy of an email sent to his secretary where she says she's going to opt him in."

Those things never happened. I believe Michelle said that she forwarded one of them to Chief of Staff Judd, but that's a remembrance that I have in conversation with Michelle.

Q. Okay. When you used the number 222, was that just a figure of speech? Or is that the actual number of attempts that you recall?

A. I believe there's actually a snippet with 222 attempts on it.

Q. I just wanted to clarify because it's a large number and --

A. So this program tries daily.

Q. Okay. Right. So 222 attempts also equates

to 222 days?

A. Yes, sir.

MR. KRAMER: All right. Gentlemen, are there any follow-up questions with regard to the Smarsh system?

BY INSPECTOR SNOWDEN:

Q. So the app alerts the individual that has the phone that you need to opt in. If you haven't opted in, it does that daily?

A. Quite frankly, I don't know that he's gotten 222 texts. It's just letting me know there's been 222 attempts. And he's certainly gotten at least a few texts about opting in; but without having his phone, I couldn't tell you.

Q. Was there a specific reason that when you issued him his phone it wasn't already --

A. That I just didn't opt it in?

Q. Right.

A. Number one, the sheriff, as you know, writes policy. We normally would allow the sheriff and his command staff to do it.

Number two, it was kind of a weird situation. I was basically home, and I got a call from Director Moorehouse saying, "Hey, you need to come back, and you need to put phones and radios together for the new

sheriff. He wants to pick up all his stuff as midnight."

So I turned around, came back. I put their stuff together, and, you know, I think I left around 8:00, 8:30 that night.

And I was told that these phones that he had right now were probably not going to be his forever phone, they're just -- you know, they're older models. Normally speaking, we allow the sheriff to pick whatever model of iPhone or Android he would want, and that's what happened like a week later.

So I put those together. And being as it's a policy, and he's the policymaker, I usually allow them -- I don't just go ahead and put them in to something like that. I tell them what it is, and then I ask them to opt in, and then I allow them to do the opt-in. I don't do it for them because I don't want, frankly, something like this coming back. I don't usually give regular deputies that choice; but the sheriff being the sheriff, we have always given that choice.

Q. Who's the current IT director?

A. Currently it's Mike Robinson.

BY INSPECTOR RIDDICK:

Q. Other than the sheriff and the colonel,

anybody else in the command staff that hasn't opted in?

A. No, just those two, to my knowledge.

Q. So we know if you don't opt in on the Smarsh system, you don't get the texts. How about the emails that are done from an agency phone?

A. All emails are connected to our email server, so that would be a function of IT anyway. They have all that whether it's on their phone or they're synched.

Q. But as far as you know, there's not a way to opt out of that?

A. Oh, no. For emails?

Q. Uh-huh.

A. Not to my knowledge.

BY MR. KRAMER:

Q. So let's move on, then, and I'm going to ask you about the placement of radios in vehicles at the sheriff's office. Is that part of your responsibility?

A. It is.

Q. And do you have people who work underneath you who also do that?

A. I do.

Q. And is the normal course of business that

there is a maintenance plan or a maintenance operation that occurs with vehicles and radios that they get regularly maintenance?

A. There is.

Q. And did that occur with the sheriff's vehicle?

A. It did.

Q. And was there some form of incident that occurred or some kind of something that was unusual about maintenancing the radio for the sheriff?

A. Well, fleet had his vehicle for a PM, probably an oil change or something on his vehicle. And while my guy, Robert Glen, was down there PMing another radio in a deputy's vehicle, it came up in conversation with the guys at fleet that, "Hey, do you need to look at the sheriff's radio while it's here?"

He said, "Yeah, it's due next month. Let's go ahead and get it done since I'm here."

So he started working on that. I don't remember the whole story, but somehow the sheriff came down, saw that Robert was in his -- so his radio package was in the back underneath the floor of his Tahoe, and he has a remote head up front, hand-held head, that he can maneuver the radio with.

So Robert was in the back with his computer,

doing a PM on the radio, and was essentially asked, "What are you doing? Why are you in my vehicle."

And he explained why he was there. And again, I wasn't there, but words were said. And I got a call from Robert, who basically said, "You need to come down here right now, or I'm going to give this man a piece of mind" sort of thing.

Which Robert was a 30-, 31-year-old veteran at Alachua County Fire Rescue. He had retired. This was a job that he did because he liked doing radios. So I certainly believed that he may give the sheriff a piece of his mind, so I went down there.

When I got there, Robert was cleaning his stuff out of the back of the sheriff's vehicle. The sheriff was standing there. I said hello. The sheriff said hello back. We gathered up Robert's stuff, and nothing was said to me at that time.

Later on, I don't know if it was the same day or the next day, but my boss, Michelle Clement, called me in and said, "Hey, what happened?"

And I told her the story to the best of my ability. And then we were asked to come to a meeting at Chief of Staff Judd's office with Steve King from fleet, his boss at the time -- sorry, I forgot her name -- but Michelle and myself.

So anyway, at that meeting we were told that we are never to get in the sheriff or the undersheriff's vehicle without making an appointment with their secretary, Tara Malone, at the time, and that, frankly, we weren't to get in anybody's vehicle without their permission.

So we said, understood. And then we were asked --

Q. Is that unusual?

A. That is unusual.

Q. Is it unusual because it's actually your job to get in people's vehicles and perform maintenance on the things that make the sheriff's office be able to function?

A. That's correct.

Q. And so it's now the policy of the office that you have to have the permission of a deputy before you go into their vehicle to maintenance a radio?

A. We basically don't go into a deputy's vehicle anymore without them asking us to for some specific reason. So like a deputy will come by and say, "Hey, I'm having this issue with my radio in my vehicle," to which we will then take care of his radio; but we do not any longer go and search down vehicles for deputies unless they have a problem.

Q. So you just have eliminated planned maintenance?

A. You've got it. We do their portables, of course; but with the mobiles, it just seemed like it would be more of a hassle to do things the way -- like fleet wasn't being super cooperative about it because they didn't want to get in trouble. We didn't want to get in trouble. So I just said, "You know what, Michelle? When the guys have a problem, they'll come to us and we'll take care of their problem."

BY INSPECTOR SNOWDEN:

Q. Is that the only radio that's been in the been sheriff's vehicle?

A. It is. After this incident I was asked by Chief of Staff Judd if I had any radios that were still in boxes that were not opened, to which I said that is not our normal practice; because when radios come in, we take them out of the boxes. We take everything out, separate it. We put the radio on a computer, and we program it because it comes as a brick.

So we program our frequencies into the radio at that time and then put them in our Camlock cabinet so that they're ready for install when they're ready for them. I told her I didn't have any brand new ones

in the box, but I had an order coming in probably within another month or two.

So I was asked to set two aside still in boxes, unopened, and they sit on the shelf to this day. When they came in, I let her know that they were here. I think the plan was for us to walk the boxes over, open the boxes, program the radios there and install them into the vehicles, but when I asked her -- you know, I told her that the radios were in, they're in boxes. She said, "Okay. I'll get back with you," and then I never heard anything back. So they still sit on my shelf in the box, ready.

BY INSPECTOR RIDDICK:

Q. Who was the other one for?

A. The undersheriff.

MR. KRAMER: Anything else?

All right. Very good that's the end of your statement. Thank you for being here. We appreciate it. We'll let you know if we need you further.

(The statement concluded at 9:35 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that SCOTT SHELPMAN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named SCOTT SHELPMAN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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Q. And just so I'm clear, if Smarsh is active on a phone, and a user of a sheriff's office phone attempted to go in and delete a text message from the phone, it would be on the Smarsh server?

A. That's correct.

Q. So you're the person who is responsible for installing these on all the phones at the sheriff's office?

A. I am.

Q. And how do you know whether or not Smarsh has been activated on a phone?

A. Well, I get alerts from Smarsh every day. I usually check it in the morning. It will literally tell you these people have missed heartbeats. They call them heartbeats.

So you just look at that person. And you take a look, and you see, hey, we've tried 15 times. They still haven't opted in. And then, you know, as the weeks go by, you can take a look again; and we've tried X amount of times, and they still haven't opted in.

Q. To your knowledge, is it the policy at the sheriff's office that all of the phones at the sheriff's office are to be connected to this Smarsh program?

A. To my knowledge, it's a policy of the sheriff's office.

Q. To your knowledge, other than the sheriff himself, are all the phones at the sheriff's office connected to Smarsh?

A. No. I do believe that the colonel has never opted in either.

Q. So is it your understanding that the sheriff has a phone that is issued by the Alachua County Sheriff's Office?

A. Uh-huh.

Q. And you're aware of that because you were the person who issued it?

A. Uh-huh.

Q. That's correct?

A. Correct.

Q. And that phone is not registered to the Smarsh system?

A. It is not.

Q. And are you aware that the colonel, who is Chad Scott --

A. Correct.

Q. -- has a phone that's issued by the sheriff's office?

A. I am.

Q. And are you aware that -- whether or not that phone is connected to the Smarsh system?

A. I do not believe it is connected.

Q. And you would know this because you would get a notification that it's been properly activated?

A. Correct.

Q. Is there a procedure or protocol that you would follow if, let's say, it's a deputy that was issued a sheriff's office phone and they did not connect to the Smarsh system?

A. If a deputy did not connect, I would normally harass him until he does.

Q. So it's not a disciplinary issue?

A. It is not.

Q. Eventually if the person -- this may be a hypothetical question, and it's fine. If the person said to you, "I'm never going to," what would you then do?

A. Well, I would just let them know that it is policy of the sheriff's office; and that I really don't want to contact your superior, but I will.

Q. Okay. So you wouldn't contact your superior. You would contact their superior.

A. Normally speaking, I may talk to mine; but quite frankly, I don't usually have this problem.

So just to elaborate. Most of the time with a deputy or somebody who's not called the sheriff or the colonel or the undersheriff, we normally would do that. I won't even give them their phone until I've opted it in for them.

So I literally set it up in Smarsh. And anywhere from 15 minutes to an hour later, a text will come from Verizon asking you to just reply back "yes." I just reply back "yes" for them, and I would opt them in.

When I give out a new phone to a new person, I just let them know, "Hey, all your texts are being recorded. Be careful what you send and text."

Q. Of course. And I'm assuming you tell them, "Please don't use your text messaging for personal business."

A. Correct.

Q. Is there a policy that you're aware of at the sheriff's office that their phones cannot be used for personal business?

A. I think it's more of a suggestion. It's a good practice not to use them for personal business, but I don't believe it outright states that you can't use any personal business on the phone.

Q. Has anyone offered you any explanation or

given any reason why the sheriff and the colonel are not connected to the Smarsh system?

A. No, sir.

Q. Have you ever inquired of any person to ask why they are not connected to the Smarsh system?

A. So I sent multiple emails at first to my chain of command, which would have been Michelle Clement, and I also sent it to the IT director, John Moorehouse, at the time. I just took snippets of the Smarsh and said, "Hey, 222 attempts, still hasn't opted in. Hey, here's a copy of an email sent to his secretary where she says she's going to opt him in."

Those things never happened. I believe Michelle said that she forwarded one of them to Chief of Staff Judd, but that's a remembrance that I have in conversation with Michelle.

Q. Okay. When you used the number 222, was that just a figure of speech? Or is that the actual number of attempts that you recall?

A. I believe there's actually a snippet with 222 attempts on it.

Q. I just wanted to clarify because it's a large number and --

A. So this program tries daily.

Q. Okay. Right. So 222 attempts also equates

to 222 days?

A. Yes, sir.

MR. KRAMER: All right. Gentlemen, are there any follow-up questions with regard to the Smarsh system?

BY INSPECTOR SNOWDEN:

Q. So the app alerts the individual that has the phone that you need to opt in. If you haven't opted in, it does that daily?

A. Quite frankly, I don't know that he's gotten 222 texts. It's just letting me know there's been 222 attempts. And he's certainly gotten at least a few texts about opting in; but without having his phone, I couldn't tell you.

Q. Was there a specific reason that when you issued him his phone it wasn't already --

A. That I just didn't opt it in?

Q. Right.

A. Number one, the sheriff, as you know, writes policy. We normally would allow the sheriff and his command staff to do it.

Number two, it was kind of a weird situation. I was basically home, and I got a call from Director Moorehouse saying, "Hey, you need to come back, and you need to put phones and radios together for the new

sheriff. He wants to pick up all his stuff as midnight."

So I turned around, came back. I put their stuff together, and, you know, I think I left around 8:00, 8:30 that night.

And I was told that these phones that he had right now were probably not going to be his forever phone, they're just -- you know, they're older models. Normally speaking, we allow the sheriff to pick whatever model of iPhone or Android he would want, and that's what happened like a week later.

So I put those together. And being as it's a policy, and he's the policymaker, I usually allow them -- I don't just go ahead and put them in to something like that. I tell them what it is, and then I ask them to opt in, and then I allow them to do the opt-in. I don't do it for them because I don't want, frankly, something like this coming back. I don't usually give regular deputies that choice; but the sheriff being the sheriff, we have always given that choice.

Q. Who's the current IT director?

A. Currently it's Mike Robinson.

BY INSPECTOR RIDDICK:

Q. Other than the sheriff and the colonel,

anybody else in the command staff that hasn't opted in?

A. No, just those two, to my knowledge.

Q. So we know if you don't opt in on the Smarsh system, you don't get the texts. How about the emails that are done from an agency phone?

A. All emails are connected to our email server, so that would be a function of IT anyway. They have all that whether it's on their phone or they're synched.

Q. But as far as you know, there's not a way to opt out of that?

A. Oh, no. For emails?

Q. Uh-huh.

A. Not to my knowledge.

BY MR. KRAMER:

Q. So let's move on, then, and I'm going to ask you about the placement of radios in vehicles at the sheriff's office. Is that part of your responsibility?

A. It is.

Q. And do you have people who work underneath you who also do that?

A. I do.

Q. And is the normal course of business that

there is a maintenance plan or a maintenance operation that occurs with vehicles and radios that they get regularly maintenance?

A. There is.

Q. And did that occur with the sheriff's vehicle?

A. It did.

Q. And was there some form of incident that occurred or some kind of something that was unusual about maintenancing the radio for the sheriff?

A. Well, fleet had his vehicle for a PM, probably an oil change or something on his vehicle. And while my guy, Robert Glen, was down there PMing another radio in a deputy's vehicle, it came up in conversation with the guys at fleet that, "Hey, do you need to look at the sheriff's radio while it's here?"

He said, "Yeah, it's due next month. Let's go ahead and get it done since I'm here."

So he started working on that. I don't remember the whole story, but somehow the sheriff came down, saw that Robert was in his -- so his radio package was in the back underneath the floor of his Tahoe, and he has a remote head up front, hand-held head, that he can maneuver the radio with.

So Robert was in the back with his computer,

doing a PM on the radio, and was essentially asked, "What are you doing? Why are you in my vehicle."

And he explained why he was there. And again, I wasn't there, but words were said. And I got a call from Robert, who basically said, "You need to come down here right now, or I'm going to give this man a piece of mind" sort of thing.

Which Robert was a 30-, 31-year-old veteran at Alachua County Fire Rescue. He had retired. This was a job that he did because he liked doing radios. So I certainly believed that he may give the sheriff a piece of his mind, so I went down there.

When I got there, Robert was cleaning his stuff out of the back of the sheriff's vehicle. The sheriff was standing there. I said hello. The sheriff said hello back. We gathered up Robert's stuff, and nothing was said to me at that time.

Later on, I don't know if it was the same day or the next day, but my boss, Michelle Clement, called me in and said, "Hey, what happened?"

And I told her the story to the best of my ability. And then we were asked to come to a meeting at Chief of Staff Judd's office with Steve King from fleet, his boss at the time -- sorry, I forgot her name -- but Michelle and myself.

So anyway, at that meeting we were told that we are never to get in the sheriff or the undersheriff's vehicle without making an appointment with their secretary, Tara Malone, at the time, and that, frankly, we weren't to get in anybody's vehicle without their permission.

So we said, understood. And then we were asked --

Q. Is that unusual?

A. That is unusual.

Q. Is it unusual because it's actually your job to get in people's vehicles and perform maintenance on the things that make the sheriff's office be able to function?

A. That's correct.

Q. And so it's now the policy of the office that you have to have the permission of a deputy before you go into their vehicle to maintenance a radio?

A. We basically don't go into a deputy's vehicle anymore without them asking us to for some specific reason. So like a deputy will come by and say, "Hey, I'm having this issue with my radio in my vehicle," to which we will then take care of his radio; but we do not any longer go and search down vehicles for deputies unless they have a problem.

Q. So you just have eliminated planned maintenance?

A. You've got it. We do their portables, of course; but with the mobiles, it just seemed like it would be more of a hassle to do things the way -- like fleet wasn't being super cooperative about it because they didn't want to get in trouble. We didn't want to get in trouble. So I just said, "You know what, Michelle? When the guys have a problem, they'll come to us and we'll take care of their problem."

BY INSPECTOR SNOWDEN:

Q. Is that the only radio that's been in the been sheriff's vehicle?

A. It is. After this incident I was asked by Chief of Staff Judd if I had any radios that were still in boxes that were not opened, to which I said that is not our normal practice; because when radios come in, we take them out of the boxes. We take everything out, separate it. We put the radio on a computer, and we program it because it comes as a brick.

So we program our frequencies into the radio at that time and then put them in our Camlock cabinet so that they're ready for install when they're ready for them. I told her I didn't have any brand new ones

in the box, but I had an order coming in probably within another month or two.

So I was asked to set two aside still in boxes, unopened, and they sit on the shelf to this day. When they came in, I let her know that they were here. I think the plan was for us to walk the boxes over, open the boxes, program the radios there and install them into the vehicles, but when I asked her -- you know, I told her that the radios were in, they're in boxes. She said, "Okay. I'll get back with you," and then I never heard anything back. So they still sit on my shelf in the box, ready.

BY INSPECTOR RIDDICK:

Q. Who was the other one for?

A. The undersheriff.

MR. KRAMER: Anything else?

All right. Very good that's the end of your statement. Thank you for being here. We appreciate it. We'll let you know if we need you further.

(The statement concluded at 9:35 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that SCOTT SHELPMAN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named SCOTT SHELPMAN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

UNDER (20:13)
UNDERNEATH (13:22)(14:22)
UNDERSHERIFF (9:3)(18:15)
UNDERSHERIFF'S (16:3)
UNDERSIGNED (19:5)
UNDERSTANDING (7:8)
UNDERSTOOD (16:7)
UNIVERSITY (2:4)
UNLESS (16:25)(20:13)
UNOPENED (18:4)
UNTIL (8:12)(9:4)
UNUSUAL (14:9)(16:9)(16:10)(16:11)
UPON (3:4)
USE (9:15)(9:22)(9:24)
USED (9:19)(10:17)
USER (5:18)(6:2)
USUALLY (6:13)(8:25)(12:13)(12:19)
UTILIZE (4:10)

V

VEHICLE (14:6)(14:11)(14:12)(14:14)(15:2)(15:14)(16:3)(16:5)(16:18)(16:19)(16:22)(17:13)
VEHICLES (13:18)(14:2)(16:12)(16:24)(18:8)
VERIZON (9:8)
VERY (18:17)
VETERAN (15:8)

W

WALK (18:6)
WANT (8:21)(12:10)(12:17)(17:7)
WANTED (10:22)
WANTS (12:1)
WAS (3:24)(4:3)(4:24)(4:25)(8:8)(10:17)(11:15)(11:22)(11:23)(12:6)(14:8)(14:9)(14:13)(14:21)(14:22)(14:25)(15:1)(15:3)(15:8)(15:10)(15:13)(15:15)(15:17)(15:18)(17:14)(18:3)(18:6)(18:14)(19:6)(20:6)
WASN'T (11:16)(15:4)(17:6)
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WEIRD (11:22)
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WEST (2:4)(2:9)
WE'VE (6:17)(6:19)
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WHATEVER (12:10)
WHEN (9:11)(10:17)(11:15)(15:13)(17:9)(17:17)(17:24)(18:5)(18:8)
WHERE (10:12)
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WHO (6:6)(7:13)(7:20)(13:22)(13:23)(15:5)(18:14)(19:5)
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WHY (10:1)(10:5)(15:2)(15:3)
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YEAH (14:17)
YEARS (3:18)(3:19)(3:20)(4:2)(4:4)(4:5)
YES (9:8)(9:9)(11:2)
YOU (3:9)(3:12)(3:16)(3:21)(4:9)(4:23)(5:12)(5:25)(6:10)(6:14)(6:16)(6:17)(6:18)(6:19)(7:12)(7:20)(8:1)(8:4)(8:7)(8:17)(8:22)(8:23)(9:8)(9:13)(9:14)(9:23)(9:25)(10:4)(10:17)(10:19)(11:8)(11:14)(11:15)(11:19)(11:24)(11:25)(12:4)(12:8)(13:4)(13:5)(13:11)(13:18)(13:22)(13:23)(14:15)(15:2)(15:5)(16:17)(17:1)(17:8)(18:9)(18:11)(18:18)(18:19)
YOUR (3:9)(3:24)(6:22)(7:3)(7:8)(8:21)(8:22)(9:12)(9:15)(13:19)(16:11)(18:17)
YOU'RE (6:6)(7:12)(9:18)
YOU'VE (4:1)(17:3)

SWORN STATEMENT

of

DIANA JACOBS

DATE TAKEN: April 26, 2023
TIME: 9:35 a.m. - 10:15 a.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

Cynthia F. Leverett, FPR
Certified Stenographic Reporter
Notary Public, State of Florida
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WHEREUPON,

DIANA JACOBS

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes.

EXAMINATION

BY MR. KRAMER:

Q. Could you state your name, please?

A. Diana Jacobs.

Q. Ms. Jacobs, at any time during your life have you been an employee of the Alachua County Sheriff's Office?

A. Yes.

Q. For what period of time were you employed?

A. 1990 to 2021.

Q. Are you retired?

A. Yes.

Q. Are you retired from the sheriff's office?

A. Yes.

Q. Did you have any employment related to law enforcement?

A. I was in the military for a brief stint, in 1980 to 1990. Oh, and I worked for the Collier County Sheriff's Office.

Q. Okay. I'm guessing over that period of time

you held several roles with the sheriff's office. Is that true?

A. Yes.

Q. And what roles did you hold with the sheriff's office? You don't have to be chronological, but if you could tell me the last one last.

A. The last one last. Okay. I started out at the sheriff's office as a 911 dispatcher, worked my way up through the ranks and became a Telecommunicator Five, which is the most that you can get when you learn all of the positions within the sheriff's office.

I then got promoted to supervisor. Then I became a commander. Then I was transferred and went to work as the fleet manager. The fleet manager had retired, so I got put in charge of fleet.

Then I went to work as the risk manager of the sheriff's office. From there, I was promoted to bureau chief. And during my rein as bureau chief, I held a lot of different positions.

At one point I was in charge of support services: The CAD unit, fleet unit, evidence unit, property unit, like I said, building maintenance, capital projects, CAD GIS projects, and QA Specialist.

So pretty much the only area I didn't work at

the sheriff's office was the jail.

Q. So your last position at the sheriff's office, your title was?

A. Bureau chief.

Q. And at all times were you a civilian employee with the sheriff's office, or were you a sworn officer?

A. I was a civilian employee, but I was a special risk. My retirement was special risk; because being in charge of evidence, the majority of the items that we handled were biohazard in nature.

Q. Understood. So which administrations did you work for in that time period?

A. All of it?

Q. Yes. Who did you start with, and who did you finish with?

A. Henry, Oelrich, Gainey, Darnell, Wise, Watson. I think that's it.

Q. So, I guess, what I'd like to start with is -- because we've spoken briefly before this happened. Was your treatment as an employee under the Watson administration prior to retirement different than your treatment as an employee under the former administrations?

A. Oh, yes.

Q. In what way?

A. The encounters were very hostile in nature, just, you know, butting heads. We had a lot of conflict. He didn't like what I had to say a lot of times.

As I said, my responsibilities put me in daily contact with his office until Ms. Judd -- until Daniel Judd got there. So I was in his office so often that the secretaries were like, "We're just moving you out of your office and putting you in here." I mean, that's how often I was in that office.

And a lot of my responsibilities were whenever he came into term was the transition itself, and he wanted a lot of things done. And some things were possible, some things weren't. Some things were budget, some things weren't.

Q. Can you give me some examples? You said some things were possible, some things weren't. Can you give me an example of each?

A. Yes. He started what was called the Beautification Project at the sheriff's office, which he wanted signs put up all over the sheriff's office -- not just at the sheriff's office, but out at the jail, all the substations -- with his name, which is fine. You know, that's not an issue, but he --

whenever you walk into the sheriff's office, there is -- one of the biggest things or the conflicts that we had is that there's -- whenever you walk into the sheriff's office, by the records unit, there's this large wall. It's called "The Sheriffs Wall," and it has a picture of all the sheriffs on there, all the previous sheriffs from way back when.

One of the first -- one of the conflicts was the fact that he didn't want Sheriff Darnell's picture up there. So we went -- well, she is sheriff. She was a sheriff. You know, her face should be up there.

And -- but the wall itself is a large wall. It's 176 inches. And he wanted all the items moved from that wall to a wall that was 152 inches, and it just wouldn't fit. And I kept explaining to him that all the pictures would not fit within that space, and he got very upset.

I mean, I think I met with him four or five times about this and tried to give him different examples where we can put the pictures different lengths, heights, but I just -- his words, "I just want my damned wall."

I said, "I'm trying to get you your damned wall, but it's going from 172 to 152 inches. I don't have 16 other inches."

He just didn't understand, like, logistically how things worked, or he didn't like to hear them.

And we finally were able to modify the pictures, and he wanted the wall painted and repainted and repainted. I had to have my staff repaint that wall 13 times; that's how many times he wanted that wall repainted.

And there was an issue with the wall in general. It had been repaired at some point, and the drywall had been -- what's the word I'm looking for? There had been a big leak, so half the drywall had been taken out and put back in. Well, unless you do drywall over the whole wall, then whenever you paint, you're going to still see different textures. Does that make sense?

Q. Yes, ma'am.

A. He didn't understand that, and so he didn't understand why there was a difference in the textures.

I said, "Well, we can re-drywall the whole wall, but that's the only way you're not going to get that difference in the texture."

It wasn't bad; and it would have been covered with the pictures or whatever, but we had to paint the wall 13 times.

Q. And you mentioned there were things he was

requesting out of budget. What is an example of that?

A. The entire Beautification Project was all out of budget.

Q. When you say "out of the budget," do you mean it exceeded the budget that was available, or there was no budget for this?

A. There was no budget for it.

Q. Okay.

A. In fact, Patty Judd, the chief financial officer, she had to create a separate line item that was titled "The Beautification Project" because he didn't just want simple things like that one wall. He wanted new stars. He wanted his name on the side of the building.

At the time that we were in the midst of this, one of my capital projects was we were repainting the entire administration building. That was a project that I'd been working on for three or four years. And it wasn't just the admin building. It was the admin building, the fleet building, and the 911 center.

And he wanted his name on the side of the building, and he wanted his name to be larger than the words "Alachua County Sheriff's Office"; but you only have a certain amount of real estate to put different

things, and he wanted his name to be 24 inches versus the 20 inches of the Alachua County Sheriff's Office. Well, his name is very long because he wants the entirety of it spelled out, including periods, the colons, etc.

So I explained to him that if you remove the letters from the wall, which had to be done in order to move all of that up to include his name -- I know this sounds really boring. I'm sorry. But the way that the letters are put in the wall, they're sautered in with rebar. It's not a simple fix. It isn't as if it's a magnet on a refrigerator that you just have to move around. You have to take everything off and then move it up. And he was insistent that that was not the case.

I'm like, "No, that is the case. I've done this for 20 years. This is the case."

So we painted the entirety of the admin office, and then he wanted his name moved, wanted his name put in there. So we ordered the letters. I don't remember how much it cost off the top of my head.

He was insistent that he wanted a particular size star and it to look like a particular star, not just a regular sheriff's office star. So he took me

to an area of the sheriff's office and asked me to duplicate a specific 36-inch star.

So I had the draft put in and had it mapped out to 36 inches, and then he approved that design. And not only did he approve it, he -- because we had a lot of conflict where he would say that he had said something or did approve or didn't approve something; so I had gotten in the habit of asking him to initial and date what he approved, and he approved the star to be placed there.

And so we went ahead and ordered it. I believe it was $2,800 because it was a custom design; but whenever we went to move the letters, it did exactly what I said it was going to do. The concrete came off the wall, and there were holes that were bigger than my fist all throughout that area of the sheriff's office. He had a fit, and he was very upset and very agitated.

And I explained to him this is exactly what I said was going to happen. That's the reason why I didn't want to do this right now.

So I contacted a concrete mason that I work with up in High Springs. He came over on a Saturday, redid the concrete. Then came back on Sunday -- because the concrete had to cure, he came back on

Sunday and sanded the concrete.

And then I had the painting company come back. We got the letters the way that he wanted the letters after about, you know, five or six times of just trying to place them in different areas to his satisfaction.

And so, in order for us to get the letters on, we were able to mount them again, and then the painting company had to come back in. So this was an additional expense for the painting company because they had already painted the building. I mean, it was outside now of their scope of work, if that makes any sense, so it was extra.

So in order for them to protect the letters, we had to tape every single one of those letters with painter's tape so that the new paint wouldn't get on the letters.

Well, we did that to protect the letters, and he got very upset and said it was unacceptable because I had used blue painter's tape. So I had to take all the tape off.

So we went ahead and did that, and then he wanted the tape -- this was all the same day -- put back on at 5:30 after close of business in order to prep for the painters. My staff stayed until probably

6:30 or 7:00 that night to re-tape the letters with the same blue tape. And then, because they didn't want to pay for actual new letters, we had to hand paint all of the letters.

So we finally got it up. I ordered the sign, like I said, or the star. I believe it was 25, 2,600 dollars. And it finally came in, and I took it to the undersheriff, to Chief of Staff Judd, the secretaries. They all thought it looked really nice.

We went to mount the star, and he said it was not the star that he ordered.

And I said, "It's exactly the star that you ordered," and I even showed him where he had approved it.

And he said I didn't know what I was talking about. I didn't listen. He wanted a different star. He wanted a star that was identical to the one on the Hawthorne Road sign.

So I don't know where that star is now. Whenever I left, it was still sitting in my office. So we had a lot of conflicts like this.

Q. In the course of those conflicts, did he ever refer to you in any manner that was inappropriate?

A. There was a couple times. We had -- and this was whenever he first started there. Probably within

the first two or three weeks, one of his priorities was the Beautification Project. And so he took me around to different areas of the sheriff's office that he wanted, you know, improved upon.

And I guess he used to be a landscaper before he went into politics or anything like that, so he was explaining to me the trees he wanted. He wanted all the knock-out roses taken out, you know, an island put in at the memorial area.

But whenever we were first walking around the sheriff's office, I had told them that there was already a project in place to correct the directional signs on the interior of the sheriff's office. Whenever I say "directional signs," when you drive in the sheriff's office, there's little signs around the property that will say "Property area this way, deliveries this way, fleet this way."

And I explained to him that there was already a project in place, a P.O. had already been cut to replace all the directional signs; it happened before his arrival. Sheriff Darnell and Chief Huckstep had instructed me that they wanted those things replaced, touched up, you know, that kind of thing.

So the vendor contact -- and this was done -- because it takes months to get it done. So it was

done, the P.O. was cut, and then the vendor contacted us and said that they were ready for pick-up. I had contacted the chief of staff, Danielle Judd, to let her know what time they were coming to install these things.

And she called me into the suite, in the sheriff's suite, and -- well, it was her office, and the sheriff was there. Sheriff Watson was there, and he was very visibly angry and asked why I thought I had the authority to order these signs, these directional signs.

I told him that I had explained to him, yeah, this had been put in place prior to him becoming sheriff. It had been -- the P.O. was cut under the previous administration, and it had nothing to do with him. His name wasn't on any of the directional signs. Sheriff Darnell's names wasn't on any of the signs.

And again, he was visibly angry, and he stated that I disrespected him by moving forward with that.

And I said, "Well, no, sir. I didn't even know you. I was instructed by my chain at that time to place this order."

And the chief of staff, Danielle, she'd only been there for about a week and a half, and she saw

how angry he was. And she even told him, "Sheriff Watson, I've only worked with a Diana for a week, week and a half, but I can tell you she would not have done this unless somebody had told her to."

And I said, "I've got the emails that say that this was my instruction."

And he just kept reiterating that I had disrespected him by following those orders, and I kept trying to explain to him that it was prior to his time and tenure at that office.

And whenever I say he was visibly angry, he was holding onto the back of a chair so hard that whenever he left there was still fingerprints in the chair, and he was -- he was shaking. He was sweating. He was yelling. He was very angry.

Q. Did he use any language to refer to you that was inappropriate?

A. The only thing he said to me was -- he told Danielle, "Well, get up. I'm going to walk around with you, and maybe you'll know what I'm talking about because she doesn't. I can't stand to look at her right now."

And I said, "Okay."

And Danielle had just made the statement that -- she said, "I just need to run to the restroom,

and I'll be right there. Let me grab my notepad."

And he stated, "No, now."

Then he told me that he didn't want to look at me anymore. And Danielle -- as soon as he left, Danielle said, "Please, Diana, find that email that authorized this."

It took maybe five, ten minutes for me to find the email. And not only did I have written authority to make that purchase, but at that time Major Clark and Undersheriff Decoursey were in the email string. They were all carboned in the email string that said that this was going on, that that ship had sailed. The P.O. had already been cut under the previous administration. We couldn't stop production because they had already started the printing.

So that was one of my first encounters where he was really, really visibly angry.

Q. At any time has he ever used derogatory language towards you?

A. He's --

Q. Such as calling you inappropriate names?

A. Yeah, he called me a bitch.

Q. What are the circumstances that he used that language towards you?

A. We had gone to a new fuel system. One of the things that Sheriff Watson wanted done whenever he first got into office is -- our then vendor for fuel was Lewis Oil. And Sheriff Darnell, myself, and Chief Huckstep had worked for quite a long time to get Lewis Oil to be our fuel vendor because we wanted to stay local. They have a large practice, and they've always helped us out, whether they were our vendor, with like hurricanes and things like that. Even if they weren't our vendor, if we were running low on fuel, they would help us out.

Well, he was adamant upon the first week that he wanted to review the fuel contract with Lewis Oil. He stated that he didn't want the Lewis Oil contract anymore because they hung the wrong sign on their fence. They were an advocate for Sheriff Darnell. And he said that if they wanted to have the contract -- and it was a large contract -- that they should have had a different sign.

Anyway, long story short, we went to a few different fuel vendors. I believe it's Rapid Fuel, but I'm not certain. Anyway, it was a little bit more expensive than Lewis Oil, but not terribly so. It did offer us a lot of different locations within the state.

He would never use the Lewis Oil fob. He just -- he wouldn't. A fob is what they use to get fuel.

So we went through all of the contracts, etc., just elected a different fuel vendor. And we had to -- throughout the agency, we had to switch out everybody's fuel cards in order for them to work.

Well, the fuel cards work on a PIN. You know how that works. His PIN, he wanted it to be, you know, the number one for sheriff, which is fine; but because his number was so short, it required five zeros in front of it. It was 000001, and he knew that.

Well, one time he was in Alachua. It was on a Saturday, and apparently he was traveling to Tallahassee. And Danielle Judd called me on a Saturday, and she was very upset and said that the sheriff had tried to get fuel and couldn't get fuel, and he was up in Alachua, he was stranded, etc.

And I said, "Well, he must have used the wrong PIN. And I checked the PIN myself. I knew it worked. I had fueled up with it. I knew it worked.

So he had ordered her -- she was at Lowe's getting flowers or something. He ordered her to leave the flowers, get on the phone with me and figure out

what was going on with his gas.

And she was talking to him on her personal cell phone and called me on the agency cell phone, and so I could hear what he was saying to her on the phone. And he was -- he was yelling at her. He was obviously very agitated. And he said that he didn't put the wrong PIN in, and this went back and forth.

He told me to go to the sheriff's office and -- you know, which is a drive for me. I live north of Lacrosse, so I knew he was going to be waiting for at least 35 minutes. So I told him to use my PIN to at least get gas to be able to go to Tallahassee.

He made the statement that I heard on the phone, "I don't want to use her damned PIN. You tell that bitch to fix my PIN."

And it turned out to be exactly what I thought it was, is he had put in the wrong PIN number. He had done one less zero, and it wound up canceling out the system. After you hit the error code so many times, it just won't work.

So he called me a bitch then that I heard him on the phone.

Q. While you're looking at that, was there ever any irregularities in the amount of fuel that the

sheriff was using that you were aware of?

A. Only one time. One of the things that I did, being in charge of fleet, and I've done as long as I was in charge of fleet is, I always kept records every quarter of how much -- we actually run reports on how much mileage is being used by all the agency vehicles, the average miles per gallon. That's how we budget for fuel.

And so we have had occurrences in the past where the numbers did not add up for an employee's fuel. Their miles per gallon was significantly less than the average, you know, 19 miles per gallon average, or whatever, based on their speed. So we kept track of their odometers, how much they got gas, how much, you know, they were traveling, they're average speed, blah, blah, blah.

And whenever we went to the new fuel company, and we had a new fleet software, I ran a report. And his number -- his gas mileage was lower than an average by a significant amount. Well, it was a brand new vehicle, and so I wanted to make sure there was nothing wrong with the vehicle.

So I contacted the secretary, which was Tara Malone, and asked her to bring the vehicle over to fleet so that we could take a look because the mileage

wasn't adding up. I think it showed he was getting like five to seven miles per gallon, which was a lot lower than the average vehicles.

So he did, and to my knowledge that's the only thing that I'm aware of.

Q. Would the miles per gallon -- were you able to determine that all of the fuel that he had purchased went into the vehicle? So those miles per gallon, if that fuel had been put into a separate container or put into a vehicle --

A. It wouldn't have shown.

Q. It wouldn't show that, but it would have caused the overall miles per gallon to be shown as lower?

A. Yes. And that's one of the reasons why we ran the report; not for him specifically, but we have had, especially during recessions and stuff like that, where, you know, deputies unfortunately have filled up their wife's vehicle, and they ended up getting like seven miles to the gallon.

That's one of the reasons why I run the report, is to make sure that it's fiscally responsible.

BY INSPECTOR RIDDICK:

Q. And is that only that one time?

A. In my experience, yes.
BY MR. KRAMER:
Q. And were you involved in a meeting with Scott Shelpman and Michelle Clement and yourself and some other members of the administration to inform Scott's staff that no one was to access the sheriff's vehicle?
A. Uh-huh.
Q. Can you explain what happened there?
A. Yes. The sheriff was very particular about his vehicle, and it took us a long time to get those vehicles. And apparently, the radio within the sheriff's vehicle -- I'm trying to remember this exactly.

The radio within the sheriff's vehicle needed to have an upgrade done. And so, rather than ask the sheriff to take his vehicle over to get it done, I believe it was Shelpman and fleet had contacted the secretary and verified if the sheriff was going to be going anywhere so that they could have 15 to 20 minutes.
Q. We actually -- because we're running out of time, I kind of need to finish up. Was there -- so we're aware of what the content of the meeting was.

In your mind, was that an unusual action on the part of the sheriff based on your history and

experience with other sheriffs?

A. Yes. He made the statement that he believed that we may have altered his vehicle in some way. And then he went to our fleet department and retrieved all of his agency keys, which is very unusual because we always keep a spare vehicle key.

Q. And also, was there anything unusual about the type of vehicle that was purchased for the sheriff?

A. Yes, he purchased High Country vehicles.

Q. Is that not within the normal operating procedures of the sheriff's office?

A. No, it is not.

Q. Why is it not?

A. It's a very expensive vehicle, and he was -- he and the undersheriff were very specific about the type of vehicles that they wanted. They wanted all-black Tahoes with black interiors, and they wanted High Countries. Well, that in itself is a limited vehicle, but he wanted them to have no sunroofs, which are all-custom vehicles. So it took us a long time to get the vehicle.

They're expensive vehicles. They're several thousand dollars more than what we would normally pay for a Tahoe; I couldn't tell you the exact difference.

But upon arrival of the vehicle -- we pretty much got the only two in the state -- he had us remove the words "High Country" off of it because he stated that he didn't want the citizens to think that he was not being frugally responsible, or fiscally responsible, and didn't want them to know that they were High Country vehicles.

Q. Was there ever a time when the sheriff directed that the uniforms that the deputies wear be altered to remove the word "sheriff"?

A. Yes.

Q. Were you involved in that?

A. Yes, it was my department.

Q. And did that occur?

A. Yes.

Q. Can you explain what happened?

A. We had ordered all new uniforms for the sheriff's office; they were covers, and whenever we ordered them they had the words "Alachua County Sheriff's Office," or "Deputy Sheriff," I believe it said. That's the way that we ordered them.

So whenever they started arriving, he didn't like the fact that they had the word "sheriff" on them. And he stated that he was the only sheriff, and he wanted them sent back and the word "sheriff"

removed.

Q. Did that occur?

A. Yes.

Q. And did that cause additional expense?

A. I believe so, but I'm not 100 percent certain on that. You would have to check with actual A and B on that, fiscal, because we may have worked out something with the uniform company like if you do this, we'll be able to modify this.

I don't remember off the top of my head if it cost us more money. It cost us a lot more time because we had to re-issue all the uniforms, but he did not want anyone else to have the word "sheriff" on their uniform.

Q. Was that true with vehicles also, or was that only with the uniforms?

A. Uniforms.

BY INSPECTOR RIDDICK:

Q. Let's go back to the Beautification Project. You said that he came in, he created this project, and it was out of budget. It had not been budgeted, so you had to create a line item for this.

Where did the money -- usually when you do that, you've got to get the money from some other line item budget. Where did the money come from to do what

he did?

A. I don't know. I was just told that, I believe it was, either 50 or 75,000 dollars that had been put into that account.

During the whole Beautification Project, whenever I say he wanted his name on his everything, he and I had a conflict because he wanted his name on the courthouse. I told him, "You can't have it on the courthouse. It's not your building. You can have it like where the civil department is or our particular bailiff areas for the criminal courthouse and the civil courthouse," but he was insistent he wanted it on the actual courthouses. And so we had a disagreement about that.

The retiree wall was a whole different project.

Q. Did they use the whole 75,00 as far as you know --

A. No. No, at least not whenever I was still there.

Q. Do you recall how much of it was used?

A. No, not off the top of my head because shortly after the whole -- where he was walking me around, he wanted these plants puts in, and I had to figure out different landscaping, I called different

landscapers and all of that. An OIC came out shortly thereafter that said to immediately cease and desist the Beautification Project.

And I'm like, okay, that was fine with me, but it was -- it was opposite of what he had just instructed me to do, actually, within the same day.

Q. Okay.

A. The only thing -- I know that I'm running short with you, but I'll make this quick. Within his first week of office he asked me to hire a company to go in and search for listening devices at the administration building. Then it came back with a negative report, and he did not trust that report and then hired a different company to come in and specifically look for listening devices.

Q. Do you recall the cost associated with those companies?

A. No.

Q. Would those be invoices that would have been invoiced to the sheriff's office?

A. The first company was DKI, and Jonathan is the owner. I had a relationship. They had done a lot of work for us. I was able to call him and say, "Hey, this is what we're doing."

I don't remember who the second company was.

MR. KRAMER: All right. Thank you so much. We appreciate your time.

(The statement concluded at 10:15 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that DIANA JACOBS, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named DIANA JACOBS, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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BELIEVE (11:12)(13:6)(18:21)(23:17)(25:20)(26:5)(27:3)
BELIEVED (24:2)

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WHEREUPON,

DIANA JACOBS

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes.

EXAMINATION

BY MR. KRAMER:

Q. Could you state your name, please?

A. Diana Jacobs.

Q. Ms. Jacobs, at any time during your life have you been an employee of the Alachua County Sheriff's Office?

A. Yes.

Q. For what period of time were you employed?

A. 1990 to 2021.

Q. Are you retired?

A. Yes.

Q. Are you retired from the sheriff's office?

A. Yes.

Q. Did you have any employment related to law enforcement?

A. I was in the military for a brief stint, in 1980 to 1990. Oh, and I worked for the Collier County Sheriff's Office.

Q. Okay. I'm guessing over that period of time

you held several roles with the sheriff's office. Is that true?

A. Yes.

Q. And what roles did you hold with the sheriff's office? You don't have to be chronological, but if you could tell me the last one last.

A. The last one last. Okay. I started out at the sheriff's office as a 911 dispatcher, worked my way up through the ranks and became a Telecommunicator Five, which is the most that you can get when you learn all of the positions within the sheriff's office.

I then got promoted to supervisor. Then I became a commander. Then I was transferred and went to work as the fleet manager. The fleet manager had retired, so I got put in charge of fleet.

Then I went to work as the risk manager of the sheriff's office. From there, I was promoted to bureau chief. And during my rein as bureau chief, I held a lot of different positions.

At one point I was in charge of support services: The CAD unit, fleet unit, evidence unit, property unit, like I said, building maintenance, capital projects, CAD GIS projects, and QA Specialist.

So pretty much the only area I didn't work at

the sheriff's office was the jail.

Q. So your last position at the sheriff's office, your title was?

A. Bureau chief.

Q. And at all times were you a civilian employee with the sheriff's office, or were you a sworn officer?

A. I was a civilian employee, but I was a special risk. My retirement was special risk; because being in charge of evidence, the majority of the items that we handled were biohazard in nature.

Q. Understood. So which administrations did you work for in that time period?

A. All of it?

Q. Yes. Who did you start with, and who did you finish with?

A. Henry, Oelrich, Gainey, Darnell, Wise, Watson. I think that's it.

Q. So, I guess, what I'd like to start with is -- because we've spoken briefly before this happened. Was your treatment as an employee under the Watson administration prior to retirement different than your treatment as an employee under the former administrations?

A. Oh, yes.

Q. In what way?

A. The encounters were very hostile in nature, just, you know, butting heads. We had a lot of conflict. He didn't like what I had to say a lot of times.

As I said, my responsibilities put me in daily contact with his office until Ms. Judd -- until Daniel Judd got there. So I was in his office so often that the secretaries were like, "We're just moving you out of your office and putting you in here." I mean, that's how often I was in that office.

And a lot of my responsibilities were whenever he came into term was the transition itself, and he wanted a lot of things done. And some things were possible, some things weren't. Some things were budget, some things weren't.

Q. Can you give me some examples? You said some things were possible, some things weren't. Can you give me an example of each?

A. Yes. He started what was called the Beautification Project at the sheriff's office, which he wanted signs put up all over the sheriff's office -- not just at the sheriff's office, but out at the jail, all the substations -- with his name, which is fine. You know, that's not an issue, but he --

whenever you walk into the sheriff's office, there is -- one of the biggest things or the conflicts that we had is that there's -- whenever you walk into the sheriff's office, by the records unit, there's this large wall. It's called "The Sheriffs Wall," and it has a picture of all the sheriffs on there, all the previous sheriffs from way back when.

One of the first -- one of the conflicts was the fact that he didn't want Sheriff Darnell's picture up there. So we went -- well, she is sheriff. She was a sheriff. You know, her face should be up there.

And -- but the wall itself is a large wall. It's 176 inches. And he wanted all the items moved from that wall to a wall that was 152 inches, and it just wouldn't fit. And I kept explaining to him that all the pictures would not fit within that space, and he got very upset.

I mean, I think I met with him four or five times about this and tried to give him different examples where we can put the pictures different lengths, heights, but I just -- his words, "I just want my damned wall."

I said, "I'm trying to get you your damned wall, but it's going from 172 to 152 inches. I don't have 16 other inches."

He just didn't understand, like, logistically how things worked, or he didn't like to hear them.

And we finally were able to modify the pictures, and he wanted the wall painted and repainted and repainted. I had to have my staff repaint that wall 13 times; that's how many times he wanted that wall repainted.

And there was an issue with the wall in general. It had been repaired at some point, and the drywall had been -- what's the word I'm looking for? There had been a big leak, so half the drywall had been taken out and put back in. Well, unless you do drywall over the whole wall, then whenever you paint, you're going to still see different textures. Does that make sense?

Q. Yes, ma'am.

A. He didn't understand that, and so he didn't understand why there was a difference in the textures.

I said, "Well, we can re-drywall the whole wall, but that's the only way you're not going to get that difference in the texture."

It wasn't bad; and it would have been covered with the pictures or whatever, but we had to paint the wall 13 times.

Q. And you mentioned there were things he was

requesting out of budget. What is an example of that?

A. The entire Beautification Project was all out of budget.

Q. When you say "out of the budget," do you mean it exceeded the budget that was available, or there was no budget for this?

A. There was no budget for it.

Q. Okay.

A. In fact, Patty Judd, the chief financial officer, she had to create a separate line item that was titled "The Beautification Project" because he didn't just want simple things like that one wall. He wanted new stars. He wanted his name on the side of the building.

At the time that we were in the midst of this, one of my capital projects was we were repainting the entire administration building. That was a project that I'd been working on for three or four years. And it wasn't just the admin building. It was the admin building, the fleet building, and the 911 center.

And he wanted his name on the side of the building, and he wanted his name to be larger than the words "Alachua County Sheriff's Office"; but you only have a certain amount of real estate to put different

things, and he wanted his name to be 24 inches versus the 20 inches of the Alachua County Sheriff's Office. Well, his name is very long because he wants the entirety of it spelled out, including periods, the colons, etc.

So I explained to him that if you remove the letters from the wall, which had to be done in order to move all of that up to include his name -- I know this sounds really boring. I'm sorry. But the way that the letters are put in the wall, they're sautered in with rebar. It's not a simple fix. It isn't as if it's a magnet on a refrigerator that you just have to move around. You have to take everything off and then move it up. And he was insistent that that was not the case.

I'm like, "No, that is the case. I've done this for 20 years. This is the case."

So we painted the entirety of the admin office, and then he wanted his name moved, wanted his name put in there. So we ordered the letters. I don't remember how much it cost off the top of my head.

He was insistent that he wanted a particular size star and it to look like a particular star, not just a regular sheriff's office star. So he took me

to an area of the sheriff's office and asked me to duplicate a specific 36-inch star.

So I had the draft put in and had it mapped out to 36 inches, and then he approved that design. And not only did he approve it, he -- because we had a lot of conflict where he would say that he had said something or did approve or didn't approve something; so I had gotten in the habit of asking him to initial and date what he approved, and he approved the star to be placed there.

And so we went ahead and ordered it. I believe it was $2,800 because it was a custom design; but whenever we went to move the letters, it did exactly what I said it was going to do. The concrete came off the wall, and there were holes that were bigger than my fist all throughout that area of the sheriff's office. He had a fit, and he was very upset and very agitated.

And I explained to him this is exactly what I said was going to happen. That's the reason why I didn't want to do this right now.

So I contacted a concrete mason that I work with up in High Springs. He came over on a Saturday, redid the concrete. Then came back on Sunday -- because the concrete had to cure, he came back on

Sunday and sanded the concrete.

And then I had the painting company come back. We got the letters the way that he wanted the letters after about, you know, five or six times of just trying to place them in different areas to his satisfaction.

And so, in order for us to get the letters on, we were able to mount them again, and then the painting company had to come back in. So this was an additional expense for the painting company because they had already painted the building. I mean, it was outside now of their scope of work, if that makes any sense, so it was extra.

So in order for them to protect the letters, we had to tape every single one of those letters with painter's tape so that the new paint wouldn't get on the letters.

Well, we did that to protect the letters, and he got very upset and said it was unacceptable because I had used blue painter's tape. So I had to take all the tape off.

So we went ahead and did that, and then he wanted the tape -- this was all the same day -- put back on at 5:30 after close of business in order to prep for the painters. My staff stayed until probably

6:30 or 7:00 that night to re-tape the letters with the same blue tape. And then, because they didn't want to pay for actual new letters, we had to hand paint all of the letters.

So we finally got it up. I ordered the sign, like I said, or the star. I believe it was 25, 2,600 dollars. And it finally came in, and I took it to the undersheriff, to Chief of Staff Judd, the secretaries. They all thought it looked really nice.

We went to mount the star, and he said it was not the star that he ordered.

And I said, "It's exactly the star that you ordered," and I even showed him where he had approved it.

And he said I didn't know what I was talking about. I didn't listen. He wanted a different star. He wanted a star that was identical to the one on the Hawthorne Road sign.

So I don't know where that star is now. Whenever I left, it was still sitting in my office. So we had a lot of conflicts like this.

Q. In the course of those conflicts, did he ever refer to you in any manner that was inappropriate?

A. There was a couple times. We had -- and this was whenever he first started there. Probably within

the first two or three weeks, one of his priorities was the Beautification Project. And so he took me around to different areas of the sheriff's office that he wanted, you know, improved upon.

And I guess he used to be a landscaper before he went into politics or anything like that, so he was explaining to me the trees he wanted. He wanted all the knock-out roses taken out, you know, an island put in at the memorial area.

But whenever we were first walking around the sheriff's office, I had told them that there was already a project in place to correct the directional signs on the interior of the sheriff's office. Whenever I say "directional signs," when you drive in the sheriff's office, there's little signs around the property that will say "Property area this way, deliveries this way, fleet this way."

And I explained to him that there was already a project in place, a P.O. had already been cut to replace all the directional signs; it happened before his arrival. Sheriff Darnell and Chief Huckstep had instructed me that they wanted those things replaced, touched up, you know, that kind of thing.

So the vendor contact -- and this was done -- because it takes months to get it done. So it was

done, the P.O. was cut, and then the vendor contacted us and said that they were ready for pick-up. I had contacted the chief of staff, Danielle Judd, to let her know what time they were coming to install these things.

And she called me into the suite, in the sheriff's suite, and -- well, it was her office, and the sheriff was there. Sheriff Watson was there, and he was very visibly angry and asked why I thought I had the authority to order these signs, these directional signs.

I told him that I had explained to him, yeah, this had been put in place prior to him becoming sheriff. It had been -- the P.O. was cut under the previous administration, and it had nothing to do with him. His name wasn't on any of the directional signs. Sheriff Darnell's names wasn't on any of the signs.

And again, he was visibly angry, and he stated that I disrespected him by moving forward with that.

And I said, "Well, no, sir. I didn't even know you. I was instructed by my chain at that time to place this order."

And the chief of staff, Danielle, she'd only been there for about a week and a half, and she saw

how angry he was. And she even told him, "Sheriff Watson, I've only worked with a Diana for a week, week and a half, but I can tell you she would not have done this unless somebody had told her to."

And I said, "I've got the emails that say that this was my instruction."

And he just kept reiterating that I had disrespected him by following those orders, and I kept trying to explain to him that it was prior to his time and tenure at that office.

And whenever I say he was visibly angry, he was holding onto the back of a chair so hard that whenever he left there was still fingerprints in the chair, and he was -- he was shaking. He was sweating. He was yelling. He was very angry.

Q. Did he use any language to refer to you that was inappropriate?

A. The only thing he said to me was -- he told Danielle, "Well, get up. I'm going to walk around with you, and maybe you'll know what I'm talking about because she doesn't. I can't stand to look at her right now."

And I said, "Okay."

And Danielle had just made the statement that -- she said, "I just need to run to the restroom,

and I'll be right there. Let me grab my notepad."

And he stated, "No, now."

Then he told me that he didn't want to look at me anymore. And Danielle -- as soon as he left, Danielle said, "Please, Diana, find that email that authorized this."

It took maybe five, ten minutes for me to find the email. And not only did I have written authority to make that purchase, but at that time Major Clark and Undersheriff Decoursey were in the email string. They were all carboned in the email string that said that this was going on, that that ship had sailed. The P.O. had already been cut under the previous administration. We couldn't stop production because they had already started the printing.

So that was one of my first encounters where he was really, really visibly angry.

Q. At any time has he ever used derogatory language towards you?

A. He's --

Q. Such as calling you inappropriate names?

A. Yeah, he called me a bitch.

Q. What are the circumstances that he used that language towards you?

A. We had gone to a new fuel system. One of the things that Sheriff Watson wanted done whenever he first got into office is -- our then vendor for fuel was Lewis Oil. And Sheriff Darnell, myself, and Chief Huckstep had worked for quite a long time to get Lewis Oil to be our fuel vendor because we wanted to stay local. They have a large practice, and they've always helped us out, whether they were our vendor, with like hurricanes and things like that. Even if they weren't our vendor, if we were running low on fuel, they would help us out.

Well, he was adamant upon the first week that he wanted to review the fuel contract with Lewis Oil. He stated that he didn't want the Lewis Oil contract anymore because they hung the wrong sign on their fence. They were an advocate for Sheriff Darnell. And he said that if they wanted to have the contract -- and it was a large contract -- that they should have had a different sign.

Anyway, long story short, we went to a few different fuel vendors. I believe it's Rapid Fuel, but I'm not certain. Anyway, it was a little bit more expensive than Lewis Oil, but not terribly so. It did offer us a lot of different locations within the state.

He would never use the Lewis Oil fob. He just -- he wouldn't. A fob is what they use to get fuel.

So we went through all of the contracts, etc., just elected a different fuel vendor. And we had to -- throughout the agency, we had to switch out everybody's fuel cards in order for them to work.

Well, the fuel cards work on a PIN. You know how that works. His PIN, he wanted it to be, you know, the number one for sheriff, which is fine; but because his number was so short, it required five zeros in front of it. It was 000001, and he knew that.

Well, one time he was in Alachua. It was on a Saturday, and apparently he was traveling to Tallahassee. And Danielle Judd called me on a Saturday, and she was very upset and said that the sheriff had tried to get fuel and couldn't get fuel, and he was up in Alachua, he was stranded, etc.

And I said, "Well, he must have used the wrong PIN. And I checked the PIN myself. I knew it worked. I had fueled up with it. I knew it worked.

So he had ordered her -- she was at Lowe's getting flowers or something. He ordered her to leave the flowers, get on the phone with me and figure out

what was going on with his gas.

And she was talking to him on her personal cell phone and called me on the agency cell phone, and so I could hear what he was saying to her on the phone. And he was -- he was yelling at her. He was obviously very agitated. And he said that he didn't put the wrong PIN in, and this went back and forth.

He told me to go to the sheriff's office and -- you know, which is a drive for me. I live north of Lacrosse, so I knew he was going to be waiting for at least 35 minutes. So I told him to use my PIN to at least get gas to be able to go to Tallahassee.

He made the statement that I heard on the phone, "I don't want to use her damned PIN. You tell that bitch to fix my PIN."

And it turned out to be exactly what I thought it was, is he had put in the wrong PIN number. He had done one less zero, and it wound up canceling out the system. After you hit the error code so many times, it just won't work.

So he called me a bitch then that I heard him on the phone.

Q. While you're looking at that, was there ever any irregularities in the amount of fuel that the

sheriff was using that you were aware of?

A. Only one time. One of the things that I did, being in charge of fleet, and I've done as long as I was in charge of fleet is, I always kept records every quarter of how much -- we actually run reports on how much mileage is being used by all the agency vehicles, the average miles per gallon. That's how we budget for fuel.

And so we have had occurrences in the past where the numbers did not add up for an employee's fuel. Their miles per gallon was significantly less than the average, you know, 19 miles per gallon average, or whatever, based on their speed. So we kept track of their odometers, how much they got gas, how much, you know, they were traveling, they're average speed, blah, blah, blah.

And whenever we went to the new fuel company, and we had a new fleet software, I ran a report. And his number -- his gas mileage was lower than an average by a significant amount. Well, it was a brand new vehicle, and so I wanted to make sure there was nothing wrong with the vehicle.

So I contacted the secretary, which was Tara Malone, and asked her to bring the vehicle over to fleet so that we could take a look because the mileage

wasn't adding up. I think it showed he was getting like five to seven miles per gallon, which was a lot lower than the average vehicles.

So he did, and to my knowledge that's the only thing that I'm aware of.

Q. Would the miles per gallon -- were you able to determine that all of the fuel that he had purchased went into the vehicle? So those miles per gallon, if that fuel had been put into a separate container or put into a vehicle --

A. It wouldn't have shown.

Q. It wouldn't show that, but it would have caused the overall miles per gallon to be shown as lower?

A. Yes. And that's one of the reasons why we ran the report; not for him specifically, but we have had, especially during recessions and stuff like that, where, you know, deputies unfortunately have filled up their wife's vehicle, and they ended up getting like seven miles to the gallon.

That's one of the reasons why I run the report, is to make sure that it's fiscally responsible.

BY INSPECTOR RIDDICK:

Q. And is that only that one time?

A. In my experience, yes.
BY MR. KRAMER:
Q. And were you involved in a meeting with Scott Shelpman and Michelle Clement and yourself and some other members of the administration to inform Scott's staff that no one was to access the sheriff's vehicle?
A. Uh-huh.
Q. Can you explain what happened there?
A. Yes. The sheriff was very particular about his vehicle, and it took us a long time to get those vehicles. And apparently, the radio within the sheriff's vehicle -- I'm trying to remember this exactly.

The radio within the sheriff's vehicle needed to have an upgrade done. And so, rather than ask the sheriff to take his vehicle over to get it done, I believe it was Shelpman and fleet had contacted the secretary and verified if the sheriff was going to be going anywhere so that they could have 15 to 20 minutes.
Q. We actually -- because we're running out of time, I kind of need to finish up. Was there -- so we're aware of what the content of the meeting was.

In your mind, was that an unusual action on the part of the sheriff based on your history and

experience with other sheriffs?

A. Yes. He made the statement that he believed that we may have altered his vehicle in some way. And then he went to our fleet department and retrieved all of his agency keys, which is very unusual because we always keep a spare vehicle key.

Q. And also, was there anything unusual about the type of vehicle that was purchased for the sheriff?

A. Yes, he purchased High Country vehicles.

Q. Is that not within the normal operating procedures of the sheriff's office?

A. No, it is not.

Q. Why is it not?

A. It's a very expensive vehicle, and he was -- he and the undersheriff were very specific about the type of vehicles that they wanted. They wanted all-black Tahoes with black interiors, and they wanted High Countries. Well, that in itself is a limited vehicle, but he wanted them to have no sunroofs, which are all-custom vehicles. So it took us a long time to get the vehicle.

They're expensive vehicles. They're several thousand dollars more than what we would normally pay for a Tahoe; I couldn't tell you the exact difference.

But upon arrival of the vehicle -- we pretty much got the only two in the state -- he had us remove the words "High Country" off of it because he stated that he didn't want the citizens to think that he was not being frugally responsible, or fiscally responsible, and didn't want them to know that they were High Country vehicles.

Q. Was there ever a time when the sheriff directed that the uniforms that the deputies wear be altered to remove the word "sheriff"?

A. Yes.

Q. Were you involved in that?

A. Yes, it was my department.

Q. And did that occur?

A. Yes.

Q. Can you explain what happened?

A. We had ordered all new uniforms for the sheriff's office; they were covers, and whenever we ordered them they had the words "Alachua County Sheriff's Office," or "Deputy Sheriff," I believe it said. That's the way that we ordered them.

So whenever they started arriving, he didn't like the fact that they had the word "sheriff" on them. And he stated that he was the only sheriff, and he wanted them sent back and the word "sheriff"

removed.

Q. Did that occur?

A. Yes.

Q. And did that cause additional expense?

A. I believe so, but I'm not 100 percent certain on that. You would have to check with actual A and B on that, fiscal, because we may have worked out something with the uniform company like if you do this, we'll be able to modify this.

I don't remember off the top of my head if it cost us more money. It cost us a lot more time because we had to re-issue all the uniforms, but he did not want anyone else to have the word "sheriff" on their uniform.

Q. Was that true with vehicles also, or was that only with the uniforms?

A. Uniforms.

BY INSPECTOR RIDDICK:

Q. Let's go back to the Beautification Project. You said that he came in, he created this project, and it was out of budget. It had not been budgeted, so you had to create a line item for this.

Where did the money -- usually when you do that, you've got to get the money from some other line item budget. Where did the money come from to do what

he did?

A. I don't know. I was just told that, I believe it was, either 50 or 75,000 dollars that had been put into that account.

During the whole Beautification Project, whenever I say he wanted his name on his everything, he and I had a conflict because he wanted his name on the courthouse. I told him, "You can't have it on the courthouse. It's not your building. You can have it like where the civil department is or our particular bailiff areas for the criminal courthouse and the civil courthouse," but he was insistent he wanted it on the actual courthouses. And so we had a disagreement about that.

The retiree wall was a whole different project.

Q. Did they use the whole 75,00 as far as you know --

A. No. No, at least not whenever I was still there.

Q. Do you recall how much of it was used?

A. No, not off the top of my head because shortly after the whole -- where he was walking me around, he wanted these plants puts in, and I had to figure out different landscaping, I called different

landscapers and all of that. An OIC came out shortly thereafter that said to immediately cease and desist the Beautification Project.

And I'm like, okay, that was fine with me, but it was -- it was opposite of what he had just instructed me to do, actually, within the same day.

Q. Okay.

A. The only thing -- I know that I'm running short with you, but I'll make this quick. Within his first week of office he asked me to hire a company to go in and search for listening devices at the administration building. Then it came back with a negative report, and he did not trust that report and then hired a different company to come in and specifically look for listening devices.

Q. Do you recall the cost associated with those companies?

A. No.

Q. Would those be invoices that would have been invoiced to the sheriff's office?

A. The first company was DKI, and Jonathan is the owner. I had a relationship. They had done a lot of work for us. I was able to call him and say, "Hey, this is what we're doing."

I don't remember who the second company was.

MR. KRAMER: All right. Thank you so much. We appreciate your time.

(The statement concluded at 10:15 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that DIANA JACOBS, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named DIANA JACOBS, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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DIRECT (31:13)
DIRECTED (25:9)

WHEREUPON,

DIANA JACOBS

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes.

EXAMINATION

BY MR. KRAMER:

Q. Could you state your name, please?

A. Diana Jacobs.

Q. Ms. Jacobs, at any time during your life have you been an employee of the Alachua County Sheriff's Office?

A. Yes.

Q. For what period of time were you employed?

A. 1990 to 2021.

Q. Are you retired?

A. Yes.

Q. Are you retired from the sheriff's office?

A. Yes.

Q. Did you have any employment related to law enforcement?

A. I was in the military for a brief stint, in 1980 to 1990. Oh, and I worked for the Collier County Sheriff's Office.

Q. Okay. I'm guessing over that period of time

you held several roles with the sheriff's office. Is that true?

A. Yes.

Q. And what roles did you hold with the sheriff's office? You don't have to be chronological, but if you could tell me the last one last.

A. The last one last. Okay. I started out at the sheriff's office as a 911 dispatcher, worked my way up through the ranks and became a Telecommunicator Five, which is the most that you can get when you learn all of the positions within the sheriff's office.

I then got promoted to supervisor. Then I became a commander. Then I was transferred and went to work as the fleet manager. The fleet manager had retired, so I got put in charge of fleet.

Then I went to work as the risk manager of the sheriff's office. From there, I was promoted to bureau chief. And during my rein as bureau chief, I held a lot of different positions.

At one point I was in charge of support services: The CAD unit, fleet unit, evidence unit, property unit, like I said, building maintenance, capital projects, CAD GIS projects, and QA Specialist.

So pretty much the only area I didn't work at

the sheriff's office was the jail.

Q. So your last position at the sheriff's office, your title was?

A. Bureau chief.

Q. And at all times were you a civilian employee with the sheriff's office, or were you a sworn officer?

A. I was a civilian employee, but I was a special risk. My retirement was special risk; because being in charge of evidence, the majority of the items that we handled were biohazard in nature.

Q. Understood. So which administrations did you work for in that time period?

A. All of it?

Q. Yes. Who did you start with, and who did you finish with?

A. Henry, Oelrich, Gainey, Darnell, Wise, Watson. I think that's it.

Q. So, I guess, what I'd like to start with is -- because we've spoken briefly before this happened. Was your treatment as an employee under the Watson administration prior to retirement different than your treatment as an employee under the former administrations?

A. Oh, yes.

Q. In what way?

A. The encounters were very hostile in nature, just, you know, butting heads. We had a lot of conflict. He didn't like what I had to say a lot of times.

As I said, my responsibilities put me in daily contact with his office until Ms. Judd -- until Daniel Judd got there. So I was in his office so often that the secretaries were like, "We're just moving you out of your office and putting you in here." I mean, that's how often I was in that office.

And a lot of my responsibilities were whenever he came into term was the transition itself, and he wanted a lot of things done. And some things were possible, some things weren't. Some things were budget, some things weren't.

Q. Can you give me some examples? You said some things were possible, some things weren't. Can you give me an example of each?

A. Yes. He started what was called the Beautification Project at the sheriff's office, which he wanted signs put up all over the sheriff's office -- not just at the sheriff's office, but out at the jail, all the substations -- with his name, which is fine. You know, that's not an issue, but he --

whenever you walk into the sheriff's office, there is -- one of the biggest things or the conflicts that we had is that there's -- whenever you walk into the sheriff's office, by the records unit, there's this large wall. It's called "The Sheriffs Wall," and it has a picture of all the sheriffs on there, all the previous sheriffs from way back when.

One of the first -- one of the conflicts was the fact that he didn't want Sheriff Darnell's picture up there. So we went -- well, she is sheriff. She was a sheriff. You know, her face should be up there.

And -- but the wall itself is a large wall. It's 176 inches. And he wanted all the items moved from that wall to a wall that was 152 inches, and it just wouldn't fit. And I kept explaining to him that all the pictures would not fit within that space, and he got very upset.

I mean, I think I met with him four or five times about this and tried to give him different examples where we can put the pictures different lengths, heights, but I just -- his words, "I just want my damned wall."

I said, "I'm trying to get you your damned wall, but it's going from 172 to 152 inches. I don't have 16 other inches."

He just didn't understand, like, logistically how things worked, or he didn't like to hear them.

And we finally were able to modify the pictures, and he wanted the wall painted and repainted and repainted. I had to have my staff repaint that wall 13 times; that's how many times he wanted that wall repainted.

And there was an issue with the wall in general. It had been repaired at some point, and the drywall had been -- what's the word I'm looking for? There had been a big leak, so half the drywall had been taken out and put back in. Well, unless you do drywall over the whole wall, then whenever you paint, you're going to still see different textures. Does that make sense?

Q. Yes, ma'am.

A. He didn't understand that, and so he didn't understand why there was a difference in the textures.

I said, "Well, we can re-drywall the whole wall, but that's the only way you're not going to get that difference in the texture."

It wasn't bad; and it would have been covered with the pictures or whatever, but we had to paint the wall 13 times.

Q. And you mentioned there were things he was

requesting out of budget. What is an example of that?

A. The entire Beautification Project was all out of budget.

Q. When you say "out of the budget," do you mean it exceeded the budget that was available, or there was no budget for this?

A. There was no budget for it.

Q. Okay.

A. In fact, Patty Judd, the chief financial officer, she had to create a separate line item that was titled "The Beautification Project" because he didn't just want simple things like that one wall. He wanted new stars. He wanted his name on the side of the building.

At the time that we were in the midst of this, one of my capital projects was we were repainting the entire administration building. That was a project that I'd been working on for three or four years. And it wasn't just the admin building. It was the admin building, the fleet building, and the 911 center.

And he wanted his name on the side of the building, and he wanted his name to be larger than the words "Alachua County Sheriff's Office"; but you only have a certain amount of real estate to put different

things, and he wanted his name to be 24 inches versus the 20 inches of the Alachua County Sheriff's Office. Well, his name is very long because he wants the entirety of it spelled out, including periods, the colons, etc.

So I explained to him that if you remove the letters from the wall, which had to be done in order to move all of that up to include his name -- I know this sounds really boring. I'm sorry. But the way that the letters are put in the wall, they're sautered in with rebar. It's not a simple fix. It isn't as if it's a magnet on a refrigerator that you just have to move around. You have to take everything off and then move it up. And he was insistent that that was not the case.

I'm like, "No, that is the case. I've done this for 20 years. This is the case."

So we painted the entirety of the admin office, and then he wanted his name moved, wanted his name put in there. So we ordered the letters. I don't remember how much it cost off the top of my head.

He was insistent that he wanted a particular size star and it to look like a particular star, not just a regular sheriff's office star. So he took me

to an area of the sheriff's office and asked me to duplicate a specific 36-inch star.

So I had the draft put in and had it mapped out to 36 inches, and then he approved that design. And not only did he approve it, he -- because we had a lot of conflict where he would say that he had said something or did approve or didn't approve something; so I had gotten in the habit of asking him to initial and date what he approved, and he approved the star to be placed there.

And so we went ahead and ordered it. I believe it was $2,800 because it was a custom design; but whenever we went to move the letters, it did exactly what I said it was going to do. The concrete came off the wall, and there were holes that were bigger than my fist all throughout that area of the sheriff's office. He had a fit, and he was very upset and very agitated.

And I explained to him this is exactly what I said was going to happen. That's the reason why I didn't want to do this right now.

So I contacted a concrete mason that I work with up in High Springs. He came over on a Saturday, redid the concrete. Then came back on Sunday -- because the concrete had to cure, he came back on

Sunday and sanded the concrete.

And then I had the painting company come back. We got the letters the way that he wanted the letters after about, you know, five or six times of just trying to place them in different areas to his satisfaction.

And so, in order for us to get the letters on, we were able to mount them again, and then the painting company had to come back in. So this was an additional expense for the painting company because they had already painted the building. I mean, it was outside now of their scope of work, if that makes any sense, so it was extra.

So in order for them to protect the letters, we had to tape every single one of those letters with painter's tape so that the new paint wouldn't get on the letters.

Well, we did that to protect the letters, and he got very upset and said it was unacceptable because I had used blue painter's tape. So I had to take all the tape off.

So we went ahead and did that, and then he wanted the tape -- this was all the same day -- put back on at 5:30 after close of business in order to prep for the painters. My staff stayed until probably

6:30 or 7:00 that night to re-tape the letters with the same blue tape. And then, because they didn't want to pay for actual new letters, we had to hand paint all of the letters.

So we finally got it up. I ordered the sign, like I said, or the star. I believe it was 25, 2,600 dollars. And it finally came in, and I took it to the undersheriff, to Chief of Staff Judd, the secretaries. They all thought it looked really nice.

We went to mount the star, and he said it was not the star that he ordered.

And I said, "It's exactly the star that you ordered," and I even showed him where he had approved it.

And he said I didn't know what I was talking about. I didn't listen. He wanted a different star. He wanted a star that was identical to the one on the Hawthorne Road sign.

So I don't know where that star is now. Whenever I left, it was still sitting in my office. So we had a lot of conflicts like this.

Q. In the course of those conflicts, did he ever refer to you in any manner that was inappropriate?

A. There was a couple times. We had -- and this was whenever he first started there. Probably within

the first two or three weeks, one of his priorities was the Beautification Project. And so he took me around to different areas of the sheriff's office that he wanted, you know, improved upon.

And I guess he used to be a landscaper before he went into politics or anything like that, so he was explaining to me the trees he wanted. He wanted all the knock-out roses taken out, you know, an island put in at the memorial area.

But whenever we were first walking around the sheriff's office, I had told them that there was already a project in place to correct the directional signs on the interior of the sheriff's office. Whenever I say "directional signs," when you drive in the sheriff's office, there's little signs around the property that will say "Property area this way, deliveries this way, fleet this way."

And I explained to him that there was already a project in place, a P.O. had already been cut to replace all the directional signs; it happened before his arrival. Sheriff Darnell and Chief Huckstep had instructed me that they wanted those things replaced, touched up, you know, that kind of thing.

So the vendor contact -- and this was done -- because it takes months to get it done. So it was

done, the P.O. was cut, and then the vendor contacted us and said that they were ready for pick-up. I had contacted the chief of staff, Danielle Judd, to let her know what time they were coming to install these things.

And she called me into the suite, in the sheriff's suite, and -- well, it was her office, and the sheriff was there. Sheriff Watson was there, and he was very visibly angry and asked why I thought I had the authority to order these signs, these directional signs.

I told him that I had explained to him, yeah, this had been put in place prior to him becoming sheriff. It had been -- the P.O. was cut under the previous administration, and it had nothing to do with him. His name wasn't on any of the directional signs. Sheriff Darnell's names wasn't on any of the signs.

And again, he was visibly angry, and he stated that I disrespected him by moving forward with that.

And I said, "Well, no, sir. I didn't even know you. I was instructed by my chain at that time to place this order."

And the chief of staff, Danielle, she'd only been there for about a week and a half, and she saw

how angry he was. And she even told him, "Sheriff Watson, I've only worked with a Diana for a week, week and a half, but I can tell you she would not have done this unless somebody had told her to."

And I said, "I've got the emails that say that this was my instruction."

And he just kept reiterating that I had disrespected him by following those orders, and I kept trying to explain to him that it was prior to his time and tenure at that office.

And whenever I say he was visibly angry, he was holding onto the back of a chair so hard that whenever he left there was still fingerprints in the chair, and he was -- he was shaking. He was sweating. He was yelling. He was very angry.

Q. Did he use any language to refer to you that was inappropriate?

A. The only thing he said to me was -- he told Danielle, "Well, get up. I'm going to walk around with you, and maybe you'll know what I'm talking about because she doesn't. I can't stand to look at her right now."

And I said, "Okay."

And Danielle had just made the statement that -- she said, "I just need to run to the restroom,

and I'll be right there. Let me grab my notepad."

And he stated, "No, now."

Then he told me that he didn't want to look at me anymore. And Danielle -- as soon as he left, Danielle said, "Please, Diana, find that email that authorized this."

It took maybe five, ten minutes for me to find the email. And not only did I have written authority to make that purchase, but at that time Major Clark and Undersheriff Decoursey were in the email string. They were all carboned in the email string that said that this was going on, that that ship had sailed. The P.O. had already been cut under the previous administration. We couldn't stop production because they had already started the printing.

So that was one of my first encounters where he was really, really visibly angry.

Q. At any time has he ever used derogatory language towards you?

A. He's --

Q. Such as calling you inappropriate names?

A. Yeah, he called me a bitch.

Q. What are the circumstances that he used that language towards you?

A. We had gone to a new fuel system. One of the things that Sheriff Watson wanted done whenever he first got into office is -- our then vendor for fuel was Lewis Oil. And Sheriff Darnell, myself, and Chief Huckstep had worked for quite a long time to get Lewis Oil to be our fuel vendor because we wanted to stay local. They have a large practice, and they've always helped us out, whether they were our vendor, with like hurricanes and things like that. Even if they weren't our vendor, if we were running low on fuel, they would help us out.

Well, he was adamant upon the first week that he wanted to review the fuel contract with Lewis Oil. He stated that he didn't want the Lewis Oil contract anymore because they hung the wrong sign on their fence. They were an advocate for Sheriff Darnell. And he said that if they wanted to have the contract -- and it was a large contract -- that they should have had a different sign.

Anyway, long story short, we went to a few different fuel vendors. I believe it's Rapid Fuel, but I'm not certain. Anyway, it was a little bit more expensive than Lewis Oil, but not terribly so. It did offer us a lot of different locations within the state.

He would never use the Lewis Oil fob. He just -- he wouldn't. A fob is what they use to get fuel.

So we went through all of the contracts, etc., just elected a different fuel vendor. And we had to -- throughout the agency, we had to switch out everybody's fuel cards in order for them to work.

Well, the fuel cards work on a PIN. You know how that works. His PIN, he wanted it to be, you know, the number one for sheriff, which is fine; but because his number was so short, it required five zeros in front of it. It was 000001, and he knew that.

Well, one time he was in Alachua. It was on a Saturday, and apparently he was traveling to Tallahassee. And Danielle Judd called me on a Saturday, and she was very upset and said that the sheriff had tried to get fuel and couldn't get fuel, and he was up in Alachua, he was stranded, etc.

And I said, "Well, he must have used the wrong PIN. And I checked the PIN myself. I knew it worked. I had fueled up with it. I knew it worked.

So he had ordered her -- she was at Lowe's getting flowers or something. He ordered her to leave the flowers, get on the phone with me and figure out

what was going on with his gas.

And she was talking to him on her personal cell phone and called me on the agency cell phone, and so I could hear what he was saying to her on the phone. And he was -- he was yelling at her. He was obviously very agitated. And he said that he didn't put the wrong PIN in, and this went back and forth.

He told me to go to the sheriff's office and -- you know, which is a drive for me. I live north of Lacrosse, so I knew he was going to be waiting for at least 35 minutes. So I told him to use my PIN to at least get gas to be able to go to Tallahassee.

He made the statement that I heard on the phone, "I don't want to use her damned PIN. You tell that bitch to fix my PIN."

And it turned out to be exactly what I thought it was, is he had put in the wrong PIN number. He had done one less zero, and it wound up canceling out the system. After you hit the error code so many times, it just won't work.

So he called me a bitch then that I heard him on the phone.

Q. While you're looking at that, was there ever any irregularities in the amount of fuel that the

sheriff was using that you were aware of?

A. Only one time. One of the things that I did, being in charge of fleet, and I've done as long as I was in charge of fleet is, I always kept records every quarter of how much -- we actually run reports on how much mileage is being used by all the agency vehicles, the average miles per gallon. That's how we budget for fuel.

And so we have had occurrences in the past where the numbers did not add up for an employee's fuel. Their miles per gallon was significantly less than the average, you know, 19 miles per gallon average, or whatever, based on their speed. So we kept track of their odometers, how much they got gas, how much, you know, they were traveling, they're average speed, blah, blah, blah.

And whenever we went to the new fuel company, and we had a new fleet software, I ran a report. And his number -- his gas mileage was lower than an average by a significant amount. Well, it was a brand new vehicle, and so I wanted to make sure there was nothing wrong with the vehicle.

So I contacted the secretary, which was Tara Malone, and asked her to bring the vehicle over to fleet so that we could take a look because the mileage

wasn't adding up. I think it showed he was getting like five to seven miles per gallon, which was a lot lower than the average vehicles.

So he did, and to my knowledge that's the only thing that I'm aware of.

Q. Would the miles per gallon -- were you able to determine that all of the fuel that he had purchased went into the vehicle? So those miles per gallon, if that fuel had been put into a separate container or put into a vehicle --

A. It wouldn't have shown.

Q. It wouldn't show that, but it would have caused the overall miles per gallon to be shown as lower?

A. Yes. And that's one of the reasons why we ran the report; not for him specifically, but we have had, especially during recessions and stuff like that, where, you know, deputies unfortunately have filled up their wife's vehicle, and they ended up getting like seven miles to the gallon.

That's one of the reasons why I run the report, is to make sure that it's fiscally responsible.

BY INSPECTOR RIDDICK:

Q. And is that only that one time?

A. In my experience, yes.
BY MR. KRAMER:
Q. And were you involved in a meeting with Scott Shelpman and Michelle Clement and yourself and some other members of the administration to inform Scott's staff that no one was to access the sheriff's vehicle?
A. Uh-huh.
Q. Can you explain what happened there?
A. Yes. The sheriff was very particular about his vehicle, and it took us a long time to get those vehicles. And apparently, the radio within the sheriff's vehicle -- I'm trying to remember this exactly.

The radio within the sheriff's vehicle needed to have an upgrade done. And so, rather than ask the sheriff to take his vehicle over to get it done, I believe it was Shelpman and fleet had contacted the secretary and verified if the sheriff was going to be going anywhere so that they could have 15 to 20 minutes.
Q. We actually -- because we're running out of time, I kind of need to finish up. Was there -- so we're aware of what the content of the meeting was.

In your mind, was that an unusual action on the part of the sheriff based on your history and

experience with other sheriffs?

A. Yes. He made the statement that he believed that we may have altered his vehicle in some way. And then he went to our fleet department and retrieved all of his agency keys, which is very unusual because we always keep a spare vehicle key.

Q. And also, was there anything unusual about the type of vehicle that was purchased for the sheriff?

A. Yes, he purchased High Country vehicles.

Q. Is that not within the normal operating procedures of the sheriff's office?

A. No, it is not.

Q. Why is it not?

A. It's a very expensive vehicle, and he was -- he and the undersheriff were very specific about the type of vehicles that they wanted. They wanted all-black Tahoes with black interiors, and they wanted High Countries. Well, that in itself is a limited vehicle, but he wanted them to have no sunroofs, which are all-custom vehicles. So it took us a long time to get the vehicle.

They're expensive vehicles. They're several thousand dollars more than what we would normally pay for a Tahoe; I couldn't tell you the exact difference.

But upon arrival of the vehicle -- we pretty much got the only two in the state -- he had us remove the words "High Country" off of it because he stated that he didn't want the citizens to think that he was not being frugally responsible, or fiscally responsible, and didn't want them to know that they were High Country vehicles.

Q. Was there ever a time when the sheriff directed that the uniforms that the deputies wear be altered to remove the word "sheriff"?

A. Yes.

Q. Were you involved in that?

A. Yes, it was my department.

Q. And did that occur?

A. Yes.

Q. Can you explain what happened?

A. We had ordered all new uniforms for the sheriff's office; they were covers, and whenever we ordered them they had the words "Alachua County Sheriff's Office," or "Deputy Sheriff," I believe it said. That's the way that we ordered them.

So whenever they started arriving, he didn't like the fact that they had the word "sheriff" on them. And he stated that he was the only sheriff, and he wanted them sent back and the word "sheriff"

removed.

Q. Did that occur?

A. Yes.

Q. And did that cause additional expense?

A. I believe so, but I'm not 100 percent certain on that. You would have to check with actual A and B on that, fiscal, because we may have worked out something with the uniform company like if you do this, we'll be able to modify this.

I don't remember off the top of my head if it cost us more money. It cost us a lot more time because we had to re-issue all the uniforms, but he did not want anyone else to have the word "sheriff" on their uniform.

Q. Was that true with vehicles also, or was that only with the uniforms?

A. Uniforms.

BY INSPECTOR RIDDICK:

Q. Let's go back to the Beautification Project. You said that he came in, he created this project, and it was out of budget. It had not been budgeted, so you had to create a line item for this.

Where did the money -- usually when you do that, you've got to get the money from some other line item budget. Where did the money come from to do what

he did?

A. I don't know. I was just told that, I believe it was, either 50 or 75,000 dollars that had been put into that account.

During the whole Beautification Project, whenever I say he wanted his name on his everything, he and I had a conflict because he wanted his name on the courthouse. I told him, "You can't have it on the courthouse. It's not your building. You can have it like where the civil department is or our particular bailiff areas for the criminal courthouse and the civil courthouse," but he was insistent he wanted it on the actual courthouses. And so we had a disagreement about that.

The retiree wall was a whole different project.

Q. Did they use the whole 75,00 as far as you know --

A. No. No, at least not whenever I was still there.

Q. Do you recall how much of it was used?

A. No, not off the top of my head because shortly after the whole -- where he was walking me around, he wanted these plants puts in, and I had to figure out different landscaping, I called different

landscapers and all of that. An OIC came out shortly thereafter that said to immediately cease and desist the Beautification Project.

And I'm like, okay, that was fine with me, but it was -- it was opposite of what he had just instructed me to do, actually, within the same day.

Q. Okay.

A. The only thing -- I know that I'm running short with you, but I'll make this quick. Within his first week of office he asked me to hire a company to go in and search for listening devices at the administration building. Then it came back with a negative report, and he did not trust that report and then hired a different company to come in and specifically look for listening devices.

Q. Do you recall the cost associated with those companies?

A. No.

Q. Would those be invoices that would have been invoiced to the sheriff's office?

A. The first company was DKI, and Jonathan is the owner. I had a relationship. They had done a lot of work for us. I was able to call him and say, "Hey, this is what we're doing."

I don't remember who the second company was.

MR. KRAMER: All right. Thank you so much. We appreciate your time.

(The statement concluded at 10:15 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that DIANA JACOBS, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named DIANA JACOBS, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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you held several roles with the sheriff's office. Is that true?

A. Yes.

Q. And what roles did you hold with the sheriff's office? You don't have to be chronological, but if you could tell me the last one last.

A. The last one last. Okay. I started out at the sheriff's office as a 911 dispatcher, worked my way up through the ranks and became a Telecommunicator Five, which is the most that you can get when you learn all of the positions within the sheriff's office.

I then got promoted to supervisor. Then I became a commander. Then I was transferred and went to work as the fleet manager. The fleet manager had retired, so I got put in charge of fleet.

Then I went to work as the risk manager of the sheriff's office. From there, I was promoted to bureau chief. And during my rein as bureau chief, I held a lot of different positions.

At one point I was in charge of support services: The CAD unit, fleet unit, evidence unit, property unit, like I said, building maintenance, capital projects, CAD GIS projects, and QA Specialist.

So pretty much the only area I didn't work at

the sheriff's office was the jail.

Q. So your last position at the sheriff's office, your title was?

A. Bureau chief.

Q. And at all times were you a civilian employee with the sheriff's office, or were you a sworn officer?

A. I was a civilian employee, but I was a special risk. My retirement was special risk; because being in charge of evidence, the majority of the items that we handled were biohazard in nature.

Q. Understood. So which administrations did you work for in that time period?

A. All of it?

Q. Yes. Who did you start with, and who did you finish with?

A. Henry, Oelrich, Gainey, Darnell, Wise, Watson. I think that's it.

Q. So, I guess, what I'd like to start with is -- because we've spoken briefly before this happened. Was your treatment as an employee under the Watson administration prior to retirement different than your treatment as an employee under the former administrations?

A. Oh, yes.

Q. In what way?

A. The encounters were very hostile in nature, just, you know, butting heads. We had a lot of conflict. He didn't like what I had to say a lot of times.

As I said, my responsibilities put me in daily contact with his office until Ms. Judd -- until Daniel Judd got there. So I was in his office so often that the secretaries were like, "We're just moving you out of your office and putting you in here." I mean, that's how often I was in that office.

And a lot of my responsibilities were whenever he came into term was the transition itself, and he wanted a lot of things done. And some things were possible, some things weren't. Some things were budget, some things weren't.

Q. Can you give me some examples? You said some things were possible, some things weren't. Can you give me an example of each?

A. Yes. He started what was called the Beautification Project at the sheriff's office, which he wanted signs put up all over the sheriff's office -- not just at the sheriff's office, but out at the jail, all the substations -- with his name, which is fine. You know, that's not an issue, but he --

whenever you walk into the sheriff's office, there is -- one of the biggest things or the conflicts that we had is that there's -- whenever you walk into the sheriff's office, by the records unit, there's this large wall. It's called "The Sheriffs Wall," and it has a picture of all the sheriffs on there, all the previous sheriffs from way back when.

One of the first -- one of the conflicts was the fact that he didn't want Sheriff Darnell's picture up there. So we went -- well, she is sheriff. She was a sheriff. You know, her face should be up there.

And -- but the wall itself is a large wall. It's 176 inches. And he wanted all the items moved from that wall to a wall that was 152 inches, and it just wouldn't fit. And I kept explaining to him that all the pictures would not fit within that space, and he got very upset.

I mean, I think I met with him four or five times about this and tried to give him different examples where we can put the pictures different lengths, heights, but I just -- his words, "I just want my damned wall."

I said, "I'm trying to get you your damned wall, but it's going from 172 to 152 inches. I don't have 16 other inches."

He just didn't understand, like, logistically how things worked, or he didn't like to hear them.

And we finally were able to modify the pictures, and he wanted the wall painted and repainted and repainted. I had to have my staff repaint that wall 13 times; that's how many times he wanted that wall repainted.

And there was an issue with the wall in general. It had been repaired at some point, and the drywall had been -- what's the word I'm looking for? There had been a big leak, so half the drywall had been taken out and put back in. Well, unless you do drywall over the whole wall, then whenever you paint, you're going to still see different textures. Does that make sense?

Q. Yes, ma'am.

A. He didn't understand that, and so he didn't understand why there was a difference in the textures.

I said, "Well, we can re-drywall the whole wall, but that's the only way you're not going to get that difference in the texture."

It wasn't bad; and it would have been covered with the pictures or whatever, but we had to paint the wall 13 times.

Q. And you mentioned there were things he was

requesting out of budget. What is an example of that?

A. The entire Beautification Project was all out of budget.

Q. When you say "out of the budget," do you mean it exceeded the budget that was available, or there was no budget for this?

A. There was no budget for it.

Q. Okay.

A. In fact, Patty Judd, the chief financial officer, she had to create a separate line item that was titled "The Beautification Project" because he didn't just want simple things like that one wall. He wanted new stars. He wanted his name on the side of the building.

At the time that we were in the midst of this, one of my capital projects was we were repainting the entire administration building. That was a project that I'd been working on for three or four years. And it wasn't just the admin building. It was the admin building, the fleet building, and the 911 center.

And he wanted his name on the side of the building, and he wanted his name to be larger than the words "Alachua County Sheriff's Office"; but you only have a certain amount of real estate to put different

things, and he wanted his name to be 24 inches versus the 20 inches of the Alachua County Sheriff's Office. Well, his name is very long because he wants the entirety of it spelled out, including periods, the colons, etc.

So I explained to him that if you remove the letters from the wall, which had to be done in order to move all of that up to include his name -- I know this sounds really boring. I'm sorry. But the way that the letters are put in the wall, they're sautered in with rebar. It's not a simple fix. It isn't as if it's a magnet on a refrigerator that you just have to move around. You have to take everything off and then move it up. And he was insistent that that was not the case.

I'm like, "No, that is the case. I've done this for 20 years. This is the case."

So we painted the entirety of the admin office, and then he wanted his name moved, wanted his name put in there. So we ordered the letters. I don't remember how much it cost off the top of my head.

He was insistent that he wanted a particular size star and it to look like a particular star, not just a regular sheriff's office star. So he took me

to an area of the sheriff's office and asked me to duplicate a specific 36-inch star.

So I had the draft put in and had it mapped out to 36 inches, and then he approved that design. And not only did he approve it, he -- because we had a lot of conflict where he would say that he had said something or did approve or didn't approve something; so I had gotten in the habit of asking him to initial and date what he approved, and he approved the star to be placed there.

And so we went ahead and ordered it. I believe it was $2,800 because it was a custom design; but whenever we went to move the letters, it did exactly what I said it was going to do. The concrete came off the wall, and there were holes that were bigger than my fist all throughout that area of the sheriff's office. He had a fit, and he was very upset and very agitated.

And I explained to him this is exactly what I said was going to happen. That's the reason why I didn't want to do this right now.

So I contacted a concrete mason that I work with up in High Springs. He came over on a Saturday, redid the concrete. Then came back on Sunday -- because the concrete had to cure, he came back on

Sunday and sanded the concrete.

And then I had the painting company come back. We got the letters the way that he wanted the letters after about, you know, five or six times of just trying to place them in different areas to his satisfaction.

And so, in order for us to get the letters on, we were able to mount them again, and then the painting company had to come back in. So this was an additional expense for the painting company because they had already painted the building. I mean, it was outside now of their scope of work, if that makes any sense, so it was extra.

So in order for them to protect the letters, we had to tape every single one of those letters with painter's tape so that the new paint wouldn't get on the letters.

Well, we did that to protect the letters, and he got very upset and said it was unacceptable because I had used blue painter's tape. So I had to take all the tape off.

So we went ahead and did that, and then he wanted the tape -- this was all the same day -- put back on at 5:30 after close of business in order to prep for the painters. My staff stayed until probably

6:30 or 7:00 that night to re-tape the letters with the same blue tape. And then, because they didn't want to pay for actual new letters, we had to hand paint all of the letters.

So we finally got it up. I ordered the sign, like I said, or the star. I believe it was 25, 2,600 dollars. And it finally came in, and I took it to the undersheriff, to Chief of Staff Judd, the secretaries. They all thought it looked really nice.

We went to mount the star, and he said it was not the star that he ordered.

And I said, "It's exactly the star that you ordered," and I even showed him where he had approved it.

And he said I didn't know what I was talking about. I didn't listen. He wanted a different star. He wanted a star that was identical to the one on the Hawthorne Road sign.

So I don't know where that star is now. Whenever I left, it was still sitting in my office. So we had a lot of conflicts like this.

Q. In the course of those conflicts, did he ever refer to you in any manner that was inappropriate?

A. There was a couple times. We had -- and this was whenever he first started there. Probably within

the first two or three weeks, one of his priorities was the Beautification Project. And so he took me around to different areas of the sheriff's office that he wanted, you know, improved upon.

And I guess he used to be a landscaper before he went into politics or anything like that, so he was explaining to me the trees he wanted. He wanted all the knock-out roses taken out, you know, an island put in at the memorial area.

But whenever we were first walking around the sheriff's office, I had told them that there was already a project in place to correct the directional signs on the interior of the sheriff's office. Whenever I say "directional signs," when you drive in the sheriff's office, there's little signs around the property that will say "Property area this way, deliveries this way, fleet this way."

And I explained to him that there was already a project in place, a P.O. had already been cut to replace all the directional signs; it happened before his arrival. Sheriff Darnell and Chief Huckstep had instructed me that they wanted those things replaced, touched up, you know, that kind of thing.

So the vendor contact -- and this was done -- because it takes months to get it done. So it was

done, the P.O. was cut, and then the vendor contacted us and said that they were ready for pick-up. I had contacted the chief of staff, Danielle Judd, to let her know what time they were coming to install these things.

And she called me into the suite, in the sheriff's suite, and -- well, it was her office, and the sheriff was there. Sheriff Watson was there, and he was very visibly angry and asked why I thought I had the authority to order these signs, these directional signs.

I told him that I had explained to him, yeah, this had been put in place prior to him becoming sheriff. It had been -- the P.O. was cut under the previous administration, and it had nothing to do with him. His name wasn't on any of the directional signs. Sheriff Darnell's names wasn't on any of the signs.

And again, he was visibly angry, and he stated that I disrespected him by moving forward with that.

And I said, "Well, no, sir. I didn't even know you. I was instructed by my chain at that time to place this order."

And the chief of staff, Danielle, she'd only been there for about a week and a half, and she saw

how angry he was. And she even told him, "Sheriff Watson, I've only worked with a Diana for a week, week and a half, but I can tell you she would not have done this unless somebody had told her to."

And I said, "I've got the emails that say that this was my instruction."

And he just kept reiterating that I had disrespected him by following those orders, and I kept trying to explain to him that it was prior to his time and tenure at that office.

And whenever I say he was visibly angry, he was holding onto the back of a chair so hard that whenever he left there was still fingerprints in the chair, and he was -- he was shaking. He was sweating. He was yelling. He was very angry.

Q. Did he use any language to refer to you that was inappropriate?

A. The only thing he said to me was -- he told Danielle, "Well, get up. I'm going to walk around with you, and maybe you'll know what I'm talking about because she doesn't. I can't stand to look at her right now."

And I said, "Okay."

And Danielle had just made the statement that -- she said, "I just need to run to the restroom,

and I'll be right there. Let me grab my notepad."

And he stated, "No, now."

Then he told me that he didn't want to look at me anymore. And Danielle -- as soon as he left, Danielle said, "Please, Diana, find that email that authorized this."

It took maybe five, ten minutes for me to find the email. And not only did I have written authority to make that purchase, but at that time Major Clark and Undersheriff Decoursey were in the email string. They were all carboned in the email string that said that this was going on, that that ship had sailed. The P.O. had already been cut under the previous administration. We couldn't stop production because they had already started the printing.

So that was one of my first encounters where he was really, really visibly angry.

Q. At any time has he ever used derogatory language towards you?

A. He's --

Q. Such as calling you inappropriate names?

A. Yeah, he called me a bitch.

Q. What are the circumstances that he used that language towards you?

A. We had gone to a new fuel system. One of the things that Sheriff Watson wanted done whenever he first got into office is -- our then vendor for fuel was Lewis Oil. And Sheriff Darnell, myself, and Chief Huckstep had worked for quite a long time to get Lewis Oil to be our fuel vendor because we wanted to stay local. They have a large practice, and they've always helped us out, whether they were our vendor, with like hurricanes and things like that. Even if they weren't our vendor, if we were running low on fuel, they would help us out.

Well, he was adamant upon the first week that he wanted to review the fuel contract with Lewis Oil. He stated that he didn't want the Lewis Oil contract anymore because they hung the wrong sign on their fence. They were an advocate for Sheriff Darnell. And he said that if they wanted to have the contract -- and it was a large contract -- that they should have had a different sign.

Anyway, long story short, we went to a few different fuel vendors. I believe it's Rapid Fuel, but I'm not certain. Anyway, it was a little bit more expensive than Lewis Oil, but not terribly so. It did offer us a lot of different locations within the state.

He would never use the Lewis Oil fob. He just -- he wouldn't. A fob is what they use to get fuel.

So we went through all of the contracts, etc., just elected a different fuel vendor. And we had to -- throughout the agency, we had to switch out everybody's fuel cards in order for them to work.

Well, the fuel cards work on a PIN. You know how that works. His PIN, he wanted it to be, you know, the number one for sheriff, which is fine; but because his number was so short, it required five zeros in front of it. It was 000001, and he knew that.

Well, one time he was in Alachua. It was on a Saturday, and apparently he was traveling to Tallahassee. And Danielle Judd called me on a Saturday, and she was very upset and said that the sheriff had tried to get fuel and couldn't get fuel, and he was up in Alachua, he was stranded, etc.

And I said, "Well, he must have used the wrong PIN. And I checked the PIN myself. I knew it worked. I had fueled up with it. I knew it worked.

So he had ordered her -- she was at Lowe's getting flowers or something. He ordered her to leave the flowers, get on the phone with me and figure out

what was going on with his gas.

And she was talking to him on her personal cell phone and called me on the agency cell phone, and so I could hear what he was saying to her on the phone. And he was -- he was yelling at her. He was obviously very agitated. And he said that he didn't put the wrong PIN in, and this went back and forth.

He told me to go to the sheriff's office and -- you know, which is a drive for me. I live north of Lacrosse, so I knew he was going to be waiting for at least 35 minutes. So I told him to use my PIN to at least get gas to be able to go to Tallahassee.

He made the statement that I heard on the phone, "I don't want to use her damned PIN. You tell that bitch to fix my PIN."

And it turned out to be exactly what I thought it was, is he had put in the wrong PIN number. He had done one less zero, and it wound up canceling out the system. After you hit the error code so many times, it just won't work.

So he called me a bitch then that I heard him on the phone.

Q. While you're looking at that, was there ever any irregularities in the amount of fuel that the

sheriff was using that you were aware of?

A. Only one time. One of the things that I did, being in charge of fleet, and I've done as long as I was in charge of fleet is, I always kept records every quarter of how much -- we actually run reports on how much mileage is being used by all the agency vehicles, the average miles per gallon. That's how we budget for fuel.

And so we have had occurrences in the past where the numbers did not add up for an employee's fuel. Their miles per gallon was significantly less than the average, you know, 19 miles per gallon average, or whatever, based on their speed. So we kept track of their odometers, how much they got gas, how much, you know, they were traveling, they're average speed, blah, blah, blah.

And whenever we went to the new fuel company, and we had a new fleet software, I ran a report. And his number -- his gas mileage was lower than an average by a significant amount. Well, it was a brand new vehicle, and so I wanted to make sure there was nothing wrong with the vehicle.

So I contacted the secretary, which was Tara Malone, and asked her to bring the vehicle over to fleet so that we could take a look because the mileage

wasn't adding up. I think it showed he was getting like five to seven miles per gallon, which was a lot lower than the average vehicles.

So he did, and to my knowledge that's the only thing that I'm aware of.

Q. Would the miles per gallon -- were you able to determine that all of the fuel that he had purchased went into the vehicle? So those miles per gallon, if that fuel had been put into a separate container or put into a vehicle --

A. It wouldn't have shown.

Q. It wouldn't show that, but it would have caused the overall miles per gallon to be shown as lower?

A. Yes. And that's one of the reasons why we ran the report; not for him specifically, but we have had, especially during recessions and stuff like that, where, you know, deputies unfortunately have filled up their wife's vehicle, and they ended up getting like seven miles to the gallon.

That's one of the reasons why I run the report, is to make sure that it's fiscally responsible.

BY INSPECTOR RIDDICK:

Q. And is that only that one time?

A. In my experience, yes.
BY MR. KRAMER:
Q. And were you involved in a meeting with Scott Shelpman and Michelle Clement and yourself and some other members of the administration to inform Scott's staff that no one was to access the sheriff's vehicle?
A. Uh-huh.
Q. Can you explain what happened there?
A. Yes. The sheriff was very particular about his vehicle, and it took us a long time to get those vehicles. And apparently, the radio within the sheriff's vehicle -- I'm trying to remember this exactly.

The radio within the sheriff's vehicle needed to have an upgrade done. And so, rather than ask the sheriff to take his vehicle over to get it done, I believe it was Shelpman and fleet had contacted the secretary and verified if the sheriff was going to be going anywhere so that they could have 15 to 20 minutes.
Q. We actually -- because we're running out of time, I kind of need to finish up. Was there -- so we're aware of what the content of the meeting was.

In your mind, was that an unusual action on the part of the sheriff based on your history and

experience with other sheriffs?

A. Yes. He made the statement that he believed that we may have altered his vehicle in some way. And then he went to our fleet department and retrieved all of his agency keys, which is very unusual because we always keep a spare vehicle key.

Q. And also, was there anything unusual about the type of vehicle that was purchased for the sheriff?

A. Yes, he purchased High Country vehicles.

Q. Is that not within the normal operating procedures of the sheriff's office?

A. No, it is not.

Q. Why is it not?

A. It's a very expensive vehicle, and he was -- he and the undersheriff were very specific about the type of vehicles that they wanted. They wanted all-black Tahoes with black interiors, and they wanted High Countries. Well, that in itself is a limited vehicle, but he wanted them to have no sunroofs, which are all-custom vehicles. So it took us a long time to get the vehicle.

They're expensive vehicles. They're several thousand dollars more than what we would normally pay for a Tahoe; I couldn't tell you the exact difference.

But upon arrival of the vehicle -- we pretty much got the only two in the state -- he had us remove the words "High Country" off of it because he stated that he didn't want the citizens to think that he was not being frugally responsible, or fiscally responsible, and didn't want them to know that they were High Country vehicles.

Q. Was there ever a time when the sheriff directed that the uniforms that the deputies wear be altered to remove the word "sheriff"?

A. Yes.

Q. Were you involved in that?

A. Yes, it was my department.

Q. And did that occur?

A. Yes.

Q. Can you explain what happened?

A. We had ordered all new uniforms for the sheriff's office; they were covers, and whenever we ordered them they had the words "Alachua County Sheriff's Office," or "Deputy Sheriff," I believe it said. That's the way that we ordered them.

So whenever they started arriving, he didn't like the fact that they had the word "sheriff" on them. And he stated that he was the only sheriff, and he wanted them sent back and the word "sheriff"

removed.

Q. Did that occur?

A. Yes.

Q. And did that cause additional expense?

A. I believe so, but I'm not 100 percent certain on that. You would have to check with actual A and B on that, fiscal, because we may have worked out something with the uniform company like if you do this, we'll be able to modify this.

I don't remember off the top of my head if it cost us more money. It cost us a lot more time because we had to re-issue all the uniforms, but he did not want anyone else to have the word "sheriff" on their uniform.

Q. Was that true with vehicles also, or was that only with the uniforms?

A. Uniforms.

BY INSPECTOR RIDDICK:

Q. Let's go back to the Beautification Project. You said that he came in, he created this project, and it was out of budget. It had not been budgeted, so you had to create a line item for this.

Where did the money -- usually when you do that, you've got to get the money from some other line item budget. Where did the money come from to do what

he did?

A. I don't know. I was just told that, I believe it was, either 50 or 75,000 dollars that had been put into that account.

During the whole Beautification Project, whenever I say he wanted his name on his everything, he and I had a conflict because he wanted his name on the courthouse. I told him, "You can't have it on the courthouse. It's not your building. You can have it like where the civil department is or our particular bailiff areas for the criminal courthouse and the civil courthouse," but he was insistent he wanted it on the actual courthouses. And so we had a disagreement about that.

The retiree wall was a whole different project.

Q. Did they use the whole 75,00 as far as you know --

A. No. No, at least not whenever I was still there.

Q. Do you recall how much of it was used?

A. No, not off the top of my head because shortly after the whole -- where he was walking me around, he wanted these plants puts in, and I had to figure out different landscaping, I called different

landscapers and all of that. An OIC came out shortly thereafter that said to immediately cease and desist the Beautification Project.

And I'm like, okay, that was fine with me, but it was -- it was opposite of what he had just instructed me to do, actually, within the same day.

Q. Okay.

A. The only thing -- I know that I'm running short with you, but I'll make this quick. Within his first week of office he asked me to hire a company to go in and search for listening devices at the administration building. Then it came back with a negative report, and he did not trust that report and then hired a different company to come in and specifically look for listening devices.

Q. Do you recall the cost associated with those companies?

A. No.

Q. Would those be invoices that would have been invoiced to the sheriff's office?

A. The first company was DKI, and Jonathan is the owner. I had a relationship. They had done a lot of work for us. I was able to call him and say, "Hey, this is what we're doing."

I don't remember who the second company was.

MR. KRAMER: All right. Thank you so much. We appreciate your time.

(The statement concluded at 10:15 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that DIANA JACOBS, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named DIANA JACOBS, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

HAPPEN (11:20)
HAPPENED (5:21)(14:20)(23:8)(25:16)
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the sheriff's office was the jail.

Q. So your last position at the sheriff's office, your title was?

A. Bureau chief.

Q. And at all times were you a civilian employee with the sheriff's office, or were you a sworn officer?

A. I was a civilian employee, but I was a special risk. My retirement was special risk; because being in charge of evidence, the majority of the items that we handled were biohazard in nature.

Q. Understood. So which administrations did you work for in that time period?

A. All of it?

Q. Yes. Who did you start with, and who did you finish with?

A. Henry, Oelrich, Gainey, Darnell, Wise, Watson. I think that's it.

Q. So, I guess, what I'd like to start with is -- because we've spoken briefly before this happened. Was your treatment as an employee under the Watson administration prior to retirement different than your treatment as an employee under the former administrations?

A. Oh, yes.

Q. In what way?

A. The encounters were very hostile in nature, just, you know, butting heads. We had a lot of conflict. He didn't like what I had to say a lot of times.

As I said, my responsibilities put me in daily contact with his office until Ms. Judd -- until Daniel Judd got there. So I was in his office so often that the secretaries were like, "We're just moving you out of your office and putting you in here." I mean, that's how often I was in that office.

And a lot of my responsibilities were whenever he came into term was the transition itself, and he wanted a lot of things done. And some things were possible, some things weren't. Some things were budget, some things weren't.

Q. Can you give me some examples? You said some things were possible, some things weren't. Can you give me an example of each?

A. Yes. He started what was called the Beautification Project at the sheriff's office, which he wanted signs put up all over the sheriff's office -- not just at the sheriff's office, but out at the jail, all the substations -- with his name, which is fine. You know, that's not an issue, but he --

whenever you walk into the sheriff's office, there is -- one of the biggest things or the conflicts that we had is that there's -- whenever you walk into the sheriff's office, by the records unit, there's this large wall. It's called "The Sheriffs Wall," and it has a picture of all the sheriffs on there, all the previous sheriffs from way back when.

One of the first -- one of the conflicts was the fact that he didn't want Sheriff Darnell's picture up there. So we went -- well, she is sheriff. She was a sheriff. You know, her face should be up there.

And -- but the wall itself is a large wall. It's 176 inches. And he wanted all the items moved from that wall to a wall that was 152 inches, and it just wouldn't fit. And I kept explaining to him that all the pictures would not fit within that space, and he got very upset.

I mean, I think I met with him four or five times about this and tried to give him different examples where we can put the pictures different lengths, heights, but I just -- his words, "I just want my damned wall."

I said, "I'm trying to get you your damned wall, but it's going from 172 to 152 inches. I don't have 16 other inches."

He just didn't understand, like, logistically how things worked, or he didn't like to hear them.

And we finally were able to modify the pictures, and he wanted the wall painted and repainted and repainted. I had to have my staff repaint that wall 13 times; that's how many times he wanted that wall repainted.

And there was an issue with the wall in general. It had been repaired at some point, and the drywall had been -- what's the word I'm looking for? There had been a big leak, so half the drywall had been taken out and put back in. Well, unless you do drywall over the whole wall, then whenever you paint, you're going to still see different textures. Does that make sense?

Q. Yes, ma'am.

A. He didn't understand that, and so he didn't understand why there was a difference in the textures.

I said, "Well, we can re-drywall the whole wall, but that's the only way you're not going to get that difference in the texture."

It wasn't bad; and it would have been covered with the pictures or whatever, but we had to paint the wall 13 times.

Q. And you mentioned there were things he was

requesting out of budget. What is an example of that?

A. The entire Beautification Project was all out of budget.

Q. When you say "out of the budget," do you mean it exceeded the budget that was available, or there was no budget for this?

A. There was no budget for it.

Q. Okay.

A. In fact, Patty Judd, the chief financial officer, she had to create a separate line item that was titled "The Beautification Project" because he didn't just want simple things like that one wall. He wanted new stars. He wanted his name on the side of the building.

At the time that we were in the midst of this, one of my capital projects was we were repainting the entire administration building. That was a project that I'd been working on for three or four years. And it wasn't just the admin building. It was the admin building, the fleet building, and the 911 center.

And he wanted his name on the side of the building, and he wanted his name to be larger than the words "Alachua County Sheriff's Office"; but you only have a certain amount of real estate to put different

things, and he wanted his name to be 24 inches versus the 20 inches of the Alachua County Sheriff's Office. Well, his name is very long because he wants the entirety of it spelled out, including periods, the colons, etc.

So I explained to him that if you remove the letters from the wall, which had to be done in order to move all of that up to include his name -- I know this sounds really boring. I'm sorry. But the way that the letters are put in the wall, they're sautered in with rebar. It's not a simple fix. It isn't as if it's a magnet on a refrigerator that you just have to move around. You have to take everything off and then move it up. And he was insistent that that was not the case.

I'm like, "No, that is the case. I've done this for 20 years. This is the case."

So we painted the entirety of the admin office, and then he wanted his name moved, wanted his name put in there. So we ordered the letters. I don't remember how much it cost off the top of my head.

He was insistent that he wanted a particular size star and it to look like a particular star, not just a regular sheriff's office star. So he took me

to an area of the sheriff's office and asked me to duplicate a specific 36-inch star.

So I had the draft put in and had it mapped out to 36 inches, and then he approved that design. And not only did he approve it, he -- because we had a lot of conflict where he would say that he had said something or did approve or didn't approve something; so I had gotten in the habit of asking him to initial and date what he approved, and he approved the star to be placed there.

And so we went ahead and ordered it. I believe it was $2,800 because it was a custom design; but whenever we went to move the letters, it did exactly what I said it was going to do. The concrete came off the wall, and there were holes that were bigger than my fist all throughout that area of the sheriff's office. He had a fit, and he was very upset and very agitated.

And I explained to him this is exactly what I said was going to happen. That's the reason why I didn't want to do this right now.

So I contacted a concrete mason that I work with up in High Springs. He came over on a Saturday, redid the concrete. Then came back on Sunday -- because the concrete had to cure, he came back on

Sunday and sanded the concrete.

And then I had the painting company come back. We got the letters the way that he wanted the letters after about, you know, five or six times of just trying to place them in different areas to his satisfaction.

And so, in order for us to get the letters on, we were able to mount them again, and then the painting company had to come back in. So this was an additional expense for the painting company because they had already painted the building. I mean, it was outside now of their scope of work, if that makes any sense, so it was extra.

So in order for them to protect the letters, we had to tape every single one of those letters with painter's tape so that the new paint wouldn't get on the letters.

Well, we did that to protect the letters, and he got very upset and said it was unacceptable because I had used blue painter's tape. So I had to take all the tape off.

So we went ahead and did that, and then he wanted the tape -- this was all the same day -- put back on at 5:30 after close of business in order to prep for the painters. My staff stayed until probably

6:30 or 7:00 that night to re-tape the letters with the same blue tape. And then, because they didn't want to pay for actual new letters, we had to hand paint all of the letters.

So we finally got it up. I ordered the sign, like I said, or the star. I believe it was 25, 2,600 dollars. And it finally came in, and I took it to the undersheriff, to Chief of Staff Judd, the secretaries. They all thought it looked really nice.

We went to mount the star, and he said it was not the star that he ordered.

And I said, "It's exactly the star that you ordered," and I even showed him where he had approved it.

And he said I didn't know what I was talking about. I didn't listen. He wanted a different star. He wanted a star that was identical to the one on the Hawthorne Road sign.

So I don't know where that star is now. Whenever I left, it was still sitting in my office. So we had a lot of conflicts like this.

Q. In the course of those conflicts, did he ever refer to you in any manner that was inappropriate?

A. There was a couple times. We had -- and this was whenever he first started there. Probably within

the first two or three weeks, one of his priorities was the Beautification Project. And so he took me around to different areas of the sheriff's office that he wanted, you know, improved upon.

And I guess he used to be a landscaper before he went into politics or anything like that, so he was explaining to me the trees he wanted. He wanted all the knock-out roses taken out, you know, an island put in at the memorial area.

But whenever we were first walking around the sheriff's office, I had told them that there was already a project in place to correct the directional signs on the interior of the sheriff's office. Whenever I say "directional signs," when you drive in the sheriff's office, there's little signs around the property that will say "Property area this way, deliveries this way, fleet this way."

And I explained to him that there was already a project in place, a P.O. had already been cut to replace all the directional signs; it happened before his arrival. Sheriff Darnell and Chief Huckstep had instructed me that they wanted those things replaced, touched up, you know, that kind of thing.

So the vendor contact -- and this was done -- because it takes months to get it done. So it was

done, the P.O. was cut, and then the vendor contacted us and said that they were ready for pick-up. I had contacted the chief of staff, Danielle Judd, to let her know what time they were coming to install these things.

And she called me into the suite, in the sheriff's suite, and -- well, it was her office, and the sheriff was there. Sheriff Watson was there, and he was very visibly angry and asked why I thought I had the authority to order these signs, these directional signs.

I told him that I had explained to him, yeah, this had been put in place prior to him becoming sheriff. It had been -- the P.O. was cut under the previous administration, and it had nothing to do with him. His name wasn't on any of the directional signs. Sheriff Darnell's names wasn't on any of the signs.

And again, he was visibly angry, and he stated that I disrespected him by moving forward with that.

And I said, "Well, no, sir. I didn't even know you. I was instructed by my chain at that time to place this order."

And the chief of staff, Danielle, she'd only been there for about a week and a half, and she saw

how angry he was. And she even told him, "Sheriff Watson, I've only worked with a Diana for a week, week and a half, but I can tell you she would not have done this unless somebody had told her to."

And I said, "I've got the emails that say that this was my instruction."

And he just kept reiterating that I had disrespected him by following those orders, and I kept trying to explain to him that it was prior to his time and tenure at that office.

And whenever I say he was visibly angry, he was holding onto the back of a chair so hard that whenever he left there was still fingerprints in the chair, and he was -- he was shaking. He was sweating. He was yelling. He was very angry.

Q. Did he use any language to refer to you that was inappropriate?

A. The only thing he said to me was -- he told Danielle, "Well, get up. I'm going to walk around with you, and maybe you'll know what I'm talking about because she doesn't. I can't stand to look at her right now."

And I said, "Okay."

And Danielle had just made the statement that -- she said, "I just need to run to the restroom,

and I'll be right there. Let me grab my notepad."

And he stated, "No, now."

Then he told me that he didn't want to look at me anymore. And Danielle -- as soon as he left, Danielle said, "Please, Diana, find that email that authorized this."

It took maybe five, ten minutes for me to find the email. And not only did I have written authority to make that purchase, but at that time Major Clark and Undersheriff Decoursey were in the email string. They were all carboned in the email string that said that this was going on, that that ship had sailed. The P.O. had already been cut under the previous administration. We couldn't stop production because they had already started the printing.

So that was one of my first encounters where he was really, really visibly angry.

Q. At any time has he ever used derogatory language towards you?

A. He's --

Q. Such as calling you inappropriate names?

A. Yeah, he called me a bitch.

Q. What are the circumstances that he used that language towards you?

A. We had gone to a new fuel system. One of the things that Sheriff Watson wanted done whenever he first got into office is -- our then vendor for fuel was Lewis Oil. And Sheriff Darnell, myself, and Chief Huckstep had worked for quite a long time to get Lewis Oil to be our fuel vendor because we wanted to stay local. They have a large practice, and they've always helped us out, whether they were our vendor, with like hurricanes and things like that. Even if they weren't our vendor, if we were running low on fuel, they would help us out.

Well, he was adamant upon the first week that he wanted to review the fuel contract with Lewis Oil. He stated that he didn't want the Lewis Oil contract anymore because they hung the wrong sign on their fence. They were an advocate for Sheriff Darnell. And he said that if they wanted to have the contract -- and it was a large contract -- that they should have had a different sign.

Anyway, long story short, we went to a few different fuel vendors. I believe it's Rapid Fuel, but I'm not certain. Anyway, it was a little bit more expensive than Lewis Oil, but not terribly so. It did offer us a lot of different locations within the state.

He would never use the Lewis Oil fob. He just -- he wouldn't. A fob is what they use to get fuel.

So we went through all of the contracts, etc., just elected a different fuel vendor. And we had to -- throughout the agency, we had to switch out everybody's fuel cards in order for them to work.

Well, the fuel cards work on a PIN. You know how that works. His PIN, he wanted it to be, you know, the number one for sheriff, which is fine; but because his number was so short, it required five zeros in front of it. It was 000001, and he knew that.

Well, one time he was in Alachua. It was on a Saturday, and apparently he was traveling to Tallahassee. And Danielle Judd called me on a Saturday, and she was very upset and said that the sheriff had tried to get fuel and couldn't get fuel, and he was up in Alachua, he was stranded, etc.

And I said, "Well, he must have used the wrong PIN. And I checked the PIN myself. I knew it worked. I had fueled up with it. I knew it worked.

So he had ordered her -- she was at Lowe's getting flowers or something. He ordered her to leave the flowers, get on the phone with me and figure out

what was going on with his gas.

And she was talking to him on her personal cell phone and called me on the agency cell phone, and so I could hear what he was saying to her on the phone. And he was -- he was yelling at her. He was obviously very agitated. And he said that he didn't put the wrong PIN in, and this went back and forth.

He told me to go to the sheriff's office and -- you know, which is a drive for me. I live north of Lacrosse, so I knew he was going to be waiting for at least 35 minutes. So I told him to use my PIN to at least get gas to be able to go to Tallahassee.

He made the statement that I heard on the phone, "I don't want to use her damned PIN. You tell that bitch to fix my PIN."

And it turned out to be exactly what I thought it was, is he had put in the wrong PIN number. He had done one less zero, and it wound up canceling out the system. After you hit the error code so many times, it just won't work.

So he called me a bitch then that I heard him on the phone.

Q. While you're looking at that, was there ever any irregularities in the amount of fuel that the

sheriff was using that you were aware of?

A. Only one time. One of the things that I did, being in charge of fleet, and I've done as long as I was in charge of fleet is, I always kept records every quarter of how much -- we actually run reports on how much mileage is being used by all the agency vehicles, the average miles per gallon. That's how we budget for fuel.

And so we have had occurrences in the past where the numbers did not add up for an employee's fuel. Their miles per gallon was significantly less than the average, you know, 19 miles per gallon average, or whatever, based on their speed. So we kept track of their odometers, how much they got gas, how much, you know, they were traveling, they're average speed, blah, blah, blah.

And whenever we went to the new fuel company, and we had a new fleet software, I ran a report. And his number -- his gas mileage was lower than an average by a significant amount. Well, it was a brand new vehicle, and so I wanted to make sure there was nothing wrong with the vehicle.

So I contacted the secretary, which was Tara Malone, and asked her to bring the vehicle over to fleet so that we could take a look because the mileage

wasn't adding up. I think it showed he was getting like five to seven miles per gallon, which was a lot lower than the average vehicles.

So he did, and to my knowledge that's the only thing that I'm aware of.

Q. Would the miles per gallon -- were you able to determine that all of the fuel that he had purchased went into the vehicle? So those miles per gallon, if that fuel had been put into a separate container or put into a vehicle --

A. It wouldn't have shown.

Q. It wouldn't show that, but it would have caused the overall miles per gallon to be shown as lower?

A. Yes. And that's one of the reasons why we ran the report; not for him specifically, but we have had, especially during recessions and stuff like that, where, you know, deputies unfortunately have filled up their wife's vehicle, and they ended up getting like seven miles to the gallon.

That's one of the reasons why I run the report, is to make sure that it's fiscally responsible.

BY INSPECTOR RIDDICK:

Q. And is that only that one time?

A. In my experience, yes.
BY MR. KRAMER:
Q. And were you involved in a meeting with Scott Shelpman and Michelle Clement and yourself and some other members of the administration to inform Scott's staff that no one was to access the sheriff's vehicle?
A. Uh-huh.
Q. Can you explain what happened there?
A. Yes. The sheriff was very particular about his vehicle, and it took us a long time to get those vehicles. And apparently, the radio within the sheriff's vehicle -- I'm trying to remember this exactly.

The radio within the sheriff's vehicle needed to have an upgrade done. And so, rather than ask the sheriff to take his vehicle over to get it done, I believe it was Shelpman and fleet had contacted the secretary and verified if the sheriff was going to be going anywhere so that they could have 15 to 20 minutes.
Q. We actually -- because we're running out of time, I kind of need to finish up. Was there -- so we're aware of what the content of the meeting was.

In your mind, was that an unusual action on the part of the sheriff based on your history and

experience with other sheriffs?

A. Yes. He made the statement that he believed that we may have altered his vehicle in some way. And then he went to our fleet department and retrieved all of his agency keys, which is very unusual because we always keep a spare vehicle key.

Q. And also, was there anything unusual about the type of vehicle that was purchased for the sheriff?

A. Yes, he purchased High Country vehicles.

Q. Is that not within the normal operating procedures of the sheriff's office?

A. No, it is not.

Q. Why is it not?

A. It's a very expensive vehicle, and he was -- he and the undersheriff were very specific about the type of vehicles that they wanted. They wanted all-black Tahoes with black interiors, and they wanted High Countries. Well, that in itself is a limited vehicle, but he wanted them to have no sunroofs, which are all-custom vehicles. So it took us a long time to get the vehicle.

They're expensive vehicles. They're several thousand dollars more than what we would normally pay for a Tahoe; I couldn't tell you the exact difference.

But upon arrival of the vehicle -- we pretty much got the only two in the state -- he had us remove the words "High Country" off of it because he stated that he didn't want the citizens to think that he was not being frugally responsible, or fiscally responsible, and didn't want them to know that they were High Country vehicles.

Q. Was there ever a time when the sheriff directed that the uniforms that the deputies wear be altered to remove the word "sheriff"?

A. Yes.

Q. Were you involved in that?

A. Yes, it was my department.

Q. And did that occur?

A. Yes.

Q. Can you explain what happened?

A. We had ordered all new uniforms for the sheriff's office; they were covers, and whenever we ordered them they had the words "Alachua County Sheriff's Office," or "Deputy Sheriff," I believe it said. That's the way that we ordered them.

So whenever they started arriving, he didn't like the fact that they had the word "sheriff" on them. And he stated that he was the only sheriff, and he wanted them sent back and the word "sheriff"

removed.

Q. Did that occur?

A. Yes.

Q. And did that cause additional expense?

A. I believe so, but I'm not 100 percent certain on that. You would have to check with actual A and B on that, fiscal, because we may have worked out something with the uniform company like if you do this, we'll be able to modify this.

I don't remember off the top of my head if it cost us more money. It cost us a lot more time because we had to re-issue all the uniforms, but he did not want anyone else to have the word "sheriff" on their uniform.

Q. Was that true with vehicles also, or was that only with the uniforms?

A. Uniforms.

BY INSPECTOR RIDDICK:

Q. Let's go back to the Beautification Project. You said that he came in, he created this project, and it was out of budget. It had not been budgeted, so you had to create a line item for this.

Where did the money -- usually when you do that, you've got to get the money from some other line item budget. Where did the money come from to do what

he did?

A. I don't know. I was just told that, I believe it was, either 50 or 75,000 dollars that had been put into that account.

During the whole Beautification Project, whenever I say he wanted his name on his everything, he and I had a conflict because he wanted his name on the courthouse. I told him, "You can't have it on the courthouse. It's not your building. You can have it like where the civil department is or our particular bailiff areas for the criminal courthouse and the civil courthouse," but he was insistent he wanted it on the actual courthouses. And so we had a disagreement about that.

The retiree wall was a whole different project.

Q. Did they use the whole 75,00 as far as you know --

A. No. No, at least not whenever I was still there.

Q. Do you recall how much of it was used?

A. No, not off the top of my head because shortly after the whole -- where he was walking me around, he wanted these plants puts in, and I had to figure out different landscaping, I called different

landscapers and all of that. An OIC came out shortly thereafter that said to immediately cease and desist the Beautification Project.

And I'm like, okay, that was fine with me, but it was -- it was opposite of what he had just instructed me to do, actually, within the same day.

Q. Okay.

A. The only thing -- I know that I'm running short with you, but I'll make this quick. Within his first week of office he asked me to hire a company to go in and search for listening devices at the administration building. Then it came back with a negative report, and he did not trust that report and then hired a different company to come in and specifically look for listening devices.

Q. Do you recall the cost associated with those companies?

A. No.

Q. Would those be invoices that would have been invoiced to the sheriff's office?

A. The first company was DKI, and Jonathan is the owner. I had a relationship. They had done a lot of work for us. I was able to call him and say, "Hey, this is what we're doing."

I don't remember who the second company was.

MR. KRAMER: All right. Thank you so much. We appreciate your time.

(The statement concluded at 10:15 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that DIANA JACOBS, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named DIANA JACOBS, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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Q. In what way?

A. The encounters were very hostile in nature, just, you know, butting heads. We had a lot of conflict. He didn't like what I had to say a lot of times.

As I said, my responsibilities put me in daily contact with his office until Ms. Judd -- until Daniel Judd got there. So I was in his office so often that the secretaries were like, "We're just moving you out of your office and putting you in here." I mean, that's how often I was in that office.

And a lot of my responsibilities were whenever he came into term was the transition itself, and he wanted a lot of things done. And some things were possible, some things weren't. Some things were budget, some things weren't.

Q. Can you give me some examples? You said some things were possible, some things weren't. Can you give me an example of each?

A. Yes. He started what was called the Beautification Project at the sheriff's office, which he wanted signs put up all over the sheriff's office -- not just at the sheriff's office, but out at the jail, all the substations -- with his name, which is fine. You know, that's not an issue, but he --

whenever you walk into the sheriff's office, there is -- one of the biggest things or the conflicts that we had is that there's -- whenever you walk into the sheriff's office, by the records unit, there's this large wall. It's called "The Sheriffs Wall," and it has a picture of all the sheriffs on there, all the previous sheriffs from way back when.

One of the first -- one of the conflicts was the fact that he didn't want Sheriff Darnell's picture up there. So we went -- well, she is sheriff. She was a sheriff. You know, her face should be up there.

And -- but the wall itself is a large wall. It's 176 inches. And he wanted all the items moved from that wall to a wall that was 152 inches, and it just wouldn't fit. And I kept explaining to him that all the pictures would not fit within that space, and he got very upset.

I mean, I think I met with him four or five times about this and tried to give him different examples where we can put the pictures different lengths, heights, but I just -- his words, "I just want my damned wall."

I said, "I'm trying to get you your damned wall, but it's going from 172 to 152 inches. I don't have 16 other inches."

He just didn't understand, like, logistically how things worked, or he didn't like to hear them.

And we finally were able to modify the pictures, and he wanted the wall painted and repainted and repainted. I had to have my staff repaint that wall 13 times; that's how many times he wanted that wall repainted.

And there was an issue with the wall in general. It had been repaired at some point, and the drywall had been -- what's the word I'm looking for? There had been a big leak, so half the drywall had been taken out and put back in. Well, unless you do drywall over the whole wall, then whenever you paint, you're going to still see different textures. Does that make sense?

Q. Yes, ma'am.

A. He didn't understand that, and so he didn't understand why there was a difference in the textures.

I said, "Well, we can re-drywall the whole wall, but that's the only way you're not going to get that difference in the texture."

It wasn't bad; and it would have been covered with the pictures or whatever, but we had to paint the wall 13 times.

Q. And you mentioned there were things he was

requesting out of budget. What is an example of that?

A. The entire Beautification Project was all out of budget.

Q. When you say "out of the budget," do you mean it exceeded the budget that was available, or there was no budget for this?

A. There was no budget for it.

Q. Okay.

A. In fact, Patty Judd, the chief financial officer, she had to create a separate line item that was titled "The Beautification Project" because he didn't just want simple things like that one wall. He wanted new stars. He wanted his name on the side of the building.

At the time that we were in the midst of this, one of my capital projects was we were repainting the entire administration building. That was a project that I'd been working on for three or four years. And it wasn't just the admin building. It was the admin building, the fleet building, and the 911 center.

And he wanted his name on the side of the building, and he wanted his name to be larger than the words "Alachua County Sheriff's Office"; but you only have a certain amount of real estate to put different

things, and he wanted his name to be 24 inches versus the 20 inches of the Alachua County Sheriff's Office. Well, his name is very long because he wants the entirety of it spelled out, including periods, the colons, etc.

So I explained to him that if you remove the letters from the wall, which had to be done in order to move all of that up to include his name -- I know this sounds really boring. I'm sorry. But the way that the letters are put in the wall, they're sautered in with rebar. It's not a simple fix. It isn't as if it's a magnet on a refrigerator that you just have to move around. You have to take everything off and then move it up. And he was insistent that that was not the case.

I'm like, "No, that is the case. I've done this for 20 years. This is the case."

So we painted the entirety of the admin office, and then he wanted his name moved, wanted his name put in there. So we ordered the letters. I don't remember how much it cost off the top of my head.

He was insistent that he wanted a particular size star and it to look like a particular star, not just a regular sheriff's office star. So he took me

to an area of the sheriff's office and asked me to duplicate a specific 36-inch star.

So I had the draft put in and had it mapped out to 36 inches, and then he approved that design. And not only did he approve it, he -- because we had a lot of conflict where he would say that he had said something or did approve or didn't approve something; so I had gotten in the habit of asking him to initial and date what he approved, and he approved the star to be placed there.

And so we went ahead and ordered it. I believe it was $2,800 because it was a custom design; but whenever we went to move the letters, it did exactly what I said it was going to do. The concrete came off the wall, and there were holes that were bigger than my fist all throughout that area of the sheriff's office. He had a fit, and he was very upset and very agitated.

And I explained to him this is exactly what I said was going to happen. That's the reason why I didn't want to do this right now.

So I contacted a concrete mason that I work with up in High Springs. He came over on a Saturday, redid the concrete. Then came back on Sunday -- because the concrete had to cure, he came back on

Sunday and sanded the concrete.

And then I had the painting company come back. We got the letters the way that he wanted the letters after about, you know, five or six times of just trying to place them in different areas to his satisfaction.

And so, in order for us to get the letters on, we were able to mount them again, and then the painting company had to come back in. So this was an additional expense for the painting company because they had already painted the building. I mean, it was outside now of their scope of work, if that makes any sense, so it was extra.

So in order for them to protect the letters, we had to tape every single one of those letters with painter's tape so that the new paint wouldn't get on the letters.

Well, we did that to protect the letters, and he got very upset and said it was unacceptable because I had used blue painter's tape. So I had to take all the tape off.

So we went ahead and did that, and then he wanted the tape -- this was all the same day -- put back on at 5:30 after close of business in order to prep for the painters. My staff stayed until probably

6:30 or 7:00 that night to re-tape the letters with the same blue tape. And then, because they didn't want to pay for actual new letters, we had to hand paint all of the letters.

So we finally got it up. I ordered the sign, like I said, or the star. I believe it was 25, 2,600 dollars. And it finally came in, and I took it to the undersheriff, to Chief of Staff Judd, the secretaries. They all thought it looked really nice.

We went to mount the star, and he said it was not the star that he ordered.

And I said, "It's exactly the star that you ordered," and I even showed him where he had approved it.

And he said I didn't know what I was talking about. I didn't listen. He wanted a different star. He wanted a star that was identical to the one on the Hawthorne Road sign.

So I don't know where that star is now. Whenever I left, it was still sitting in my office. So we had a lot of conflicts like this.

Q. In the course of those conflicts, did he ever refer to you in any manner that was inappropriate?

A. There was a couple times. We had -- and this was whenever he first started there. Probably within

the first two or three weeks, one of his priorities was the Beautification Project. And so he took me around to different areas of the sheriff's office that he wanted, you know, improved upon.

And I guess he used to be a landscaper before he went into politics or anything like that, so he was explaining to me the trees he wanted. He wanted all the knock-out roses taken out, you know, an island put in at the memorial area.

But whenever we were first walking around the sheriff's office, I had told them that there was already a project in place to correct the directional signs on the interior of the sheriff's office. Whenever I say "directional signs," when you drive in the sheriff's office, there's little signs around the property that will say "Property area this way, deliveries this way, fleet this way."

And I explained to him that there was already a project in place, a P.O. had already been cut to replace all the directional signs; it happened before his arrival. Sheriff Darnell and Chief Huckstep had instructed me that they wanted those things replaced, touched up, you know, that kind of thing.

So the vendor contact -- and this was done -- because it takes months to get it done. So it was

done, the P.O. was cut, and then the vendor contacted us and said that they were ready for pick-up. I had contacted the chief of staff, Danielle Judd, to let her know what time they were coming to install these things.

And she called me into the suite, in the sheriff's suite, and -- well, it was her office, and the sheriff was there. Sheriff Watson was there, and he was very visibly angry and asked why I thought I had the authority to order these signs, these directional signs.

I told him that I had explained to him, yeah, this had been put in place prior to him becoming sheriff. It had been -- the P.O. was cut under the previous administration, and it had nothing to do with him. His name wasn't on any of the directional signs. Sheriff Darnell's names wasn't on any of the signs.

And again, he was visibly angry, and he stated that I disrespected him by moving forward with that.

And I said, "Well, no, sir. I didn't even know you. I was instructed by my chain at that time to place this order."

And the chief of staff, Danielle, she'd only been there for about a week and a half, and she saw

how angry he was. And she even told him, "Sheriff Watson, I've only worked with a Diana for a week, week and a half, but I can tell you she would not have done this unless somebody had told her to."

And I said, "I've got the emails that say that this was my instruction."

And he just kept reiterating that I had disrespected him by following those orders, and I kept trying to explain to him that it was prior to his time and tenure at that office.

And whenever I say he was visibly angry, he was holding onto the back of a chair so hard that whenever he left there was still fingerprints in the chair, and he was -- he was shaking. He was sweating. He was yelling. He was very angry.

Q. Did he use any language to refer to you that was inappropriate?

A. The only thing he said to me was -- he told Danielle, "Well, get up. I'm going to walk around with you, and maybe you'll know what I'm talking about because she doesn't. I can't stand to look at her right now."

And I said, "Okay."

And Danielle had just made the statement that -- she said, "I just need to run to the restroom,

and I'll be right there. Let me grab my notepad."

And he stated, "No, now."

Then he told me that he didn't want to look at me anymore. And Danielle -- as soon as he left, Danielle said, "Please, Diana, find that email that authorized this."

It took maybe five, ten minutes for me to find the email. And not only did I have written authority to make that purchase, but at that time Major Clark and Undersheriff Decoursey were in the email string. They were all carboned in the email string that said that this was going on, that that ship had sailed. The P.O. had already been cut under the previous administration. We couldn't stop production because they had already started the printing.

So that was one of my first encounters where he was really, really visibly angry.

Q. At any time has he ever used derogatory language towards you?

A. He's --

Q. Such as calling you inappropriate names?

A. Yeah, he called me a bitch.

Q. What are the circumstances that he used that language towards you?

A. We had gone to a new fuel system. One of the things that Sheriff Watson wanted done whenever he first got into office is -- our then vendor for fuel was Lewis Oil. And Sheriff Darnell, myself, and Chief Huckstep had worked for quite a long time to get Lewis Oil to be our fuel vendor because we wanted to stay local. They have a large practice, and they've always helped us out, whether they were our vendor, with like hurricanes and things like that. Even if they weren't our vendor, if we were running low on fuel, they would help us out.

Well, he was adamant upon the first week that he wanted to review the fuel contract with Lewis Oil. He stated that he didn't want the Lewis Oil contract anymore because they hung the wrong sign on their fence. They were an advocate for Sheriff Darnell. And he said that if they wanted to have the contract -- and it was a large contract -- that they should have had a different sign.

Anyway, long story short, we went to a few different fuel vendors. I believe it's Rapid Fuel, but I'm not certain. Anyway, it was a little bit more expensive than Lewis Oil, but not terribly so. It did offer us a lot of different locations within the state.

He would never use the Lewis Oil fob. He just -- he wouldn't. A fob is what they use to get fuel.

So we went through all of the contracts, etc., just elected a different fuel vendor. And we had to -- throughout the agency, we had to switch out everybody's fuel cards in order for them to work.

Well, the fuel cards work on a PIN. You know how that works. His PIN, he wanted it to be, you know, the number one for sheriff, which is fine; but because his number was so short, it required five zeros in front of it. It was 000001, and he knew that.

Well, one time he was in Alachua. It was on a Saturday, and apparently he was traveling to Tallahassee. And Danielle Judd called me on a Saturday, and she was very upset and said that the sheriff had tried to get fuel and couldn't get fuel, and he was up in Alachua, he was stranded, etc.

And I said, "Well, he must have used the wrong PIN. And I checked the PIN myself. I knew it worked. I had fueled up with it. I knew it worked.

So he had ordered her -- she was at Lowe's getting flowers or something. He ordered her to leave the flowers, get on the phone with me and figure out

what was going on with his gas.

And she was talking to him on her personal cell phone and called me on the agency cell phone, and so I could hear what he was saying to her on the phone. And he was -- he was yelling at her. He was obviously very agitated. And he said that he didn't put the wrong PIN in, and this went back and forth.

He told me to go to the sheriff's office and -- you know, which is a drive for me. I live north of Lacrosse, so I knew he was going to be waiting for at least 35 minutes. So I told him to use my PIN to at least get gas to be able to go to Tallahassee.

He made the statement that I heard on the phone, "I don't want to use her damned PIN. You tell that bitch to fix my PIN."

And it turned out to be exactly what I thought it was, is he had put in the wrong PIN number. He had done one less zero, and it wound up canceling out the system. After you hit the error code so many times, it just won't work.

So he called me a bitch then that I heard him on the phone.

Q. While you're looking at that, was there ever any irregularities in the amount of fuel that the

sheriff was using that you were aware of?

A. Only one time. One of the things that I did, being in charge of fleet, and I've done as long as I was in charge of fleet is, I always kept records every quarter of how much -- we actually run reports on how much mileage is being used by all the agency vehicles, the average miles per gallon. That's how we budget for fuel.

And so we have had occurrences in the past where the numbers did not add up for an employee's fuel. Their miles per gallon was significantly less than the average, you know, 19 miles per gallon average, or whatever, based on their speed. So we kept track of their odometers, how much they got gas, how much, you know, they were traveling, they're average speed, blah, blah, blah.

And whenever we went to the new fuel company, and we had a new fleet software, I ran a report. And his number -- his gas mileage was lower than an average by a significant amount. Well, it was a brand new vehicle, and so I wanted to make sure there was nothing wrong with the vehicle.

So I contacted the secretary, which was Tara Malone, and asked her to bring the vehicle over to fleet so that we could take a look because the mileage

wasn't adding up. I think it showed he was getting like five to seven miles per gallon, which was a lot lower than the average vehicles.

So he did, and to my knowledge that's the only thing that I'm aware of.

Q. Would the miles per gallon -- were you able to determine that all of the fuel that he had purchased went into the vehicle? So those miles per gallon, if that fuel had been put into a separate container or put into a vehicle --

A. It wouldn't have shown.

Q. It wouldn't show that, but it would have caused the overall miles per gallon to be shown as lower?

A. Yes. And that's one of the reasons why we ran the report; not for him specifically, but we have had, especially during recessions and stuff like that, where, you know, deputies unfortunately have filled up their wife's vehicle, and they ended up getting like seven miles to the gallon.

That's one of the reasons why I run the report, is to make sure that it's fiscally responsible.

BY INSPECTOR RIDDICK:

Q. And is that only that one time?

A. In my experience, yes.
BY MR. KRAMER:
Q. And were you involved in a meeting with Scott Shelpman and Michelle Clement and yourself and some other members of the administration to inform Scott's staff that no one was to access the sheriff's vehicle?
A. Uh-huh.
Q. Can you explain what happened there?
A. Yes. The sheriff was very particular about his vehicle, and it took us a long time to get those vehicles. And apparently, the radio within the sheriff's vehicle -- I'm trying to remember this exactly.

The radio within the sheriff's vehicle needed to have an upgrade done. And so, rather than ask the sheriff to take his vehicle over to get it done, I believe it was Shelpman and fleet had contacted the secretary and verified if the sheriff was going to be going anywhere so that they could have 15 to 20 minutes.
Q. We actually -- because we're running out of time, I kind of need to finish up. Was there -- so we're aware of what the content of the meeting was.

In your mind, was that an unusual action on the part of the sheriff based on your history and

experience with other sheriffs?

A. Yes. He made the statement that he believed that we may have altered his vehicle in some way. And then he went to our fleet department and retrieved all of his agency keys, which is very unusual because we always keep a spare vehicle key.

Q. And also, was there anything unusual about the type of vehicle that was purchased for the sheriff?

A. Yes, he purchased High Country vehicles.

Q. Is that not within the normal operating procedures of the sheriff's office?

A. No, it is not.

Q. Why is it not?

A. It's a very expensive vehicle, and he was -- he and the undersheriff were very specific about the type of vehicles that they wanted. They wanted all-black Tahoes with black interiors, and they wanted High Countries. Well, that in itself is a limited vehicle, but he wanted them to have no sunroofs, which are all-custom vehicles. So it took us a long time to get the vehicle.

They're expensive vehicles. They're several thousand dollars more than what we would normally pay for a Tahoe; I couldn't tell you the exact difference.

But upon arrival of the vehicle -- we pretty much got the only two in the state -- he had us remove the words "High Country" off of it because he stated that he didn't want the citizens to think that he was not being frugally responsible, or fiscally responsible, and didn't want them to know that they were High Country vehicles.

Q. Was there ever a time when the sheriff directed that the uniforms that the deputies wear be altered to remove the word "sheriff"?

A. Yes.

Q. Were you involved in that?

A. Yes, it was my department.

Q. And did that occur?

A. Yes.

Q. Can you explain what happened?

A. We had ordered all new uniforms for the sheriff's office; they were covers, and whenever we ordered them they had the words "Alachua County Sheriff's Office," or "Deputy Sheriff," I believe it said. That's the way that we ordered them.

So whenever they started arriving, he didn't like the fact that they had the word "sheriff" on them. And he stated that he was the only sheriff, and he wanted them sent back and the word "sheriff"

removed.

Q. Did that occur?

A. Yes.

Q. And did that cause additional expense?

A. I believe so, but I'm not 100 percent certain on that. You would have to check with actual A and B on that, fiscal, because we may have worked out something with the uniform company like if you do this, we'll be able to modify this.

I don't remember off the top of my head if it cost us more money. It cost us a lot more time because we had to re-issue all the uniforms, but he did not want anyone else to have the word "sheriff" on their uniform.

Q. Was that true with vehicles also, or was that only with the uniforms?

A. Uniforms.

BY INSPECTOR RIDDICK:

Q. Let's go back to the Beautification Project. You said that he came in, he created this project, and it was out of budget. It had not been budgeted, so you had to create a line item for this.

Where did the money -- usually when you do that, you've got to get the money from some other line item budget. Where did the money come from to do what

he did?

A. I don't know. I was just told that, I believe it was, either 50 or 75,000 dollars that had been put into that account.

During the whole Beautification Project, whenever I say he wanted his name on his everything, he and I had a conflict because he wanted his name on the courthouse. I told him, "You can't have it on the courthouse. It's not your building. You can have it like where the civil department is or our particular bailiff areas for the criminal courthouse and the civil courthouse," but he was insistent he wanted it on the actual courthouses. And so we had a disagreement about that.

The retiree wall was a whole different project.

Q. Did they use the whole 75,00 as far as you know --

A. No. No, at least not whenever I was still there.

Q. Do you recall how much of it was used?

A. No, not off the top of my head because shortly after the whole -- where he was walking me around, he wanted these plants puts in, and I had to figure out different landscaping, I called different

landscapers and all of that. An OIC came out shortly thereafter that said to immediately cease and desist the Beautification Project.

And I'm like, okay, that was fine with me, but it was -- it was opposite of what he had just instructed me to do, actually, within the same day.

Q. Okay.

A. The only thing -- I know that I'm running short with you, but I'll make this quick. Within his first week of office he asked me to hire a company to go in and search for listening devices at the administration building. Then it came back with a negative report, and he did not trust that report and then hired a different company to come in and specifically look for listening devices.

Q. Do you recall the cost associated with those companies?

A. No.

Q. Would those be invoices that would have been invoiced to the sheriff's office?

A. The first company was DKI, and Jonathan is the owner. I had a relationship. They had done a lot of work for us. I was able to call him and say, "Hey, this is what we're doing."

I don't remember who the second company was.

MR. KRAMER: All right. Thank you so much. We appreciate your time.

(The statement concluded at 10:15 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that DIANA JACOBS, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named DIANA JACOBS, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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whenever you walk into the sheriff's office, there is -- one of the biggest things or the conflicts that we had is that there's -- whenever you walk into the sheriff's office, by the records unit, there's this large wall. It's called "The Sheriffs Wall," and it has a picture of all the sheriffs on there, all the previous sheriffs from way back when.

One of the first -- one of the conflicts was the fact that he didn't want Sheriff Darnell's picture up there. So we went -- well, she is sheriff. She was a sheriff. You know, her face should be up there.

And -- but the wall itself is a large wall. It's 176 inches. And he wanted all the items moved from that wall to a wall that was 152 inches, and it just wouldn't fit. And I kept explaining to him that all the pictures would not fit within that space, and he got very upset.

I mean, I think I met with him four or five times about this and tried to give him different examples where we can put the pictures different lengths, heights, but I just -- his words, "I just want my damned wall."

I said, "I'm trying to get you your damned wall, but it's going from 172 to 152 inches. I don't have 16 other inches."

He just didn't understand, like, logistically how things worked, or he didn't like to hear them.

And we finally were able to modify the pictures, and he wanted the wall painted and repainted and repainted. I had to have my staff repaint that wall 13 times; that's how many times he wanted that wall repainted.

And there was an issue with the wall in general. It had been repaired at some point, and the drywall had been -- what's the word I'm looking for? There had been a big leak, so half the drywall had been taken out and put back in. Well, unless you do drywall over the whole wall, then whenever you paint, you're going to still see different textures. Does that make sense?

Q. Yes, ma'am.

A. He didn't understand that, and so he didn't understand why there was a difference in the textures.

I said, "Well, we can re-drywall the whole wall, but that's the only way you're not going to get that difference in the texture."

It wasn't bad; and it would have been covered with the pictures or whatever, but we had to paint the wall 13 times.

Q. And you mentioned there were things he was

requesting out of budget. What is an example of that?

A. The entire Beautification Project was all out of budget.

Q. When you say "out of the budget," do you mean it exceeded the budget that was available, or there was no budget for this?

A. There was no budget for it.

Q. Okay.

A. In fact, Patty Judd, the chief financial officer, she had to create a separate line item that was titled "The Beautification Project" because he didn't just want simple things like that one wall. He wanted new stars. He wanted his name on the side of the building.

At the time that we were in the midst of this, one of my capital projects was we were repainting the entire administration building. That was a project that I'd been working on for three or four years. And it wasn't just the admin building. It was the admin building, the fleet building, and the 911 center.

And he wanted his name on the side of the building, and he wanted his name to be larger than the words "Alachua County Sheriff's Office"; but you only have a certain amount of real estate to put different

things, and he wanted his name to be 24 inches versus the 20 inches of the Alachua County Sheriff's Office. Well, his name is very long because he wants the entirety of it spelled out, including periods, the colons, etc.

So I explained to him that if you remove the letters from the wall, which had to be done in order to move all of that up to include his name -- I know this sounds really boring. I'm sorry. But the way that the letters are put in the wall, they're sautered in with rebar. It's not a simple fix. It isn't as if it's a magnet on a refrigerator that you just have to move around. You have to take everything off and then move it up. And he was insistent that that was not the case.

I'm like, "No, that is the case. I've done this for 20 years. This is the case."

So we painted the entirety of the admin office, and then he wanted his name moved, wanted his name put in there. So we ordered the letters. I don't remember how much it cost off the top of my head.

He was insistent that he wanted a particular size star and it to look like a particular star, not just a regular sheriff's office star. So he took me

to an area of the sheriff's office and asked me to duplicate a specific 36-inch star.

So I had the draft put in and had it mapped out to 36 inches, and then he approved that design. And not only did he approve it, he -- because we had a lot of conflict where he would say that he had said something or did approve or didn't approve something; so I had gotten in the habit of asking him to initial and date what he approved, and he approved the star to be placed there.

And so we went ahead and ordered it. I believe it was $2,800 because it was a custom design; but whenever we went to move the letters, it did exactly what I said it was going to do. The concrete came off the wall, and there were holes that were bigger than my fist all throughout that area of the sheriff's office. He had a fit, and he was very upset and very agitated.

And I explained to him this is exactly what I said was going to happen. That's the reason why I didn't want to do this right now.

So I contacted a concrete mason that I work with up in High Springs. He came over on a Saturday, redid the concrete. Then came back on Sunday -- because the concrete had to cure, he came back on

Sunday and sanded the concrete.

And then I had the painting company come back. We got the letters the way that he wanted the letters after about, you know, five or six times of just trying to place them in different areas to his satisfaction.

And so, in order for us to get the letters on, we were able to mount them again, and then the painting company had to come back in. So this was an additional expense for the painting company because they had already painted the building. I mean, it was outside now of their scope of work, if that makes any sense, so it was extra.

So in order for them to protect the letters, we had to tape every single one of those letters with painter's tape so that the new paint wouldn't get on the letters.

Well, we did that to protect the letters, and he got very upset and said it was unacceptable because I had used blue painter's tape. So I had to take all the tape off.

So we went ahead and did that, and then he wanted the tape -- this was all the same day -- put back on at 5:30 after close of business in order to prep for the painters. My staff stayed until probably

6:30 or 7:00 that night to re-tape the letters with the same blue tape. And then, because they didn't want to pay for actual new letters, we had to hand paint all of the letters.

So we finally got it up. I ordered the sign, like I said, or the star. I believe it was 25, 2,600 dollars. And it finally came in, and I took it to the undersheriff, to Chief of Staff Judd, the secretaries. They all thought it looked really nice.

We went to mount the star, and he said it was not the star that he ordered.

And I said, "It's exactly the star that you ordered," and I even showed him where he had approved it.

And he said I didn't know what I was talking about. I didn't listen. He wanted a different star. He wanted a star that was identical to the one on the Hawthorne Road sign.

So I don't know where that star is now. Whenever I left, it was still sitting in my office. So we had a lot of conflicts like this.

Q. In the course of those conflicts, did he ever refer to you in any manner that was inappropriate?

A. There was a couple times. We had -- and this was whenever he first started there. Probably within

the first two or three weeks, one of his priorities was the Beautification Project. And so he took me around to different areas of the sheriff's office that he wanted, you know, improved upon.

And I guess he used to be a landscaper before he went into politics or anything like that, so he was explaining to me the trees he wanted. He wanted all the knock-out roses taken out, you know, an island put in at the memorial area.

But whenever we were first walking around the sheriff's office, I had told them that there was already a project in place to correct the directional signs on the interior of the sheriff's office. Whenever I say "directional signs," when you drive in the sheriff's office, there's little signs around the property that will say "Property area this way, deliveries this way, fleet this way."

And I explained to him that there was already a project in place, a P.O. had already been cut to replace all the directional signs; it happened before his arrival. Sheriff Darnell and Chief Huckstep had instructed me that they wanted those things replaced, touched up, you know, that kind of thing.

So the vendor contact -- and this was done -- because it takes months to get it done. So it was

done, the P.O. was cut, and then the vendor contacted us and said that they were ready for pick-up. I had contacted the chief of staff, Danielle Judd, to let her know what time they were coming to install these things.

And she called me into the suite, in the sheriff's suite, and -- well, it was her office, and the sheriff was there. Sheriff Watson was there, and he was very visibly angry and asked why I thought I had the authority to order these signs, these directional signs.

I told him that I had explained to him, yeah, this had been put in place prior to him becoming sheriff. It had been -- the P.O. was cut under the previous administration, and it had nothing to do with him. His name wasn't on any of the directional signs. Sheriff Darnell's names wasn't on any of the signs.

And again, he was visibly angry, and he stated that I disrespected him by moving forward with that.

And I said, "Well, no, sir. I didn't even know you. I was instructed by my chain at that time to place this order."

And the chief of staff, Danielle, she'd only been there for about a week and a half, and she saw

how angry he was. And she even told him, "Sheriff Watson, I've only worked with a Diana for a week, week and a half, but I can tell you she would not have done this unless somebody had told her to."

And I said, "I've got the emails that say that this was my instruction."

And he just kept reiterating that I had disrespected him by following those orders, and I kept trying to explain to him that it was prior to his time and tenure at that office.

And whenever I say he was visibly angry, he was holding onto the back of a chair so hard that whenever he left there was still fingerprints in the chair, and he was -- he was shaking. He was sweating. He was yelling. He was very angry.

Q. Did he use any language to refer to you that was inappropriate?

A. The only thing he said to me was -- he told Danielle, "Well, get up. I'm going to walk around with you, and maybe you'll know what I'm talking about because she doesn't. I can't stand to look at her right now."

And I said, "Okay."

And Danielle had just made the statement that -- she said, "I just need to run to the restroom,

and I'll be right there. Let me grab my notepad."

And he stated, "No, now."

Then he told me that he didn't want to look at me anymore. And Danielle -- as soon as he left, Danielle said, "Please, Diana, find that email that authorized this."

It took maybe five, ten minutes for me to find the email. And not only did I have written authority to make that purchase, but at that time Major Clark and Undersheriff Decoursey were in the email string. They were all carboned in the email string that said that this was going on, that that ship had sailed. The P.O. had already been cut under the previous administration. We couldn't stop production because they had already started the printing.

So that was one of my first encounters where he was really, really visibly angry.

Q. At any time has he ever used derogatory language towards you?

A. He's --

Q. Such as calling you inappropriate names?

A. Yeah, he called me a bitch.

Q. What are the circumstances that he used that language towards you?

A. We had gone to a new fuel system. One of the things that Sheriff Watson wanted done whenever he first got into office is -- our then vendor for fuel was Lewis Oil. And Sheriff Darnell, myself, and Chief Huckstep had worked for quite a long time to get Lewis Oil to be our fuel vendor because we wanted to stay local. They have a large practice, and they've always helped us out, whether they were our vendor, with like hurricanes and things like that. Even if they weren't our vendor, if we were running low on fuel, they would help us out.

Well, he was adamant upon the first week that he wanted to review the fuel contract with Lewis Oil. He stated that he didn't want the Lewis Oil contract anymore because they hung the wrong sign on their fence. They were an advocate for Sheriff Darnell. And he said that if they wanted to have the contract -- and it was a large contract -- that they should have had a different sign.

Anyway, long story short, we went to a few different fuel vendors. I believe it's Rapid Fuel, but I'm not certain. Anyway, it was a little bit more expensive than Lewis Oil, but not terribly so. It did offer us a lot of different locations within the state.

He would never use the Lewis Oil fob. He just -- he wouldn't. A fob is what they use to get fuel.

So we went through all of the contracts, etc., just elected a different fuel vendor. And we had to -- throughout the agency, we had to switch out everybody's fuel cards in order for them to work.

Well, the fuel cards work on a PIN. You know how that works. His PIN, he wanted it to be, you know, the number one for sheriff, which is fine; but because his number was so short, it required five zeros in front of it. It was 000001, and he knew that.

Well, one time he was in Alachua. It was on a Saturday, and apparently he was traveling to Tallahassee. And Danielle Judd called me on a Saturday, and she was very upset and said that the sheriff had tried to get fuel and couldn't get fuel, and he was up in Alachua, he was stranded, etc.

And I said, "Well, he must have used the wrong PIN. And I checked the PIN myself. I knew it worked. I had fueled up with it. I knew it worked.

So he had ordered her -- she was at Lowe's getting flowers or something. He ordered her to leave the flowers, get on the phone with me and figure out

what was going on with his gas.

And she was talking to him on her personal cell phone and called me on the agency cell phone, and so I could hear what he was saying to her on the phone. And he was -- he was yelling at her. He was obviously very agitated. And he said that he didn't put the wrong PIN in, and this went back and forth.

He told me to go to the sheriff's office and -- you know, which is a drive for me. I live north of Lacrosse, so I knew he was going to be waiting for at least 35 minutes. So I told him to use my PIN to at least get gas to be able to go to Tallahassee.

He made the statement that I heard on the phone, "I don't want to use her damned PIN. You tell that bitch to fix my PIN."

And it turned out to be exactly what I thought it was, is he had put in the wrong PIN number. He had done one less zero, and it wound up canceling out the system. After you hit the error code so many times, it just won't work.

So he called me a bitch then that I heard him on the phone.

Q. While you're looking at that, was there ever any irregularities in the amount of fuel that the

sheriff was using that you were aware of?

A. Only one time. One of the things that I did, being in charge of fleet, and I've done as long as I was in charge of fleet is, I always kept records every quarter of how much -- we actually run reports on how much mileage is being used by all the agency vehicles, the average miles per gallon. That's how we budget for fuel.

And so we have had occurrences in the past where the numbers did not add up for an employee's fuel. Their miles per gallon was significantly less than the average, you know, 19 miles per gallon average, or whatever, based on their speed. So we kept track of their odometers, how much they got gas, how much, you know, they were traveling, they're average speed, blah, blah, blah.

And whenever we went to the new fuel company, and we had a new fleet software, I ran a report. And his number -- his gas mileage was lower than an average by a significant amount. Well, it was a brand new vehicle, and so I wanted to make sure there was nothing wrong with the vehicle.

So I contacted the secretary, which was Tara Malone, and asked her to bring the vehicle over to fleet so that we could take a look because the mileage

wasn't adding up. I think it showed he was getting like five to seven miles per gallon, which was a lot lower than the average vehicles.

So he did, and to my knowledge that's the only thing that I'm aware of.

Q. Would the miles per gallon -- were you able to determine that all of the fuel that he had purchased went into the vehicle? So those miles per gallon, if that fuel had been put into a separate container or put into a vehicle --

A. It wouldn't have shown.

Q. It wouldn't show that, but it would have caused the overall miles per gallon to be shown as lower?

A. Yes. And that's one of the reasons why we ran the report; not for him specifically, but we have had, especially during recessions and stuff like that, where, you know, deputies unfortunately have filled up their wife's vehicle, and they ended up getting like seven miles to the gallon.

That's one of the reasons why I run the report, is to make sure that it's fiscally responsible.

BY INSPECTOR RIDDICK:

Q. And is that only that one time?

A. In my experience, yes.
BY MR. KRAMER:
Q. And were you involved in a meeting with Scott Shelpman and Michelle Clement and yourself and some other members of the administration to inform Scott's staff that no one was to access the sheriff's vehicle?
A. Uh-huh.
Q. Can you explain what happened there?
A. Yes. The sheriff was very particular about his vehicle, and it took us a long time to get those vehicles. And apparently, the radio within the sheriff's vehicle -- I'm trying to remember this exactly.

The radio within the sheriff's vehicle needed to have an upgrade done. And so, rather than ask the sheriff to take his vehicle over to get it done, I believe it was Shelpman and fleet had contacted the secretary and verified if the sheriff was going to be going anywhere so that they could have 15 to 20 minutes.
Q. We actually -- because we're running out of time, I kind of need to finish up. Was there -- so we're aware of what the content of the meeting was.

In your mind, was that an unusual action on the part of the sheriff based on your history and

experience with other sheriffs?

A. Yes. He made the statement that he believed that we may have altered his vehicle in some way. And then he went to our fleet department and retrieved all of his agency keys, which is very unusual because we always keep a spare vehicle key.

Q. And also, was there anything unusual about the type of vehicle that was purchased for the sheriff?

A. Yes, he purchased High Country vehicles.

Q. Is that not within the normal operating procedures of the sheriff's office?

A. No, it is not.

Q. Why is it not?

A. It's a very expensive vehicle, and he was -- he and the undersheriff were very specific about the type of vehicles that they wanted. They wanted all-black Tahoes with black interiors, and they wanted High Countries. Well, that in itself is a limited vehicle, but he wanted them to have no sunroofs, which are all-custom vehicles. So it took us a long time to get the vehicle.

They're expensive vehicles. They're several thousand dollars more than what we would normally pay for a Tahoe; I couldn't tell you the exact difference.

But upon arrival of the vehicle -- we pretty much got the only two in the state -- he had us remove the words "High Country" off of it because he stated that he didn't want the citizens to think that he was not being frugally responsible, or fiscally responsible, and didn't want them to know that they were High Country vehicles.

Q. Was there ever a time when the sheriff directed that the uniforms that the deputies wear be altered to remove the word "sheriff"?

A. Yes.

Q. Were you involved in that?

A. Yes, it was my department.

Q. And did that occur?

A. Yes.

Q. Can you explain what happened?

A. We had ordered all new uniforms for the sheriff's office; they were covers, and whenever we ordered them they had the words "Alachua County Sheriff's Office," or "Deputy Sheriff," I believe it said. That's the way that we ordered them.

So whenever they started arriving, he didn't like the fact that they had the word "sheriff" on them. And he stated that he was the only sheriff, and he wanted them sent back and the word "sheriff"

removed.

Q. Did that occur?

A. Yes.

Q. And did that cause additional expense?

A. I believe so, but I'm not 100 percent certain on that. You would have to check with actual A and B on that, fiscal, because we may have worked out something with the uniform company like if you do this, we'll be able to modify this.

I don't remember off the top of my head if it cost us more money. It cost us a lot more time because we had to re-issue all the uniforms, but he did not want anyone else to have the word "sheriff" on their uniform.

Q. Was that true with vehicles also, or was that only with the uniforms?

A. Uniforms.

BY INSPECTOR RIDDICK:

Q. Let's go back to the Beautification Project. You said that he came in, he created this project, and it was out of budget. It had not been budgeted, so you had to create a line item for this.

Where did the money -- usually when you do that, you've got to get the money from some other line item budget. Where did the money come from to do what

he did?

A. I don't know. I was just told that, I believe it was, either 50 or 75,000 dollars that had been put into that account.

During the whole Beautification Project, whenever I say he wanted his name on his everything, he and I had a conflict because he wanted his name on the courthouse. I told him, "You can't have it on the courthouse. It's not your building. You can have it like where the civil department is or our particular bailiff areas for the criminal courthouse and the civil courthouse," but he was insistent he wanted it on the actual courthouses. And so we had a disagreement about that.

The retiree wall was a whole different project.

Q. Did they use the whole 75,00 as far as you know --

A. No. No, at least not whenever I was still there.

Q. Do you recall how much of it was used?

A. No, not off the top of my head because shortly after the whole -- where he was walking me around, he wanted these plants puts in, and I had to figure out different landscaping, I called different

landscapers and all of that. An OIC came out shortly thereafter that said to immediately cease and desist the Beautification Project.

And I'm like, okay, that was fine with me, but it was -- it was opposite of what he had just instructed me to do, actually, within the same day.

Q. Okay.

A. The only thing -- I know that I'm running short with you, but I'll make this quick. Within his first week of office he asked me to hire a company to go in and search for listening devices at the administration building. Then it came back with a negative report, and he did not trust that report and then hired a different company to come in and specifically look for listening devices.

Q. Do you recall the cost associated with those companies?

A. No.

Q. Would those be invoices that would have been invoiced to the sheriff's office?

A. The first company was DKI, and Jonathan is the owner. I had a relationship. They had done a lot of work for us. I was able to call him and say, "Hey, this is what we're doing."

I don't remember who the second company was.

MR. KRAMER: All right. Thank you so much. We appreciate your time.

(The statement concluded at 10:15 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that DIANA JACOBS, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named DIANA JACOBS, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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He just didn't understand, like, logistically how things worked, or he didn't like to hear them.

And we finally were able to modify the pictures, and he wanted the wall painted and repainted and repainted. I had to have my staff repaint that wall 13 times; that's how many times he wanted that wall repainted.

And there was an issue with the wall in general. It had been repaired at some point, and the drywall had been -- what's the word I'm looking for? There had been a big leak, so half the drywall had been taken out and put back in. Well, unless you do drywall over the whole wall, then whenever you paint, you're going to still see different textures. Does that make sense?

Q. Yes, ma'am.

A. He didn't understand that, and so he didn't understand why there was a difference in the textures.

I said, "Well, we can re-drywall the whole wall, but that's the only way you're not going to get that difference in the texture."

It wasn't bad; and it would have been covered with the pictures or whatever, but we had to paint the wall 13 times.

Q. And you mentioned there were things he was

requesting out of budget. What is an example of that?

A. The entire Beautification Project was all out of budget.

Q. When you say "out of the budget," do you mean it exceeded the budget that was available, or there was no budget for this?

A. There was no budget for it.

Q. Okay.

A. In fact, Patty Judd, the chief financial officer, she had to create a separate line item that was titled "The Beautification Project" because he didn't just want simple things like that one wall. He wanted new stars. He wanted his name on the side of the building.

At the time that we were in the midst of this, one of my capital projects was we were repainting the entire administration building. That was a project that I'd been working on for three or four years. And it wasn't just the admin building. It was the admin building, the fleet building, and the 911 center.

And he wanted his name on the side of the building, and he wanted his name to be larger than the words "Alachua County Sheriff's Office"; but you only have a certain amount of real estate to put different

things, and he wanted his name to be 24 inches versus the 20 inches of the Alachua County Sheriff's Office. Well, his name is very long because he wants the entirety of it spelled out, including periods, the colons, etc.

So I explained to him that if you remove the letters from the wall, which had to be done in order to move all of that up to include his name -- I know this sounds really boring. I'm sorry. But the way that the letters are put in the wall, they're sautered in with rebar. It's not a simple fix. It isn't as if it's a magnet on a refrigerator that you just have to move around. You have to take everything off and then move it up. And he was insistent that that was not the case.

I'm like, "No, that is the case. I've done this for 20 years. This is the case."

So we painted the entirety of the admin office, and then he wanted his name moved, wanted his name put in there. So we ordered the letters. I don't remember how much it cost off the top of my head.

He was insistent that he wanted a particular size star and it to look like a particular star, not just a regular sheriff's office star. So he took me

to an area of the sheriff's office and asked me to duplicate a specific 36-inch star.

So I had the draft put in and had it mapped out to 36 inches, and then he approved that design. And not only did he approve it, he -- because we had a lot of conflict where he would say that he had said something or did approve or didn't approve something; so I had gotten in the habit of asking him to initial and date what he approved, and he approved the star to be placed there.

And so we went ahead and ordered it. I believe it was $2,800 because it was a custom design; but whenever we went to move the letters, it did exactly what I said it was going to do. The concrete came off the wall, and there were holes that were bigger than my fist all throughout that area of the sheriff's office. He had a fit, and he was very upset and very agitated.

And I explained to him this is exactly what I said was going to happen. That's the reason why I didn't want to do this right now.

So I contacted a concrete mason that I work with up in High Springs. He came over on a Saturday, redid the concrete. Then came back on Sunday -- because the concrete had to cure, he came back on

Sunday and sanded the concrete.

And then I had the painting company come back. We got the letters the way that he wanted the letters after about, you know, five or six times of just trying to place them in different areas to his satisfaction.

And so, in order for us to get the letters on, we were able to mount them again, and then the painting company had to come back in. So this was an additional expense for the painting company because they had already painted the building. I mean, it was outside now of their scope of work, if that makes any sense, so it was extra.

So in order for them to protect the letters, we had to tape every single one of those letters with painter's tape so that the new paint wouldn't get on the letters.

Well, we did that to protect the letters, and he got very upset and said it was unacceptable because I had used blue painter's tape. So I had to take all the tape off.

So we went ahead and did that, and then he wanted the tape -- this was all the same day -- put back on at 5:30 after close of business in order to prep for the painters. My staff stayed until probably

6:30 or 7:00 that night to re-tape the letters with the same blue tape. And then, because they didn't want to pay for actual new letters, we had to hand paint all of the letters.

So we finally got it up. I ordered the sign, like I said, or the star. I believe it was 25, 2,600 dollars. And it finally came in, and I took it to the undersheriff, to Chief of Staff Judd, the secretaries. They all thought it looked really nice.

We went to mount the star, and he said it was not the star that he ordered.

And I said, "It's exactly the star that you ordered," and I even showed him where he had approved it.

And he said I didn't know what I was talking about. I didn't listen. He wanted a different star. He wanted a star that was identical to the one on the Hawthorne Road sign.

So I don't know where that star is now. Whenever I left, it was still sitting in my office. So we had a lot of conflicts like this.

Q. In the course of those conflicts, did he ever refer to you in any manner that was inappropriate?

A. There was a couple times. We had -- and this was whenever he first started there. Probably within

the first two or three weeks, one of his priorities was the Beautification Project. And so he took me around to different areas of the sheriff's office that he wanted, you know, improved upon.

And I guess he used to be a landscaper before he went into politics or anything like that, so he was explaining to me the trees he wanted. He wanted all the knock-out roses taken out, you know, an island put in at the memorial area.

But whenever we were first walking around the sheriff's office, I had told them that there was already a project in place to correct the directional signs on the interior of the sheriff's office. Whenever I say "directional signs," when you drive in the sheriff's office, there's little signs around the property that will say "Property area this way, deliveries this way, fleet this way."

And I explained to him that there was already a project in place, a P.O. had already been cut to replace all the directional signs; it happened before his arrival. Sheriff Darnell and Chief Huckstep had instructed me that they wanted those things replaced, touched up, you know, that kind of thing.

So the vendor contact -- and this was done -- because it takes months to get it done. So it was

done, the P.O. was cut, and then the vendor contacted us and said that they were ready for pick-up. I had contacted the chief of staff, Danielle Judd, to let her know what time they were coming to install these things.

And she called me into the suite, in the sheriff's suite, and -- well, it was her office, and the sheriff was there. Sheriff Watson was there, and he was very visibly angry and asked why I thought I had the authority to order these signs, these directional signs.

I told him that I had explained to him, yeah, this had been put in place prior to him becoming sheriff. It had been -- the P.O. was cut under the previous administration, and it had nothing to do with him. His name wasn't on any of the directional signs. Sheriff Darnell's names wasn't on any of the signs.

And again, he was visibly angry, and he stated that I disrespected him by moving forward with that.

And I said, "Well, no, sir. I didn't even know you. I was instructed by my chain at that time to place this order."

And the chief of staff, Danielle, she'd only been there for about a week and a half, and she saw

how angry he was. And she even told him, "Sheriff Watson, I've only worked with a Diana for a week, week and a half, but I can tell you she would not have done this unless somebody had told her to."

And I said, "I've got the emails that say that this was my instruction."

And he just kept reiterating that I had disrespected him by following those orders, and I kept trying to explain to him that it was prior to his time and tenure at that office.

And whenever I say he was visibly angry, he was holding onto the back of a chair so hard that whenever he left there was still fingerprints in the chair, and he was -- he was shaking. He was sweating. He was yelling. He was very angry.

Q. Did he use any language to refer to you that was inappropriate?

A. The only thing he said to me was -- he told Danielle, "Well, get up. I'm going to walk around with you, and maybe you'll know what I'm talking about because she doesn't. I can't stand to look at her right now."

And I said, "Okay."

And Danielle had just made the statement that -- she said, "I just need to run to the restroom,

and I'll be right there. Let me grab my notepad."

And he stated, "No, now."

Then he told me that he didn't want to look at me anymore. And Danielle -- as soon as he left, Danielle said, "Please, Diana, find that email that authorized this."

It took maybe five, ten minutes for me to find the email. And not only did I have written authority to make that purchase, but at that time Major Clark and Undersheriff Decoursey were in the email string. They were all carboned in the email string that said that this was going on, that that ship had sailed. The P.O. had already been cut under the previous administration. We couldn't stop production because they had already started the printing.

So that was one of my first encounters where he was really, really visibly angry.

Q. At any time has he ever used derogatory language towards you?

A. He's --

Q. Such as calling you inappropriate names?

A. Yeah, he called me a bitch.

Q. What are the circumstances that he used that language towards you?

A. We had gone to a new fuel system. One of the things that Sheriff Watson wanted done whenever he first got into office is -- our then vendor for fuel was Lewis Oil. And Sheriff Darnell, myself, and Chief Huckstep had worked for quite a long time to get Lewis Oil to be our fuel vendor because we wanted to stay local. They have a large practice, and they've always helped us out, whether they were our vendor, with like hurricanes and things like that. Even if they weren't our vendor, if we were running low on fuel, they would help us out.

Well, he was adamant upon the first week that he wanted to review the fuel contract with Lewis Oil. He stated that he didn't want the Lewis Oil contract anymore because they hung the wrong sign on their fence. They were an advocate for Sheriff Darnell. And he said that if they wanted to have the contract -- and it was a large contract -- that they should have had a different sign.

Anyway, long story short, we went to a few different fuel vendors. I believe it's Rapid Fuel, but I'm not certain. Anyway, it was a little bit more expensive than Lewis Oil, but not terribly so. It did offer us a lot of different locations within the state.

He would never use the Lewis Oil fob. He just -- he wouldn't. A fob is what they use to get fuel.

So we went through all of the contracts, etc., just elected a different fuel vendor. And we had to -- throughout the agency, we had to switch out everybody's fuel cards in order for them to work.

Well, the fuel cards work on a PIN. You know how that works. His PIN, he wanted it to be, you know, the number one for sheriff, which is fine; but because his number was so short, it required five zeros in front of it. It was 000001, and he knew that.

Well, one time he was in Alachua. It was on a Saturday, and apparently he was traveling to Tallahassee. And Danielle Judd called me on a Saturday, and she was very upset and said that the sheriff had tried to get fuel and couldn't get fuel, and he was up in Alachua, he was stranded, etc.

And I said, "Well, he must have used the wrong PIN. And I checked the PIN myself. I knew it worked. I had fueled up with it. I knew it worked.

So he had ordered her -- she was at Lowe's getting flowers or something. He ordered her to leave the flowers, get on the phone with me and figure out

what was going on with his gas.

And she was talking to him on her personal cell phone and called me on the agency cell phone, and so I could hear what he was saying to her on the phone. And he was -- he was yelling at her. He was obviously very agitated. And he said that he didn't put the wrong PIN in, and this went back and forth.

He told me to go to the sheriff's office and -- you know, which is a drive for me. I live north of Lacrosse, so I knew he was going to be waiting for at least 35 minutes. So I told him to use my PIN to at least get gas to be able to go to Tallahassee.

He made the statement that I heard on the phone, "I don't want to use her damned PIN. You tell that bitch to fix my PIN."

And it turned out to be exactly what I thought it was, is he had put in the wrong PIN number. He had done one less zero, and it wound up canceling out the system. After you hit the error code so many times, it just won't work.

So he called me a bitch then that I heard him on the phone.

Q. While you're looking at that, was there ever any irregularities in the amount of fuel that the

sheriff was using that you were aware of?

A. Only one time. One of the things that I did, being in charge of fleet, and I've done as long as I was in charge of fleet is, I always kept records every quarter of how much -- we actually run reports on how much mileage is being used by all the agency vehicles, the average miles per gallon. That's how we budget for fuel.

And so we have had occurrences in the past where the numbers did not add up for an employee's fuel. Their miles per gallon was significantly less than the average, you know, 19 miles per gallon average, or whatever, based on their speed. So we kept track of their odometers, how much they got gas, how much, you know, they were traveling, they're average speed, blah, blah, blah.

And whenever we went to the new fuel company, and we had a new fleet software, I ran a report. And his number -- his gas mileage was lower than an average by a significant amount. Well, it was a brand new vehicle, and so I wanted to make sure there was nothing wrong with the vehicle.

So I contacted the secretary, which was Tara Malone, and asked her to bring the vehicle over to fleet so that we could take a look because the mileage

wasn't adding up. I think it showed he was getting like five to seven miles per gallon, which was a lot lower than the average vehicles.

So he did, and to my knowledge that's the only thing that I'm aware of.

Q. Would the miles per gallon -- were you able to determine that all of the fuel that he had purchased went into the vehicle? So those miles per gallon, if that fuel had been put into a separate container or put into a vehicle --

A. It wouldn't have shown.

Q. It wouldn't show that, but it would have caused the overall miles per gallon to be shown as lower?

A. Yes. And that's one of the reasons why we ran the report; not for him specifically, but we have had, especially during recessions and stuff like that, where, you know, deputies unfortunately have filled up their wife's vehicle, and they ended up getting like seven miles to the gallon.

That's one of the reasons why I run the report, is to make sure that it's fiscally responsible.

BY INSPECTOR RIDDICK:

Q. And is that only that one time?

A. In my experience, yes.
BY MR. KRAMER:
Q. And were you involved in a meeting with Scott Shelpman and Michelle Clement and yourself and some other members of the administration to inform Scott's staff that no one was to access the sheriff's vehicle?
A. Uh-huh.
Q. Can you explain what happened there?
A. Yes. The sheriff was very particular about his vehicle, and it took us a long time to get those vehicles. And apparently, the radio within the sheriff's vehicle -- I'm trying to remember this exactly.

The radio within the sheriff's vehicle needed to have an upgrade done. And so, rather than ask the sheriff to take his vehicle over to get it done, I believe it was Shelpman and fleet had contacted the secretary and verified if the sheriff was going to be going anywhere so that they could have 15 to 20 minutes.
Q. We actually -- because we're running out of time, I kind of need to finish up. Was there -- so we're aware of what the content of the meeting was.

In your mind, was that an unusual action on the part of the sheriff based on your history and

experience with other sheriffs?

A. Yes. He made the statement that he believed that we may have altered his vehicle in some way. And then he went to our fleet department and retrieved all of his agency keys, which is very unusual because we always keep a spare vehicle key.

Q. And also, was there anything unusual about the type of vehicle that was purchased for the sheriff?

A. Yes, he purchased High Country vehicles.

Q. Is that not within the normal operating procedures of the sheriff's office?

A. No, it is not.

Q. Why is it not?

A. It's a very expensive vehicle, and he was -- he and the undersheriff were very specific about the type of vehicles that they wanted. They wanted all-black Tahoes with black interiors, and they wanted High Countries. Well, that in itself is a limited vehicle, but he wanted them to have no sunroofs, which are all-custom vehicles. So it took us a long time to get the vehicle.

They're expensive vehicles. They're several thousand dollars more than what we would normally pay for a Tahoe; I couldn't tell you the exact difference.

But upon arrival of the vehicle -- we pretty much got the only two in the state -- he had us remove the words "High Country" off of it because he stated that he didn't want the citizens to think that he was not being frugally responsible, or fiscally responsible, and didn't want them to know that they were High Country vehicles.

Q. Was there ever a time when the sheriff directed that the uniforms that the deputies wear be altered to remove the word "sheriff"?

A. Yes.

Q. Were you involved in that?

A. Yes, it was my department.

Q. And did that occur?

A. Yes.

Q. Can you explain what happened?

A. We had ordered all new uniforms for the sheriff's office; they were covers, and whenever we ordered them they had the words "Alachua County Sheriff's Office," or "Deputy Sheriff," I believe it said. That's the way that we ordered them.

So whenever they started arriving, he didn't like the fact that they had the word "sheriff" on them. And he stated that he was the only sheriff, and he wanted them sent back and the word "sheriff"

removed.

Q. Did that occur?

A. Yes.

Q. And did that cause additional expense?

A. I believe so, but I'm not 100 percent certain on that. You would have to check with actual A and B on that, fiscal, because we may have worked out something with the uniform company like if you do this, we'll be able to modify this.

I don't remember off the top of my head if it cost us more money. It cost us a lot more time because we had to re-issue all the uniforms, but he did not want anyone else to have the word "sheriff" on their uniform.

Q. Was that true with vehicles also, or was that only with the uniforms?

A. Uniforms.

BY INSPECTOR RIDDICK:

Q. Let's go back to the Beautification Project. You said that he came in, he created this project, and it was out of budget. It had not been budgeted, so you had to create a line item for this.

Where did the money -- usually when you do that, you've got to get the money from some other line item budget. Where did the money come from to do what

he did?

A. I don't know. I was just told that, I believe it was, either 50 or 75,000 dollars that had been put into that account.

During the whole Beautification Project, whenever I say he wanted his name on his everything, he and I had a conflict because he wanted his name on the courthouse. I told him, "You can't have it on the courthouse. It's not your building. You can have it like where the civil department is or our particular bailiff areas for the criminal courthouse and the civil courthouse," but he was insistent he wanted it on the actual courthouses. And so we had a disagreement about that.

The retiree wall was a whole different project.

Q. Did they use the whole 75,00 as far as you know --

A. No. No, at least not whenever I was still there.

Q. Do you recall how much of it was used?

A. No, not off the top of my head because shortly after the whole -- where he was walking me around, he wanted these plants puts in, and I had to figure out different landscaping, I called different

landscapers and all of that. An OIC came out shortly thereafter that said to immediately cease and desist the Beautification Project.

And I'm like, okay, that was fine with me, but it was -- it was opposite of what he had just instructed me to do, actually, within the same day.

Q. Okay.

A. The only thing -- I know that I'm running short with you, but I'll make this quick. Within his first week of office he asked me to hire a company to go in and search for listening devices at the administration building. Then it came back with a negative report, and he did not trust that report and then hired a different company to come in and specifically look for listening devices.

Q. Do you recall the cost associated with those companies?

A. No.

Q. Would those be invoices that would have been invoiced to the sheriff's office?

A. The first company was DKI, and Jonathan is the owner. I had a relationship. They had done a lot of work for us. I was able to call him and say, "Hey, this is what we're doing."

I don't remember who the second company was.

MR. KRAMER: All right. Thank you so much. We appreciate your time.

(The statement concluded at 10:15 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that DIANA JACOBS, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named DIANA JACOBS, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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WHAT (3:14) (4:4) (5:19) (6:1) (6:4) (6:20) (9:1) (11:9) (11:14) (11:19) (13:15) (15:4) (16:20) (17:24) (19:2) (20:1) (20:4) (20:17) (23:8) (23:23) (24:24) (25:16) (26:25) (28:5) (28:24)

requesting out of budget. What is an example of that?

A. The entire Beautification Project was all out of budget.

Q. When you say "out of the budget," do you mean it exceeded the budget that was available, or there was no budget for this?

A. There was no budget for it.

Q. Okay.

A. In fact, Patty Judd, the chief financial officer, she had to create a separate line item that was titled "The Beautification Project" because he didn't just want simple things like that one wall. He wanted new stars. He wanted his name on the side of the building.

At the time that we were in the midst of this, one of my capital projects was we were repainting the entire administration building. That was a project that I'd been working on for three or four years. And it wasn't just the admin building. It was the admin building, the fleet building, and the 911 center.

And he wanted his name on the side of the building, and he wanted his name to be larger than the words "Alachua County Sheriff's Office"; but you only have a certain amount of real estate to put different

things, and he wanted his name to be 24 inches versus the 20 inches of the Alachua County Sheriff's Office. Well, his name is very long because he wants the entirety of it spelled out, including periods, the colons, etc.

So I explained to him that if you remove the letters from the wall, which had to be done in order to move all of that up to include his name -- I know this sounds really boring. I'm sorry. But the way that the letters are put in the wall, they're sautered in with rebar. It's not a simple fix. It isn't as if it's a magnet on a refrigerator that you just have to move around. You have to take everything off and then move it up. And he was insistent that that was not the case.

I'm like, "No, that is the case. I've done this for 20 years. This is the case."

So we painted the entirety of the admin office, and then he wanted his name moved, wanted his name put in there. So we ordered the letters. I don't remember how much it cost off the top of my head.

He was insistent that he wanted a particular size star and it to look like a particular star, not just a regular sheriff's office star. So he took me

to an area of the sheriff's office and asked me to duplicate a specific 36-inch star.

So I had the draft put in and had it mapped out to 36 inches, and then he approved that design. And not only did he approve it, he -- because we had a lot of conflict where he would say that he had said something or did approve or didn't approve something; so I had gotten in the habit of asking him to initial and date what he approved, and he approved the star to be placed there.

And so we went ahead and ordered it. I believe it was $2,800 because it was a custom design; but whenever we went to move the letters, it did exactly what I said it was going to do. The concrete came off the wall, and there were holes that were bigger than my fist all throughout that area of the sheriff's office. He had a fit, and he was very upset and very agitated.

And I explained to him this is exactly what I said was going to happen. That's the reason why I didn't want to do this right now.

So I contacted a concrete mason that I work with up in High Springs. He came over on a Saturday, redid the concrete. Then came back on Sunday -- because the concrete had to cure, he came back on

Sunday and sanded the concrete.

And then I had the painting company come back. We got the letters the way that he wanted the letters after about, you know, five or six times of just trying to place them in different areas to his satisfaction.

And so, in order for us to get the letters on, we were able to mount them again, and then the painting company had to come back in. So this was an additional expense for the painting company because they had already painted the building. I mean, it was outside now of their scope of work, if that makes any sense, so it was extra.

So in order for them to protect the letters, we had to tape every single one of those letters with painter's tape so that the new paint wouldn't get on the letters.

Well, we did that to protect the letters, and he got very upset and said it was unacceptable because I had used blue painter's tape. So I had to take all the tape off.

So we went ahead and did that, and then he wanted the tape -- this was all the same day -- put back on at 5:30 after close of business in order to prep for the painters. My staff stayed until probably

6:30 or 7:00 that night to re-tape the letters with the same blue tape. And then, because they didn't want to pay for actual new letters, we had to hand paint all of the letters.

So we finally got it up. I ordered the sign, like I said, or the star. I believe it was 25, 2,600 dollars. And it finally came in, and I took it to the undersheriff, to Chief of Staff Judd, the secretaries. They all thought it looked really nice.

We went to mount the star, and he said it was not the star that he ordered.

And I said, "It's exactly the star that you ordered," and I even showed him where he had approved it.

And he said I didn't know what I was talking about. I didn't listen. He wanted a different star. He wanted a star that was identical to the one on the Hawthorne Road sign.

So I don't know where that star is now. Whenever I left, it was still sitting in my office. So we had a lot of conflicts like this.

Q. In the course of those conflicts, did he ever refer to you in any manner that was inappropriate?

A. There was a couple times. We had -- and this was whenever he first started there. Probably within

the first two or three weeks, one of his priorities was the Beautification Project. And so he took me around to different areas of the sheriff's office that he wanted, you know, improved upon.

And I guess he used to be a landscaper before he went into politics or anything like that, so he was explaining to me the trees he wanted. He wanted all the knock-out roses taken out, you know, an island put in at the memorial area.

But whenever we were first walking around the sheriff's office, I had told them that there was already a project in place to correct the directional signs on the interior of the sheriff's office. Whenever I say "directional signs," when you drive in the sheriff's office, there's little signs around the property that will say "Property area this way, deliveries this way, fleet this way."

And I explained to him that there was already a project in place, a P.O. had already been cut to replace all the directional signs; it happened before his arrival. Sheriff Darnell and Chief Huckstep had instructed me that they wanted those things replaced, touched up, you know, that kind of thing.

So the vendor contact -- and this was done -- because it takes months to get it done. So it was

done, the P.O. was cut, and then the vendor contacted us and said that they were ready for pick-up. I had contacted the chief of staff, Danielle Judd, to let her know what time they were coming to install these things.

And she called me into the suite, in the sheriff's suite, and -- well, it was her office, and the sheriff was there. Sheriff Watson was there, and he was very visibly angry and asked why I thought I had the authority to order these signs, these directional signs.

I told him that I had explained to him, yeah, this had been put in place prior to him becoming sheriff. It had been -- the P.O. was cut under the previous administration, and it had nothing to do with him. His name wasn't on any of the directional signs. Sheriff Darnell's names wasn't on any of the signs.

And again, he was visibly angry, and he stated that I disrespected him by moving forward with that.

And I said, "Well, no, sir. I didn't even know you. I was instructed by my chain at that time to place this order."

And the chief of staff, Danielle, she'd only been there for about a week and a half, and she saw

how angry he was. And she even told him, "Sheriff Watson, I've only worked with a Diana for a week, week and a half, but I can tell you she would not have done this unless somebody had told her to."

And I said, "I've got the emails that say that this was my instruction."

And he just kept reiterating that I had disrespected him by following those orders, and I kept trying to explain to him that it was prior to his time and tenure at that office.

And whenever I say he was visibly angry, he was holding onto the back of a chair so hard that whenever he left there was still fingerprints in the chair, and he was -- he was shaking. He was sweating. He was yelling. He was very angry.

Q. Did he use any language to refer to you that was inappropriate?

A. The only thing he said to me was -- he told Danielle, "Well, get up. I'm going to walk around with you, and maybe you'll know what I'm talking about because she doesn't. I can't stand to look at her right now."

And I said, "Okay."

And Danielle had just made the statement that -- she said, "I just need to run to the restroom,

and I'll be right there. Let me grab my notepad."

And he stated, "No, now."

Then he told me that he didn't want to look at me anymore. And Danielle -- as soon as he left, Danielle said, "Please, Diana, find that email that authorized this."

It took maybe five, ten minutes for me to find the email. And not only did I have written authority to make that purchase, but at that time Major Clark and Undersheriff Decoursey were in the email string. They were all carboned in the email string that said that this was going on, that that ship had sailed. The P.O. had already been cut under the previous administration. We couldn't stop production because they had already started the printing.

So that was one of my first encounters where he was really, really visibly angry.

Q. At any time has he ever used derogatory language towards you?

A. He's --

Q. Such as calling you inappropriate names?

A. Yeah, he called me a bitch.

Q. What are the circumstances that he used that language towards you?

A. We had gone to a new fuel system. One of the things that Sheriff Watson wanted done whenever he first got into office is -- our then vendor for fuel was Lewis Oil. And Sheriff Darnell, myself, and Chief Huckstep had worked for quite a long time to get Lewis Oil to be our fuel vendor because we wanted to stay local. They have a large practice, and they've always helped us out, whether they were our vendor, with like hurricanes and things like that. Even if they weren't our vendor, if we were running low on fuel, they would help us out.

Well, he was adamant upon the first week that he wanted to review the fuel contract with Lewis Oil. He stated that he didn't want the Lewis Oil contract anymore because they hung the wrong sign on their fence. They were an advocate for Sheriff Darnell. And he said that if they wanted to have the contract -- and it was a large contract -- that they should have had a different sign.

Anyway, long story short, we went to a few different fuel vendors. I believe it's Rapid Fuel, but I'm not certain. Anyway, it was a little bit more expensive than Lewis Oil, but not terribly so. It did offer us a lot of different locations within the state.

He would never use the Lewis Oil fob. He just -- he wouldn't. A fob is what they use to get fuel.

So we went through all of the contracts, etc., just elected a different fuel vendor. And we had to -- throughout the agency, we had to switch out everybody's fuel cards in order for them to work.

Well, the fuel cards work on a PIN. You know how that works. His PIN, he wanted it to be, you know, the number one for sheriff, which is fine; but because his number was so short, it required five zeros in front of it. It was 000001, and he knew that.

Well, one time he was in Alachua. It was on a Saturday, and apparently he was traveling to Tallahassee. And Danielle Judd called me on a Saturday, and she was very upset and said that the sheriff had tried to get fuel and couldn't get fuel, and he was up in Alachua, he was stranded, etc.

And I said, "Well, he must have used the wrong PIN. And I checked the PIN myself. I knew it worked. I had fueled up with it. I knew it worked.

So he had ordered her -- she was at Lowe's getting flowers or something. He ordered her to leave the flowers, get on the phone with me and figure out

what was going on with his gas.

And she was talking to him on her personal cell phone and called me on the agency cell phone, and so I could hear what he was saying to her on the phone. And he was -- he was yelling at her. He was obviously very agitated. And he said that he didn't put the wrong PIN in, and this went back and forth.

He told me to go to the sheriff's office and -- you know, which is a drive for me. I live north of Lacrosse, so I knew he was going to be waiting for at least 35 minutes. So I told him to use my PIN to at least get gas to be able to go to Tallahassee.

He made the statement that I heard on the phone, "I don't want to use her damned PIN. You tell that bitch to fix my PIN."

And it turned out to be exactly what I thought it was, is he had put in the wrong PIN number. He had done one less zero, and it wound up canceling out the system. After you hit the error code so many times, it just won't work.

So he called me a bitch then that I heard him on the phone.

Q. While you're looking at that, was there ever any irregularities in the amount of fuel that the

sheriff was using that you were aware of?

A. Only one time. One of the things that I did, being in charge of fleet, and I've done as long as I was in charge of fleet is, I always kept records every quarter of how much -- we actually run reports on how much mileage is being used by all the agency vehicles, the average miles per gallon. That's how we budget for fuel.

And so we have had occurrences in the past where the numbers did not add up for an employee's fuel. Their miles per gallon was significantly less than the average, you know, 19 miles per gallon average, or whatever, based on their speed. So we kept track of their odometers, how much they got gas, how much, you know, they were traveling, they're average speed, blah, blah, blah.

And whenever we went to the new fuel company, and we had a new fleet software, I ran a report. And his number -- his gas mileage was lower than an average by a significant amount. Well, it was a brand new vehicle, and so I wanted to make sure there was nothing wrong with the vehicle.

So I contacted the secretary, which was Tara Malone, and asked her to bring the vehicle over to fleet so that we could take a look because the mileage

wasn't adding up. I think it showed he was getting like five to seven miles per gallon, which was a lot lower than the average vehicles.

So he did, and to my knowledge that's the only thing that I'm aware of.

Q. Would the miles per gallon -- were you able to determine that all of the fuel that he had purchased went into the vehicle? So those miles per gallon, if that fuel had been put into a separate container or put into a vehicle --

A. It wouldn't have shown.

Q. It wouldn't show that, but it would have caused the overall miles per gallon to be shown as lower?

A. Yes. And that's one of the reasons why we ran the report; not for him specifically, but we have had, especially during recessions and stuff like that, where, you know, deputies unfortunately have filled up their wife's vehicle, and they ended up getting like seven miles to the gallon.

That's one of the reasons why I run the report, is to make sure that it's fiscally responsible.

BY INSPECTOR RIDDICK:

Q. And is that only that one time?

A. In my experience, yes.
BY MR. KRAMER:
Q. And were you involved in a meeting with Scott Shelpman and Michelle Clement and yourself and some other members of the administration to inform Scott's staff that no one was to access the sheriff's vehicle?
A. Uh-huh.
Q. Can you explain what happened there?
A. Yes. The sheriff was very particular about his vehicle, and it took us a long time to get those vehicles. And apparently, the radio within the sheriff's vehicle -- I'm trying to remember this exactly.

The radio within the sheriff's vehicle needed to have an upgrade done. And so, rather than ask the sheriff to take his vehicle over to get it done, I believe it was Shelpman and fleet had contacted the secretary and verified if the sheriff was going to be going anywhere so that they could have 15 to 20 minutes.
Q. We actually -- because we're running out of time, I kind of need to finish up. Was there -- so we're aware of what the content of the meeting was.

In your mind, was that an unusual action on the part of the sheriff based on your history and

experience with other sheriffs?

A. Yes. He made the statement that he believed that we may have altered his vehicle in some way. And then he went to our fleet department and retrieved all of his agency keys, which is very unusual because we always keep a spare vehicle key.

Q. And also, was there anything unusual about the type of vehicle that was purchased for the sheriff?

A. Yes, he purchased High Country vehicles.

Q. Is that not within the normal operating procedures of the sheriff's office?

A. No, it is not.

Q. Why is it not?

A. It's a very expensive vehicle, and he was -- he and the undersheriff were very specific about the type of vehicles that they wanted. They wanted all-black Tahoes with black interiors, and they wanted High Countries. Well, that in itself is a limited vehicle, but he wanted them to have no sunroofs, which are all-custom vehicles. So it took us a long time to get the vehicle.

They're expensive vehicles. They're several thousand dollars more than what we would normally pay for a Tahoe; I couldn't tell you the exact difference.

But upon arrival of the vehicle -- we pretty much got the only two in the state -- he had us remove the words "High Country" off of it because he stated that he didn't want the citizens to think that he was not being frugally responsible, or fiscally responsible, and didn't want them to know that they were High Country vehicles.

Q. Was there ever a time when the sheriff directed that the uniforms that the deputies wear be altered to remove the word "sheriff"?

A. Yes.

Q. Were you involved in that?

A. Yes, it was my department.

Q. And did that occur?

A. Yes.

Q. Can you explain what happened?

A. We had ordered all new uniforms for the sheriff's office; they were covers, and whenever we ordered them they had the words "Alachua County Sheriff's Office," or "Deputy Sheriff," I believe it said. That's the way that we ordered them.

So whenever they started arriving, he didn't like the fact that they had the word "sheriff" on them. And he stated that he was the only sheriff, and he wanted them sent back and the word "sheriff"

removed.

Q. Did that occur?

A. Yes.

Q. And did that cause additional expense?

A. I believe so, but I'm not 100 percent certain on that. You would have to check with actual A and B on that, fiscal, because we may have worked out something with the uniform company like if you do this, we'll be able to modify this.

I don't remember off the top of my head if it cost us more money. It cost us a lot more time because we had to re-issue all the uniforms, but he did not want anyone else to have the word "sheriff" on their uniform.

Q. Was that true with vehicles also, or was that only with the uniforms?

A. Uniforms.

BY INSPECTOR RIDDICK:

Q. Let's go back to the Beautification Project. You said that he came in, he created this project, and it was out of budget. It had not been budgeted, so you had to create a line item for this.

Where did the money -- usually when you do that, you've got to get the money from some other line item budget. Where did the money come from to do what

he did?

A. I don't know. I was just told that, I believe it was, either 50 or 75,000 dollars that had been put into that account.

During the whole Beautification Project, whenever I say he wanted his name on his everything, he and I had a conflict because he wanted his name on the courthouse. I told him, "You can't have it on the courthouse. It's not your building. You can have it like where the civil department is or our particular bailiff areas for the criminal courthouse and the civil courthouse," but he was insistent he wanted it on the actual courthouses. And so we had a disagreement about that.

The retiree wall was a whole different project.

Q. Did they use the whole 75,00 as far as you know --

A. No. No, at least not whenever I was still there.

Q. Do you recall how much of it was used?

A. No, not off the top of my head because shortly after the whole -- where he was walking me around, he wanted these plants puts in, and I had to figure out different landscaping, I called different

landscapers and all of that. An OIC came out shortly thereafter that said to immediately cease and desist the Beautification Project.

And I'm like, okay, that was fine with me, but it was -- it was opposite of what he had just instructed me to do, actually, within the same day.

Q. Okay.

A. The only thing -- I know that I'm running short with you, but I'll make this quick. Within his first week of office he asked me to hire a company to go in and search for listening devices at the administration building. Then it came back with a negative report, and he did not trust that report and then hired a different company to come in and specifically look for listening devices.

Q. Do you recall the cost associated with those companies?

A. No.

Q. Would those be invoices that would have been invoiced to the sheriff's office?

A. The first company was DKI, and Jonathan is the owner. I had a relationship. They had done a lot of work for us. I was able to call him and say, "Hey, this is what we're doing."

I don't remember who the second company was.

MR. KRAMER: All right. Thank you so much. We appreciate your time.

(The statement concluded at 10:15 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that DIANA JACOBS, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named DIANA JACOBS, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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WHAT'S (8:10)
WHEN (4:10)(7:7)(9:4)(14:14)(25:8)(26:23)
WHENEVER (6:13)(7:1)(7:3)(8:13)(11:13)(13:20)(13:25)
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YEAH (15:12)(17:23)
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YOU'VE (26:24)

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ZERO (20:19)
ZEROS (19:12)

SWORN STATEMENT

of

GEORGE CORINE

DATE TAKEN: April 26, 2023
TIME: 10:15 a.m. - 11:20 a.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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WHEREUPON,

GEORGE CORINE

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. Could you state your full name?

A. George John Corine.

Q. Mr. Corine, we're here again for continuation of our prior interview after the interview in which we ran out of time due to our scheduling and not really understanding the full breath of the information that you had.

Did you have an opportunity to review the questions that were asked by me and the officers to you during the interview?

A. I did.

Q. And thinking it through, were there other instances that would have been responsive to our questions that you didn't have an opportunity to provide?

A. Yes. And then I think there were some other things that -- notes were made, but we had skipped back and forth. We were moving forward and back and

forward and back in time, and I don't know if I discussed them or not. If I did, I apologize. It would be a duplicate.

Q. That's fine.

A. But if not --

Q. Where would you prefer to start? You want to start with things that you're concerned about that we just skipped over, or do you want to start with more -- the question, I believe, was, is there anything that occurred at the sheriff's office that was illegal, unethical, or immoral that you observed that you could tell us about, and I think that might be the area where there were additional responses.

A. Yeah. I think the other -- the things that I have highlighted here may just clean up my previous notes.

Q. All right. Let's start with that.

A. And again, I don't know if I got these things on the record last time.

One of my notes that I had made that nothing can be decided until the sheriff has made final decision. So it seems as if he is the sole decision maker, and nobody in the chain of command has the ability to make any types of decisions.

BY INSPECTOR RIDDICK:

Q. Did you get that from him?

A. That's just the perception.

And let me say that we have forms that, obviously, go up to certain levels, and some of the forms go to the sheriff. For instance, if you have a -- if you win a prize, for example -- I'm sure you guys have heard of SWAT Roundup.

We had an incident where a couple of guys won some rifles at SWAT Roundup, and guns, which I'm sure you're familiar always happens. And history has always been when that item comes back, that the sheriff has allowed the person to keep it. We fill out a form that basically says, "Hey, I received this as essentially gratuity. What do you want to do with it?" and history had always been ever since I've been there that the employee was just allowed to keep it.

Those forms sat for months and months and months, and we continuously asked and asked and asked; and the paper was never being processed, which seemed to be the history of things like secondary employment forms.

In other words, I work for Home Depot. I have to fill out a form saying I work for Home Depot, I work five to ten hours a week. You know, it doesn't conflict, I won't be doing any law enforcement action,

blah, blah, blah, and it gets approved all the way up to the sheriff. Those type of forms just sit.

It's like there's a neglect to fill those forms out and get them back to people, especially when it comes to the folks that live in reduced rent apartments; because those reduced rent apartments are really considered secondary employment, and now we have people who come back and fill out the form, say, "Hey, I have this secondary employment. I live at ABC Apartment Complex," and those forms never get processed.

Lately -- I've been gone, but lately -- I'm sure you guys can follow up with it -- some secondary employment has been approved, but it's been very sporadic; and then others, it's been straight-up denied. And those denials have come on the backs of years and years and years of approval.

In other words, I might be teaching at the academy. I taught at the academy for 15 years, let's say, and then all of a sudden this year it's a denial for no reason, and there's no reason given.

Q. Is that detrimental to the functioning of the sheriff's office?

A. The academy, absolutely, because we have an agreement with the academy that we're going to provide

people to teach the recruits.

Q. Well, maybe I'm being too obtuse. If employees are being mistreated and treated very differently than they have been by prior administrations without any explanation, does that create an environment where employees are likely to remain?

A. Absolutely not. What happens is too often -- I'm sure you guys are aware that law enforcement salaries are not that high, and almost everybody has got some sort of secondary employment whether it be at the academy or whether they have a business. Like we have several folks that have lawn maintain businesses, you know, and they thrive on those businesses, especially during the summer months when grass cutting is frequent. And when those forms aren't being approved, then you get into a situation where am I allowed to continue my business that I invested all this capital in, or what do I need to do? Do I need to quit and just move on?

And I'm sure if you pull the vacancy rate, the FT vacancies on January 5th of 2021, you pull the FT vacancy rate as of today, you'll see that they're vastly different.

Q. Just so I understand, do those supplemental

employment forms have to be yearly?

A. They do.

Q. So even if you've had the same position for years and years, it has to be approved every year?

A. Every calendar year.

Q. Is it October 1? January 1?

A. January 1, if my memory recalls. I think it's January 1.

Q. Would your understanding be, there would be individuals who would resubmit after January 1 and would not get an answer for five, six, seven months?

A. Lengthy amounts of times or outright denials with no excuse, or no response, really. And, you know, the academy relies on those folks to teach recruits.

Q. Right.

A. I do believe we discussed that it could be found in one of the audio recordings that the undersheriff said that nothing is final until it's in green ink.

Q. Correct.

A. So that just kind of plays into that.

Q. And, also, I want to follow up on that issue. I want to make sure I understand what you're telling me, which is that -- and I'll use my organization as

an example. We have -- I delegate control out to supervisors because I am physically incapable of making timely decisions in 20,000 cases of prosecution per year, and that is necessary for the proper functioning of the agency.

A. That is correct. I felt as if I had less decision-making authority as a major than I did as a lieutenant under the Darnell administration, which chokes the entire operation.

Q. So the same is true at the sheriff's office, and probably on a much larger scale than my organization. I have 135 employees, and the sheriff's office has how many employees?

A. About 960.

Q. Nine hundred sixty employees, and then essentially day-to-day decision making is being made by the sheriff?

A. Essentially.

Q. And that has prevented the sheriff's office's proper functioning because decision-making is delayed, and this -- what you've been talking about, this example of additional employment, is just maybe one example of delay.

A. It is one example, yes.

Q. And there are many others?

A. Right.

Q. And I don't know if you can speak to this, but is one of those examples, would it be assisting other agencies?

A. Yes.

Q. And are you aware during the time you were at the sheriff's office of a change in the decision-making process by which the sheriff's office decided whether or not to assist other agencies?

A. Absolutely.

Q. And if you could clarify. Does the sheriff's office have obligations, contractual and grant-oriented obligations, to provide assistance to regional agencies with equipment and expertise that those agencies would not have?

A. Absolutely.

Q. And could you explain what happened while you were there? What was the change from the prior administration? How did that affect things?

A. So operationally when I was the patrol support lieutenant, which was over all the special teams, Bradford County would call and say, "Hey, we've got an incident up here. We need the SWAT team."

So we're part of a region. The SWAT team is a regional team. There's funding that comes out of --

I can't remember the abbreviation, but it is -- there's funding that comes out. They fund some equipment, and that is really meant so that when Bradford County calls, or Union County folks that don't have a SWAT team, we go up there and we handle it.

And usually the protocol was, they would call. The captain would say, "Hey, Union County has a SWAT call-out." I would notify the SWAT guys, and then they would go.

The captain would then turn around and notify the chain upwards, "Hey, this is what's happened. I'm just kind of letting you know that Bradford County has called, or Union County has called, and they need the SWAT team."

That's been the practice for years. I mean, time was of the essence when you're talking about calling out a SWAT team. If we're not calling them for some preplanned event three days from now, then we don't have time to sit around and talk and have approval. It's go.

That completely changed under the Watson administration. He simply demanded that, in order for any asset to leave this county, that that sheriff that was requesting or that chief that was requesting the

equipment called him first, which severely choked the response time.

So it was a complete spin. It was something we weren't used to, but he wanted the sheriff of Bradford County, Union County to call him and ask for the equipment before we were authorized.

Q. And what if he wasn't available?

A. (Shrugs shoulders.)

Q. You're holding up your hands and saying there's no answer for that?

A. There's no answer for that because we weren't authorized to proceed.

Q. So, for instance, just an instance that I was personally involved in was, there was an officer-involved shooting in Levy County, and they only have maybe four deputies on the road at any one time. I don't know if you're aware of this incident.

A. Correct.

Q. And when three of the officers were involved in a shooting, then they had no -- essentially, one deputy remaining on the road. They requested assistance from the Alachua County Sheriff's Office. Would that assistance request have to go through the sheriff himself?

A. It would.

Q. Would you agree that under those circumstances where a county was essentially now --

A. Vacant.

Q. -- had no law enforcement available, that time is of the essence?

A. Yeah, it is essential. And I'll follow up with another example.

The two deputies that were shot in Gilchrist County under the Darnell administration. As soon as that happened, everybody started rolling. We rolled the command -- I mean, we had the mobile command bus. We had schedules done to start covering the county, and then we just started notifying the sheriff, "Hey, this is what we're doing. This is how we're taking care of them." It was almost the information was flowing upward rather than flowing downward.

And under the Watson administration it's completely immerse. It's not allowed to happen in that manner. And the folks who may call 911 in Gilchrist County, now that there's no deputies available, they rely on our assistance. And we have the resources to provide to Gilchrist County or to Union County that Union County or Gilchrist County doesn't otherwise have.

MR. KRAMER: All right. Let's go back to

things that you may -- unless you wanted to follow up. I'm sorry.

BY INSPECTOR RIDDICK:

Q. Has he ever denied one of those requests that you know of?

A. Yes.

Q. Which one?

A. There was an incident where University of Florida had called and requested the use of the jail vans. There was something going on at the Reitz Union. I think Darren Baxley had called and requested the jail vans. Don't quote me. I think it was Darren Baxley, deputy chief. Sheriff Watson refused to let them utilize the jail vans.

All that is, is a transport function. It's not like we were sending personnel. You know, we send in a couple of people to operate the vans, but we weren't sending crowd management. We weren't getting involved with their business on campus. They were just simply asking for assistance because, again, the university, you know, they've only got 80 FTEs, you know, somewhere in there. They don't have the capacity to deal with 15 or 20 arrestees at the same time. It would impact them severely to have to deal with that, and we had the resources. I didn't

understand what the purpose of withholding a jail van was.

Q. When you say impact severely, would that mean creating an unsafe environment for the remainder of the students and faculty on campus?

A. Potentially. I mean, it depends on how the incident goes. If you got all your guys on the incident tied up with 10-15, or arrestees, if you will, and then they need to focus their attention somewhere else, next thing you know, you divert your attention to the people that need to go. Now you have an unsafe number of officers with the arrestees; or do the officers stay with the arrestees, and now you've neglected this? You have to make a decision.

You've only got so many personnel. The jail van would have been very quick, easy. You bring the jail vans over, put them in the jail vans, pat them down, get them in there, at least hold them there for a few minutes or get them out of there, whatever they decided to do. It was a relatively simple request.

There was some issues surrounding the drug task force, which I'm sure you're aware of, and the sheriff not wanting anyone to operate in the county.

Q. Were you an employee of the sheriff's office at the time that the sheriff directed the removal of

all the equipment from the drug task force?

A. No, but my understanding is it was done in the middle of the night under some covert operation, was the rumor.

Q. Correct. I just didn't know if you were personally involved.

A. I was not.

BY INSPECTOR RIDDICK:

Q. Were you there when Nassau County requested assistance on an officer-involved shooting, and it was denied?

A. Actually, yes. I believe I was.

Q. Do we know why?

A. I don't know why.

BY MR. KRAMER:

Q. But that denial would have come from the sheriff?

A. It come from the sheriff. No cop, working cop, like even coming up through the ranks, when they had something like that, would deny that type of assistance. Those are the things -- when things were choked, it chokes to the point where it doesn't -- it doesn't run efficiently.

BY INSPECTOR RIDDICK:

Q. And for the record, let me correct that. It

may have been an officer-involved shooting, but actually the deputy had been shot; and they had a subject cornered, and they were asking for assistance from SWAT teams.

A. Correct. Correct.

MR. KRAMER: Anything further on what he's said so far?

THE WITNESS: One of the things that -- you know, you talk about assets. The SWAT team is one of them, but more frequently the helicopter is something that -- you know, we have an aviation unit. And folks in Putnam County and Columbia County, you know, they rely on that air support. You know, one helicopter there, arguably, is equivalent of 15 or 20 units on the ground.

Those requests were frequently -- we ran into problems where there would be a pursuit at, say, 2:00 in the morning, and they're calling and asking for our assistance. And then you have to make the decision, do I say, okay, go ahead and go, and then get chewed out the next day because they didn't -- because that sheriff didn't call our sheriff at 2:00 in the morning?

I mean, that's the type of slow-down we're

talking about, to the point where you might as well not even send them at that point. It's almost rendering it useless.

BY MR. KRAMER:

Q. And it's 2:00 in the morning. Is Sheriff Watson available to answer another sheriff's call?

A. I don't know. I never called him at 2:00 in the morning.

BY INSPECTOR RIDDICK:

Q. You mentioned earlier about the funding. If I recall from my days with RDS --

A. RDSTF, yeah, that's it.

Q. Regional Domestic Security Task Force. That's where a lot of Alachua's money came from. Or I say a lot. That's basically --

A. A significant amount of money.

Q. They were given a lot of money to create those regional units in case of -- for the region.

A. Right.

Q. And that was the understanding, that the money is given to you, but you need to be available if the region needs you.

A. The BearCat. I believe the BearCat was portioned with RDSTF money; or a portion of it was purchased with it, and you know how expensive those

are.

The bomb team is another RDSTF, you know.

BY MR. KRAMER:

Q. Let me ask you this. Are these requests reduced in any way to writing, or would there be any evidence of the request existing at all?

A. Usually -- from my recollection, usually when something breaks off, it's a phone call saying, "We need SWAT."

Q. Let me ask you this --

A. There could be a Teletype follow-up, though. I don't know.

Q. Would there be text messaging? Like, for instance, might you send a text message to the sheriff "We've received request from Scott for SWAT in Union County"?

A. Oh, I'm sure, but I never really directly contacted the sheriff. That was the undersheriff. I would call him, the undersheriff. I mean, he would answer his phone.

Q. But if -- you would agree those communications would be records at the agency?

A. There should be records at the agency.

Q. But if those records were not being -- they may not be preserved.

A. They should be preserved. Because there was a point in time when we all got iPhones -- you get into the debate of the iPhone or the Android, right? The iPhone is a blue, which is MMS; and then you have the Android, which is an SMS message. From my understanding, the SMS messages are recorded through your carrier, but the MMS are not because they're run on data and not run on cellular.

Q. But if the sheriff didn't allow the recording devices on his phone, there would be no record of those requests being made to the sheriff, correct?

A. I know that the phone that I had had recording because that was all enabled by Scott Shelpman, if my memory serves me correctly.

Q. Understood. Let's move on to the next item that you were concerned that we had missed due to our time constraints.

A. We discussed briefly Michelle Shirfield last time. She had posted some items on Facebook that could be seen by some folks as slanted to one racial side, if you will. That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that. Nobody ever saw the corrective counseling.

And then the order was basically given, you

know, for Facebook or for violations of social media, that was -- that was the -- what should be done, give them a corrective counseling and go through progressive discipline.

And I think there's a couple open cases right now -- or I don't know if they're open or closed.

So Frank Williams and Kevin Davis are under investigation, or open at the moment, for things that I think were far less controversial, and they were placed on admin suspension and been sitting at the house for months.

Q. And let me ask you because I don't know the answer to this. This individual -- and you said her name was Michelle?

A. Shirfield.

Q. Shirfield? Is she African American?

A. She is.

Q. And the posts that you're referencing, they were -- I don't know the posts. Were they racially inappropriate?

A. It was more of a supporting a racial position, and I believe Kevin Davis could speak more on that.

Q. Is it your understanding that a formal complaint was made either to her supervisor or to the

office of professional standards so that discipline should have been initiated?

A. I told the sheriff directly about the violation, and Bobby Stafford told the sheriff directly about the violation.

Q. But as far as I understand -- and my understanding of discipline is developing -- is that the way the discipline would be initiated, it would be either through the office of professional standards or through her supervisor.

A. Correct.

Q. So you gave that information to the sheriff?

A. Correct.

Q. And your understanding is that no discipline was initiated; or if there was any discipline, it was informal in the form of a corrective counseling?

A. It was informal in the form of a corrective counseling, but nobody seen that. I'm sure if you pull her file you would either see a corrective counseling or not see a corrective counseling, but she reported directly to the sheriff.

Q. When someone receives corrective counseling, is it discipline?

A. It's considered informal discipline.

Q. But it should remain in the employee file for

one year?

A. That's correct. Oftentimes it's not removed. You have to go back in there and say, hey, that needs to come out.

BY INSPECTOR SNOWDEN:

Q. Do you know if Kevin Davis made a complaint about that to OPS or through the sheriff suite?

A. I don't think so because he had already known that it was brought to the attention of the sheriff and Bobby Stafford.

Q. Do you know about any complaint that Kevin Davis took to OPS?

A. I know he made a complaint. I don't remember what it surrounded; but I do remember him taking a complaint, and it was basically like disregarded.

Q. If somebody takes a complaint to OPS, should a case number be drawn?

A. Oh, absolutely, or they say this is really not -- there's a list of standards that OPS will investigate these certain things or as directed by the sheriff.

So they'll look at it, and they'll say we'll take and we're going to pull a case number, or they'll say we're going to defer it back to the division commander and let the employee supervisor handle it.

MR. KRAMER: Any other questions on that particular issue?

BY MR. KRAMER:

Q. Thank you for the clarification. Was there anything else?

A. Did we discuss the bargaining process with the re-openers and the unfair labor practice?

Q. You did. You informed us that one of the reasons why you left the sheriff's office was that you advised them, essentially, that what they were doing was in violation of the National Labor Standards Act.

A. Oh, that's right. I gave you the form. Okay.

So I gave the set of text messages last time between the undersheriff and I.

Q. Yes.

A. The sergeants and lieutenants ratified their contract. The deputies did not ratify their contract. And there was an extended period of time; I don't recall the exact settlement dates, maybe July, August the following year. So we're talking about ten, eleven months later that ultimately we were going to go to a hearing at the sheriff's office.

And right before that began and the sheriff was coming to sit down and testify, if my memory

serves me correctly, he wanted to have a discussion. And then that was ultimately settled, and a substantial check was written for attorney's fees. You may want to pull a copy of that.

Q. Who was the attorney that would have received the fees?

A. It would be the PBA.

Q. Would it be the PBA itself, or would it be paid directly to a particular attorney?

MS. WEBSTER: Do you want me to answer?

MR. KRAMER: No, you can tell him.

THE WITNESS: The check was written to the PBA.

BY MR. KRAMER:

Q. For the attorney's fees?

A. For the attorney's fees.

Q. Incurred because of the actions that you've already described in your previous testimony where the sheriff was essentially acting in violation of the National Labor Standards Act of essentially just refusing to negotiate in good faith.

A. That is correct. And that surrounded the take-home cars, which I believe we talked about last time.

Q. Correct.

A. All those things wrapped up.

Q. He withdrew all the articles. That's the phraseology you used.

A. Everything was TA'd. We were getting ready to go to a vote on Thursday and Friday. On Monday, October 18th, I got a call that he withdrew all the articles.

I said, "Wait a minute. We know this vote is coming. We can't do this."

I brought it to his attention, and the sheriff made the unilateral decision to pull that. I said, "You can't do that. You're going to refuse to sign a contract after it's already been agreed upon."

And in his text messages, which I presented to you last time, I was told that my interpretation was not consistent with the decision of the sheriff.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. Next.

A. We talked about the SWAT rifles.

BY INSPECTOR RIDDICK:

Q. Where are those rifles now, Major?

A. So those rifles were not given to the employee personally. They were issued to the employee that won them with the understanding that when they

retire they will be able to keep them. That was the decision that was made, if my memory serves me correctly; but that's probably not in writing anywhere, I promise you that, because nothing hardly ever gets reduced to writing.

BY MR. KRAMER:

Q. Well, they wouldn't have gone to the inventory? Doesn't every officer have an inventory?

A. Uh-huh.

Q. And if they're not on the inventory, and they're in the officer's possession --

A. No, they're issued to the officer. They're going to be on the inventory.

BY INSPECTOR RIDDICK:

Q. They were taken into the sheriff's office inventory and then issued to the officer that won it.

A. That's correct.

Did I touch on the fact that Watson will make a decision regardless whether it's against policy or procedure?

BY MR. KRAMER:

Q. I think in general that was clear, but are there specific instances that you can reference that you didn't reference last time?

A. No. I just want to make sure I hit that --

Q. You did.

A. It's so frequent, though, that --

Q. What is the effect on the agency when the sheriff doesn't follow the agency's own policy?

A. Well, what it does is, it sets the tone of the only consistency is inconsistency, right? And when the sheriff isn't following his own policies and procedures, what message is that sending down to the troops?

It sends a horrible message down saying I don't have to follow policy and procedure, but I'm going to hold you to it; and when you aren't held to it, when you violate that, I'm going to write you up.

Q. Would it also lead people to the conclusion that -- wouldn't it also lead to the natural conclusion that if you follow a policy, that the sheriff might still discipline you or you might meet criticism or demotion or job problems because you followed policy that the sheriff no longer wants to have be the policy?

A. It's almost as if you're expected to think like him. And if it is any perceived disrespect or embarrassment, you're going to be talked to about it, if not hit with some sort of discipline.

We just had a recent case, the Glen Stanley

internal investigation, which is closed -- which I suggest you pull a copy of that -- where the sheriff goes outside the disciplinary matrix.

We have a matrix that says this is Level Two, Level Three, Level Four or Five, and this is -- you know, you got a Level Two, you get this many points. This many points is from A to B, and he'll just add C in there.

Q. And in this particular investigation was it to the officer's detriment?

A. Yes.

Q. Is this recourse for the officer under those circumstances? Can the officer appeal that decision? Do they have -- do they enforce the matrix as it exists, or are they simply subject to the sheriff's rulings?

A. Only if they meet the standards set forth in the sheriff's board, which is greater than a two-day suspension. In this case it was one-day suspension, but they put the guy on 12 months of disciplinary probation. And I believe, if you go back and you look at what a Level Three violation is, 12 months of disciplinary probation is not allowed.

And then what you do when you put somebody on disciplinary probation is, the next time they wear the

wrong color socks or doing something that's in violation, then they're not eligible for a career service board.

It's almost like you're setting up them for the next violation, to render them ineffective in a career service board.

Q. And because it's a one-day suspension, it's not appealable?

A. Correct.

We touched on changing past practice without really any discussion with anyone.

Q. Correct. Yes.

A. We touched on Watson and Decoursey routinely holding paperwork and not signing it, essentially neglecting the duties of moving the institution along.

And we -- I know we discussed not reducing things to writing, and we discussed the staffing shortages. So I think that kind of cleans up what I can remember from the last one.

Q. Was there anything additional in response to the question, are you aware of anything immoral, unethical, or illegal, that occurred in the sheriff's office while you were there --

A. Well --

Q. -- that we didn't cover last time?

A. I think that's where we're going to move in to the next section.

Q. Okay.

A. So the sheriff is a steward of the taxpayer's money. Would you agree with that?

Q. Agreed.

A. When he came into office, there were two vehicles that were provided that were left by Darnell and Huckstep. They were not happy with those vehicles even though they were functioning vehicles, and they immediately purchased two black Tahoes; and they were high-end Tahoes to the tune of in the mid 70s. And then, of course, all the equipment and everything had to go in on top of that, so you're talking probably upwards of 90-plus thousand dollars just because they wanted new vehicles. That was kind of like the first thing. Everybody kind of questioned that.

And then he had the badges removed from them that say like "High Country" to make it look like it wasn't, you know, an expensive vehicle as it was, but everybody knew what time of day it was. They saw the badges on there. Everybody knew what was going on. You could see it.

So that was kind of, in my opinion, something that the fleet department should have set back and

assessed and advised the sheriff, "Hey, if we want new vehicles, this is where our budget is. This is how much money we have left. If we make this purchase, then we can't purchase these four cars instead of these two Tahoes."

That didn't happen. He immediately ordered the vehicle. I don't think they came off state contract. I think they got one at the local Chevrolet dealership. Or I don't know where they got them form; you'd have to pull that. One was 74. The other one was 77 or somewhere in there. They were both in the mid 70s. So that was one thing that kind of came up.

So there were some Nissans that were purchased, and I believe they were for the drug task force or somebody, I think, after I had left. And there was an allegation they were purchased from Gainesville Nissan, and his son is one of the sales managers at Gainesville Nissan.

Q. Those type of contract purchases would be normally not done through Gainesville Nissan? They'd be done through state contract?

A. Generally, yes, unless there is a specific reason. Like, I know Darnell, when we purchased Harleys, the state contract price was, say -- I'm just throwing a number out there -- 17,000, but Gainesville

Harley said, hey, we'll sell them to you for 15.5. The sheriff felt we should keep our money local, and she was actually saving money and was being a good steward of the taxpayers' money and purchased the Harleys there.

But as far as going outside of that, the only thing I know of going outside was that some vehicles were purchased from Southeast Car Agency, especially when it came to things like the trucks for the aviation unit, where we could get something that was used; we didn't buy them new. They weren't new vehicles. They were used vehicles.

But there was some allegations that the Nissans came purchased from his son; and I don't have any evidence to substantiate that, but you could certainly run that down.

One of the tasks that I was given fairly early on was -- the office of professional standards was housed within the main sheriff's office at 2621 Southeast Hawthorne Road. And the office of professional standards has a door that goes right into the sheriff's suite, and that was so that the captain of OPS could go in and confer with the sheriff because the captain was direct report to the sheriff. It had been set like that since I've been there. That was

always OPS. Some years prior to that, it was at the jail.

He had me -- he directed me to have OPS relocated back to the office -- the department of the jail, and he then commanded those offices for himself and had them remodeled where he made a rather large office for himself and spent a significant amount of money remodeling that office and then purchased some furniture to fill that office.

Q. Was the furniture purchased off of state contract?

A. I was told it was purchased offline. He went online and bought it because he got a better deal. To what that was, what that P.O. looked like, I have no idea.

Q. Would that be unusual?

A. That would be unusual.

Q. Outside the standard procedures of the sheriff's office to purchase furniture?

A. Correct, because every time we've purchased furniture -- like we purchased tables like these, chairs like these that sit in the squad room that I'm sure you've been to. All those were purchased through a vendor that we've got. And every time we've had to purchase something, A and B has to come to us with a

book like this and said, here's what's available. This is what we can purchase. So to purchase furniture outside that realm, to my knowledge, had never been done.

Q. Okay.

A. There was a lot of controversy surrounding expenditures plastering his name on the building.

Q. Where are those?

A. On one occasion it didn't look right, and he bought it again.

Okay. You're aware of it. We'll move on.

On the back of everybody's vest said "sheriff" just like the cars say "sheriff" on it. It doesn't mean that you are the sheriff. It just indicates like police, sheriff. All those were ordered to be removed and replaced with deputies.

Q. Was it on the cars as well as the uniforms?

A. It was not on the cars. It was just on the uniforms.

Q. Did anybody -- with regard to this, did anybody confer or look at the Florida Statutes to ensure that the officers would be properly marked for the purposes of fleeing or attempting to elude or resisting arrest with or without violence, to ensure that the standards that are set forth in the statutes

would be met?

A. I brought that specific statute that you're referring to to the attention of the undersheriff and said, "There's really no reason for this. It doesn't designate them as the sheriff, but, you know, it's for the purposes of authority."

And the response was, "There's only one sheriff, and that's the guy that signs in green ink. Everybody else is a deputy," and that was the reason for the switch.

But again, you have whatever those patches were, ten, eight, twelve dollars times how many, 300 patches. Again, it's just another tick of expenditures that didn't need to happen.

Q. Understood.

A. The sheriff and the undersheriff has continued to disregard Florida Statute 112 on numerous occasions, which obviously stemmed from the lawsuits that are out there pending.

Q. Do you have any information to indicate whether their disregard of 112 procedures and rights that are contained in Florida Statute 112 are based upon ignorance, that they don't understand them? Or is it based on an intentional act that they don't care to provide those rights and meet their

responsibilities?

A. Personally, I believe they don't care.

Q. So at the time these violations have occurred, are the rights of the officers and responsibilities of the agency being brought to the attention of the individuals who are doing this and being told we don't care?

A. My understanding was 112 violation was raised; and then when the interview was stopped, that individual was charged with insubordination. And 112 clearly says that that can't happen.

Q. Which officer was charged with insubordination because they refused to be interviewed?

A. I believe it was Frank Williams, but I would have to go back and look. I'd have to do some additional research on that.

Q. I may need you to follow up on that if you can identify any particular officer who was -- I'm saying charged, but that's probably not the right word -- was given -- an OPS investigation was instituted for insubordination or insubordination was added to the current charged violations?

A. I believe if you pull the Glen Stanley case, and you pull a recording of the Loudermill that went

along with the Glen Stanley case, the general counsel -- essentially, the argument was being made that truthfulness did not occur, that the officer actually -- it was alleged that the officer did not -- and I don't have first-hand knowledge of it, but from my understanding, is that the officer didn't do something and, in the actual packet, said that they had done it, they had sent an email.

The undersheriff indicated on his recommendation that it was truthfulness, that it didn't occur; and when the disciplinary rep went to make the argument that it was not truthfulness, the general counsel said, "Well, what charge do you think was appropriate?"

So I would encourage you to go back and listen to that audio recording of that Loudermill. In other words, you're going to get charged with something, and we're going to find something to fit.

Q. Okay. Understood.

A. I would encourage you to probably pull his calendar, Watson's calendar, and his gas receipts. On the very early part of his tenure he was there a lot. I know he was there a lot because I was there a lot, and I saw him a lot from very early in the morning, 5:00, 6:00 -- I think we discussed that last time --

until 8:00, 9:00 at night.

It got to the point where we needed the sheriff to approve something or do something, again, because we couldn't approve anything, the sheriff is not here. The sheriff is not here. The sheriff is not here. Where is he? Is he working? Is he not working? It seemed like he was never around.

So I would encourage you to probably pull his calendar for --

Q. What month and years?

A. I would say July '21 and after.

Q. Is there some incident you can point to where his attendance to the office stopped? Was it sudden, or was it gradual?

A. It was gradual. It seemed like he gradually was not there more and more, and he was unavailable, which then just stalemated --

Q. Right, because everything has to go through him.

A. Everything has to go through him, and then everything just slows to a crawl, at best a crawl.

The sheriff's son, Clovis Watson, IV, was the subject of numerous traffic stops and some criminal acts with GPD. This information was forwarded to the sheriff, but he never seemed to rectify it with his

son. It continued to happen.

He was stopped a couple of times by our deputies for traffic violations. We did a DUI checkpoint down on South 13th Street where his son was completely irate and completely out of line just coming to pick somebody up that we had dealt with. I called the sheriff and he said, okay, and that was the end of it.

It was like his son could just do whatever he wanted to because his dad was the sheriff. There was no -- it was a very poor reflection on the sheriff, very poor reflection on the sheriff.

We talked about fails to process paperwork.

I think Ed Bennett -- you might want to talk to Ed Bennett about the disapproval of secondary employment at the academy.

Q. With regard to that, are you aware that the academy became short of staff because of the sheriff disapproving secondary employment?

A. I can't swear to that.

Q. We'd have to check with the academy?

A. You'd have to check with the academy. I would imagine it severely impacted it; but to what extent, I can't speculate.

Q. Understood.

A. The sheriff seems to make decisions based on emotion quite a bit rather than, you know, actual facts. The sheriff demoted Mat Yakubsin from lieutenant back to sergeant for essentially liking a Facebook post. Let me back up.

He demoted him, but he ordered me to demote him. So I had to call him and tell him, "Hey, look, you're demoted because you liked a Facebook post."

Q. Was that formal discipline?

A. He was on probation.

Q. So he was already on disciplinarian probation?

A. No, he was on new-hire -- promotional probation.

Q. I see. So he could be demoted back to his prior rank without any discipline occurring?

A. Correct.

Q. And does that cause him to lose pay?

A. It does cause him to lose pay.

Q. How much, roughly?

A. I'd have to go back and look at the scales. I mean, you can make a request for the pay changes in HTE. A minimum of five percent; but Yakubsin was not that tenured of a sergeant, so potentially ten percent more. I don't know the exact numbers on Yakubsin.

Q. And you know the basis for that demotion was liking a Facebook post because you were instructed to tell him why he was being demoted by the sheriff?

A. I was instructed by the sheriff to demote him back to sergeant; and the sheriff had told me that, "He liked that Facebook post, and I'm going to demote him."

Now, keep in mind everybody else that also liked that Facebook post -- it surrounded a lieutenant Facebook post from the jail that was subsequently terminated. Howard, I believe, is his name, received corrective counseling for that, but Yakubsin was demoted.

BY INSPECTOR RIDDICK:

Q. Did that go through an OPS review?

A. Oh, no.

Q. So there's no documentation on any of it?

A. No.

BY INSPECTOR SNOWDEN:

Q. Did Yakubsin get corrective counseling?

A. I believe he may have, but he was hit with a demotion and the corrective counseling where everybody else was just hit with the corrective counseling. In other words, I felt as if the demotion was excessive in comparison to what had been handed out to everybody

else. That's kind of where I was going with that.

We discussed the negligent promotions last time.

BY INSPECTOR SNOWDEN:

Q. While we're on that topic --

A. Which topic?

Q. Negligent promotion. You mentioned Cleveland Cox. Talk about your knowledge about what happened when he tried out for the SWAT team?

A. He tried out for the SWAT team. He wasn't recommended, and then he was appointed by recommendation of the undersheriff.

BY MR. KRAMER:

Q. Also, what the consequence was to the person who did not want him appointed to the SWAT team.

A. Oh, he adamantly opposed it. He was -- I can't remember if it was Josh Crews or Rich Howell at the time.

Q. Josh Crews.

A. Josh Crews absolutely did not want him to the point he wanted to go meet with the undersheriff, and I think he did meet with undersheriff about it; but the decision was made that he did not get his number one and number two picks, and he got Cleveland Cox. And Cleveland Cox was almost promoted at the

recommendation of the sheriff.

Q. What happened with Josh Crews with his relationship with the SWAT team after he didn't want Cleveland Cox on there?

A. I'd have to go back and scroll and think about the timeline, but I can tell you, if you're referring to his removal from the SWAT team, his removal from the SWAT team, I do not believe, was tied to that incident.

We had a SWAT call-out in Monteoca, and the sheriff and undersheriff were there. And Josh Crews was insubordinate to me; and the sheriff found out about it, and the sheriff removed him from the SWAT team based on that incident.

Q. Were those two things occurring closely in time, the Cleveland Cox incident and Monteoca incident?

A. I believe the Cleveland Cox thing was a couple months afterwards. It could have been pretty close. It could have been pretty close.

Q. I don't know the answer, but my understanding is that the delivery of the information that Cleveland Cox would be assigned to the SWAT team and the removal of then lieutenant -- captain, sergeant, I'm not sure --

A. Lieutenant Josh Crews.

Q. -- Lieutenant Crews were delivered at the same time.

A. It may have been. It could have been in close proximity, and I can see how maybe he could correlate that if it was in close proximity, but my knowledge of the incident, it was really based on Lieutenant Crews' insubordination. Because I was ordered by the sheriff to conduct -- to basically put gas on the house with the hopes that the guy would come out, and Josh Crews came over to me and said, "I hope it's not a tactic," and he was rather nasty about it.

I'm not on the SWAT team. I've never been on the SWAT team, and I don't pretend to be on the SWAT team. So when it comes to SWAT-related matters, I would defer to Josh. Josh has got the knowledge. He's been on there a long time, along with his brother. His brother is no longer with us. He's retired. But I had a direct order from the sheriff that this is the way we're going to proceed, and Josh didn't agree with it.

Q. Let me make sure I understand the sheriff is directing a tactic to remove an individual from a home that a SWAT team is doing?

A. To put gas in there, yes.

Q. But is the sheriff qualified to make a decision about a tactic to remove a barricaded subject?

A. In my opinion, no, and that just falls on the back of what I just said. I'm a major. And even when I was a captain over those units, if I called you as my SWAT commander, and you said, "This is what we need to do," I'm going to defer to you. As long as we're not violating policy, we're not violating the law, and we're not creating some additional liability for the sheriff, I'm going to defer to you because that's your area of expertise.

Q. But doesn't it create liability if the sheriff, who is not qualified, is directing a tactic to be used in an extremely dangerous situation?

A. Oh, absolutely. The direction should not have come from the sheriff. The sheriff should have let Josh Crews run the incident, is what it comes down to.

BY INSPECTOR RIDDICK:

Q. What was the barricaded subject?

A. There was another individual in the house. I think it was domestic.

Q. So the bad guy wasn't the only one in the

house?

A. Correct.

BY MR. KRAMER:

Q. I guess you're probably the wrong person to ask, but do we put gas in the house when there's more than one person in the house?

A. Generally, no, but I would defer to Josh Crews and let him discuss that incident in greater detail.

Q. And the insubordination that Josh demonstrated during that incident, was he ever a subject of formal discipline? Or was it just we're going to discipline him by removing him from the SWAT team?

A. He got a corrective counseling from me for his insubordination, but then the sheriff removed him as the SWAT team commander.

Q. Did they put gas in the house?

A. I don't remember. That was very early on in the tenure of the administration.

BY INSPECTOR RIDDICK:

Q. Did the sheriff give a reason why he wanted the gas? Did he have some place to go?

A. Uh-uh. It was clear he was trying to direct the incident where he didn't have the experience to

direct the incident.
BY INSPECTOR SNOWDEN:
Q. Was the sheriff at the scene?
A. He was, and the undersheriff. They both showed up. And, you know, to be fair, normally the sheriff and the undersheriff, the major does not show up to SWAT teams. You know, normally we're behind the phone somewhere, and we're letting those people run those operations; but that's not the way the sheriff wanted it run.
The captain was there. I was there. Captain Bella Blizzard was there. I was there. Decoursey was there. The sheriff was there. And I think probably Josh felt like he wasn't being allowed to operate under the parameters that he normally operates because his decision-making was being impeded by us.
BY MR. KRAMER:
Q. And that's what lead to his insubordination.
A. Correct.
Q. That's also consistent with what you've previously testified to, that all the decisions are being made by the sheriff to operational and tactical decisions.
A. That is correct.
BY INSPECTOR SNOWDEN:

Q. Were you familiar or did we talk about it last time, about the Cleveland Cox investigation that went through the office of professional standards?

A. I was aware.

Q. Do you know what happened with that eventually, or why it was terminated?

A. I don't remember.

Q. Is there some connection or familial connection between the undersheriff and Cleveland Cox?

A. We speculated that there was, but we -- I don't know of one, but it seemed to be really out of character that he was placed on the SWAT team and he was promoted against the objections of essentially everyone.

Q. Was he also assigned to CID?

A. He was.

Q. Against the objections?

A. He was. It was a pattern existing with Cleveland Cox, but I don't know what the connection is.

MR. KRAMER: I want to talk about time.

We can go off the record.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. All we were discussing is how much time we

have remaining before our other witnesses to need to appear.

A. Eric Hutchison was promoted to the rank of acting lieutenant when he wasn't on the eligibility list. I would suggest you pull the employee profile and the eligibility list. When that was called to the sheriff's attention, that he wasn't eligible for promotion, the sheriff did act and rescinded that; but then here recently Scott Bonafide has been promoted to an active lieutenant, and he's been moved to civil.

As you're aware, civil is a completely different animal than any other part of the sheriff's office. You deal with evicting people and serving papers that can and cannot be served at certain times of day. To my knowledge, Scott has no knowledge of the civil process.

I did mention Rashawn Flanders. I do not have that paperwork that I thought I had.

The last one is Pat Ford Thomas. Michelle Clement was the division manager, and she was removed for seemingly no reason and moved over to the contract monitor at the jail, which she's got zero experience at. She was removed from her role as a division manager, and she was replaced with Pat Ford Thomas.

Pat Ford Thomas is the wife of Dave Thomas,

who, interestingly enough, was one of the very core group of people in Watson's campaign.

Q. We're going to speak with Michelle Clement. We just haven't gotten her scheduled yet.

A. Okay. I have for you a copy of one of the personnel orders that went out, and as you can see, the quantity of moves that were made at one time are significant; and that's not one of them, but the reason why that's significant is because I have this to go along with it, which is completely out of character, which has everybody's picture and where they're going, where you can definitely see folks --

MR. KRAMER: All right. We'll make this an exhibit to your statement.

That's all I have. I'm sure if something else comes up, I may think of something or whatever.

(Exhibit 1 was marked for identification.)

BY INSPECTOR SNOWDEN:

Q. One last question I've got. When transfers and things were made, were the positions that they went to, were they resumed made for? Or were persons just told, you're going here, and you're going here?

A. Under the Darnell administration, generally, what would happen would be, an open position

announcement would come out: Any interested deputy sheriff that wishes to apply to be a detective, please submit your name to ISIS, which is our internal system. Interviews are conducted, and then somebody would be selected from the list.

Under the Watson administration, that pretty much went out the window. He just made moves willie-nillie as he felt necessary with no rhyme or reason is really the short answer.

MR. KRAMER: Thank you. We may be talking to you further.

(The witness concluded at 11:20 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORINE, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named GEORGE CORINE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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APPLY (52:2)(54:12)
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APPROPRIATE (38:14)

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WHEREUPON,

GEORGE CORINE

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. Could you state your full name?

A. George John Corine.

Q. Mr. Corine, we're here again for continuation of our prior interview after the interview in which we ran out of time due to our scheduling and not really understanding the full breath of the information that you had.

Did you have an opportunity to review the questions that were asked by me and the officers to you during the interview?

A. I did.

Q. And thinking it through, were there other instances that would have been responsive to our questions that you didn't have an opportunity to provide?

A. Yes. And then I think there were some other things that -- notes were made, but we had skipped back and forth. We were moving forward and back and

forward and back in time, and I don't know if I discussed them or not. If I did, I apologize. It would be a duplicate.

Q. That's fine.

A. But if not --

Q. Where would you prefer to start? You want to start with things that you're concerned about that we just skipped over, or do you want to start with more -- the question, I believe, was, is there anything that occurred at the sheriff's office that was illegal, unethical, or immoral that you observed that you could tell us about, and I think that might be the area where there were additional responses.

A. Yeah. I think the other -- the things that I have highlighted here may just clean up my previous notes.

Q. All right. Let's start with that.

A. And again, I don't know if I got these things on the record last time.

One of my notes that I had made that nothing can be decided until the sheriff has made final decision. So it seems as if he is the sole decision maker, and nobody in the chain of command has the ability to make any types of decisions.

BY INSPECTOR RIDDICK:

Q. Did you get that from him?

A. That's just the perception.

And let me say that we have forms that, obviously, go up to certain levels, and some of the forms go to the sheriff. For instance, if you have a -- if you win a prize, for example -- I'm sure you guys have heard of SWAT Roundup.

We had an incident where a couple of guys won some rifles at SWAT Roundup, and guns, which I'm sure you're familiar always happens. And history has always been when that item comes back, that the sheriff has allowed the person to keep it. We fill out a form that basically says, "Hey, I received this as essentially gratuity. What do you want to do with it?" and history had always been ever since I've been there that the employee was just allowed to keep it.

Those forms sat for months and months and months, and we continuously asked and asked and asked; and the paper was never being processed, which seemed to be the history of things like secondary employment forms.

In other words, I work for Home Depot. I have to fill out a form saying I work for Home Depot, I work five to ten hours a week. You know, it doesn't conflict, I won't be doing any law enforcement action,

blah, blah, blah, and it gets approved all the way up to the sheriff. Those type of forms just sit.

It's like there's a neglect to fill those forms out and get them back to people, especially when it comes to the folks that live in reduced rent apartments; because those reduced rent apartments are really considered secondary employment, and now we have people who come back and fill out the form, say, "Hey, I have this secondary employment. I live at ABC Apartment Complex," and those forms never get processed.

Lately -- I've been gone, but lately -- I'm sure you guys can follow up with it -- some secondary employment has been approved, but it's been very sporadic; and then others, it's been straight-up denied. And those denials have come on the backs of years and years and years of approval.

In other words, I might be teaching at the academy. I taught at the academy for 15 years, let's say, and then all of a sudden this year it's a denial for no reason, and there's no reason given.

Q. Is that detrimental to the functioning of the sheriff's office?

A. The academy, absolutely, because we have an agreement with the academy that we're going to provide

people to teach the recruits.

Q. Well, maybe I'm being too obtuse. If employees are being mistreated and treated very differently than they have been by prior administrations without any explanation, does that create an environment where employees are likely to remain?

A. Absolutely not. What happens is too often -- I'm sure you guys are aware that law enforcement salaries are not that high, and almost everybody has got some sort of secondary employment whether it be at the academy or whether they have a business. Like we have several folks that have lawn maintain businesses, you know, and they thrive on those businesses, especially during the summer months when grass cutting is frequent. And when those forms aren't being approved, then you get into a situation where am I allowed to continue my business that I invested all this capital in, or what do I need to do? Do I need to quit and just move on?

And I'm sure if you pull the vacancy rate, the FT vacancies on January 5th of 2021, you pull the FT vacancy rate as of today, you'll see that they're vastly different.

Q. Just so I understand, do those supplemental

employment forms have to be yearly?

A. They do.

Q. So even if you've had the same position for years and years, it has to be approved every year?

A. Every calendar year.

Q. Is it October 1? January 1?

A. January 1, if my memory recalls. I think it's January 1.

Q. Would your understanding be, there would be individuals who would resubmit after January 1 and would not get an answer for five, six, seven months?

A. Lengthy amounts of times or outright denials with no excuse, or no response, really. And, you know, the academy relies on those folks to teach recruits.

Q. Right.

A. I do believe we discussed that it could be found in one of the audio recordings that the undersheriff said that nothing is final until it's in green ink.

Q. Correct.

A. So that just kind of plays into that.

Q. And, also, I want to follow up on that issue. I want to make sure I understand what you're telling me, which is that -- and I'll use my organization as

an example. We have -- I delegate control out to supervisors because I am physically incapable of making timely decisions in 20,000 cases of prosecution per year, and that is necessary for the proper functioning of the agency.

A. That is correct. I felt as if I had less decision-making authority as a major than I did as a lieutenant under the Darnell administration, which chokes the entire operation.

Q. So the same is true at the sheriff's office, and probably on a much larger scale than my organization. I have 135 employees, and the sheriff's office has how many employees?

A. About 960.

Q. Nine hundred sixty employees, and then essentially day-to-day decision making is being made by the sheriff?

A. Essentially.

Q. And that has prevented the sheriff's office's proper functioning because decision-making is delayed, and this -- what you've been talking about, this example of additional employment, is just maybe one example of delay.

A. It is one example, yes.

Q. And there are many others?

A. Right.

Q. And I don't know if you can speak to this, but is one of those examples, would it be assisting other agencies?

A. Yes.

Q. And are you aware during the time you were at the sheriff's office of a change in the decision-making process by which the sheriff's office decided whether or not to assist other agencies?

A. Absolutely.

Q. And if you could clarify. Does the sheriff's office have obligations, contractual and grant-oriented obligations, to provide assistance to regional agencies with equipment and expertise that those agencies would not have?

A. Absolutely.

Q. And could you explain what happened while you were there? What was the change from the prior administration? How did that affect things?

A. So operationally when I was the patrol support lieutenant, which was over all the special teams, Bradford County would call and say, "Hey, we've got an incident up here. We need the SWAT team."

So we're part of a region. The SWAT team is a regional team. There's funding that comes out of --

I can't remember the abbreviation, but it is -- there's funding that comes out. They fund some equipment, and that is really meant so that when Bradford County calls, or Union County folks that don't have a SWAT team, we go up there and we handle it.

And usually the protocol was, they would call. The captain would say, "Hey, Union County has a SWAT call-out." I would notify the SWAT guys, and then they would go.

The captain would then turn around and notify the chain upwards, "Hey, this is what's happened. I'm just kind of letting you know that Bradford County has called, or Union County has called, and they need the SWAT team."

That's been the practice for years. I mean, time was of the essence when you're talking about calling out a SWAT team. If we're not calling them for some preplanned event three days from now, then we don't have time to sit around and talk and have approval. It's go.

That completely changed under the Watson administration. He simply demanded that, in order for any asset to leave this county, that that sheriff that was requesting or that chief that was requesting the

equipment called him first, which severely choked the response time.

So it was a complete spin. It was something we weren't used to, but he wanted the sheriff of Bradford County, Union County to call him and ask for the equipment before we were authorized.

Q. And what if he wasn't available?

A. (Shrugs shoulders.)

Q. You're holding up your hands and saying there's no answer for that?

A. There's no answer for that because we weren't authorized to proceed.

Q. So, for instance, just an instance that I was personally involved in was, there was an officer-involved shooting in Levy County, and they only have maybe four deputies on the road at any one time. I don't know if you're aware of this incident.

A. Correct.

Q. And when three of the officers were involved in a shooting, then they had no -- essentially, one deputy remaining on the road. They requested assistance from the Alachua County Sheriff's Office. Would that assistance request have to go through the sheriff himself?

A. It would.

Q. Would you agree that under those circumstances where a county was essentially now --

A. Vacant.

Q. -- had no law enforcement available, that time is of the essence?

A. Yeah, it is essential. And I'll follow up with another example.

The two deputies that were shot in Gilchrist County under the Darnell administration. As soon as that happened, everybody started rolling. We rolled the command -- I mean, we had the mobile command bus. We had schedules done to start covering the county, and then we just started notifying the sheriff, "Hey, this is what we're doing. This is how we're taking care of them." It was almost the information was flowing upward rather than flowing downward.

And under the Watson administration it's completely immerse. It's not allowed to happen in that manner. And the folks who may call 911 in Gilchrist County, now that there's no deputies available, they rely on our assistance. And we have the resources to provide to Gilchrist County or to Union County that Union County or Gilchrist County doesn't otherwise have.

MR. KRAMER: All right. Let's go back to

things that you may -- unless you wanted to follow up. I'm sorry.

BY INSPECTOR RIDDICK:

Q. Has he ever denied one of those requests that you know of?

A. Yes.

Q. Which one?

A. There was an incident where University of Florida had called and requested the use of the jail vans. There was something going on at the Reitz Union. I think Darren Baxley had called and requested the jail vans. Don't quote me. I think it was Darren Baxley, deputy chief. Sheriff Watson refused to let them utilize the jail vans.

All that is, is a transport function. It's not like we were sending personnel. You know, we send in a couple of people to operate the vans, but we weren't sending crowd management. We weren't getting involved with their business on campus. They were just simply asking for assistance because, again, the university, you know, they've only got 80 FTEs, you know, somewhere in there. They don't have the capacity to deal with 15 or 20 arrestees at the same time. It would impact them severely to have to deal with that, and we had the resources. I didn't

understand what the purpose of withholding a jail van was.

Q. When you say impact severely, would that mean creating an unsafe environment for the remainder of the students and faculty on campus?

A. Potentially. I mean, it depends on how the incident goes. If you got all your guys on the incident tied up with 10-15, or arrestees, if you will, and then they need to focus their attention somewhere else, next thing you know, you divert your attention to the people that need to go. Now you have an unsafe number of officers with the arrestees; or do the officers stay with the arrestees, and now you've neglected this? You have to make a decision.

You've only got so many personnel. The jail van would have been very quick, easy. You bring the jail vans over, put them in the jail vans, pat them down, get them in there, at least hold them there for a few minutes or get them out of there, whatever they decided to do. It was a relatively simple request.

There was some issues surrounding the drug task force, which I'm sure you're aware of, and the sheriff not wanting anyone to operate in the county.

Q. Were you an employee of the sheriff's office at the time that the sheriff directed the removal of

all the equipment from the drug task force?

A. No, but my understanding is it was done in the middle of the night under some covert operation, was the rumor.

Q. Correct. I just didn't know if you were personally involved.

A. I was not.

BY INSPECTOR RIDDICK:

Q. Were you there when Nassau County requested assistance on an officer-involved shooting, and it was denied?

A. Actually, yes. I believe I was.

Q. Do we know why?

A. I don't know why.

BY MR. KRAMER:

Q. But that denial would have come from the sheriff?

A. It come from the sheriff. No cop, working cop, like even coming up through the ranks, when they had something like that, would deny that type of assistance. Those are the things -- when things were choked, it chokes to the point where it doesn't -- it doesn't run efficiently.

BY INSPECTOR RIDDICK:

Q. And for the record, let me correct that. It

may have been an officer-involved shooting, but actually the deputy had been shot; and they had a subject cornered, and they were asking for assistance from SWAT teams.

A. Correct. Correct.

MR. KRAMER: Anything further on what he's said so far?

THE WITNESS: One of the things that -- you know, you talk about assets. The SWAT team is one of them, but more frequently the helicopter is something that -- you know, we have an aviation unit. And folks in Putnam County and Columbia County, you know, they rely on that air support. You know, one helicopter there, arguably, is equivalent of 15 or 20 units on the ground.

Those requests were frequently -- we ran into problems where there would be a pursuit at, say, 2:00 in the morning, and they're calling and asking for our assistance. And then you have to make the decision, do I say, okay, go ahead and go, and then get chewed out the next day because they didn't -- because that sheriff didn't call our sheriff at 2:00 in the morning?

I mean, that's the type of slow-down we're

talking about, to the point where you might as well not even send them at that point. It's almost rendering it useless.

BY MR. KRAMER:

Q. And it's 2:00 in the morning. Is Sheriff Watson available to answer another sheriff's call?

A. I don't know. I never called him at 2:00 in the morning.

BY INSPECTOR RIDDICK:

Q. You mentioned earlier about the funding. If I recall from my days with RDS --

A. RDSTF, yeah, that's it.

Q. Regional Domestic Security Task Force. That's where a lot of Alachua's money came from. Or I say a lot. That's basically --

A. A significant amount of money.

Q. They were given a lot of money to create those regional units in case of -- for the region.

A. Right.

Q. And that was the understanding, that the money is given to you, but you need to be available if the region needs you.

A. The BearCat. I believe the BearCat was portioned with RDSTF money; or a portion of it was purchased with it, and you know how expensive those

are.

The bomb team is another RDSTF, you know.

BY MR. KRAMER:

Q. Let me ask you this. Are these requests reduced in any way to writing, or would there be any evidence of the request existing at all?

A. Usually -- from my recollection, usually when something breaks off, it's a phone call saying, "We need SWAT."

Q. Let me ask you this --

A. There could be a Teletype follow-up, though. I don't know.

Q. Would there be text messaging? Like, for instance, might you send a text message to the sheriff "We've received request from Scott for SWAT in Union County"?

A. Oh, I'm sure, but I never really directly contacted the sheriff. That was the undersheriff. I would call him, the undersheriff. I mean, he would answer his phone.

Q. But if -- you would agree those communications would be records at the agency?

A. There should be records at the agency.

Q. But if those records were not being -- they may not be preserved.

A. They should be preserved. Because there was a point in time when we all got iPhones -- you get into the debate of the iPhone or the Android, right? The iPhone is a blue, which is MMS; and then you have the Android, which is an SMS message. From my understanding, the SMS messages are recorded through your carrier, but the MMS are not because they're run on data and not run on cellular.

Q. But if the sheriff didn't allow the recording devices on his phone, there would be no record of those requests being made to the sheriff, correct?

A. I know that the phone that I had had recording because that was all enabled by Scott Shelpman, if my memory serves me correctly.

Q. Understood. Let's move on to the next item that you were concerned that we had missed due to our time constraints.

A. We discussed briefly Michelle Shirfield last time. She had posted some items on Facebook that could be seen by some folks as slanted to one racial side, if you will. That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that. Nobody ever saw the corrective counseling.

And then the order was basically given, you

know, for Facebook or for violations of social media, that was -- that was the -- what should be done, give them a corrective counseling and go through progressive discipline.

And I think there's a couple open cases right now -- or I don't know if they're open or closed.

So Frank Williams and Kevin Davis are under investigation, or open at the moment, for things that I think were far less controversial, and they were placed on admin suspension and been sitting at the house for months.

Q. And let me ask you because I don't know the answer to this. This individual -- and you said her name was Michelle?

A. Shirfield.

Q. Shirfield? Is she African American?

A. She is.

Q. And the posts that you're referencing, they were -- I don't know the posts. Were they racially inappropriate?

A. It was more of a supporting a racial position, and I believe Kevin Davis could speak more on that.

Q. Is it your understanding that a formal complaint was made either to her supervisor or to the

office of professional standards so that discipline should have been initiated?

A. I told the sheriff directly about the violation, and Bobby Stafford told the sheriff directly about the violation.

Q. But as far as I understand -- and my understanding of discipline is developing -- is that the way the discipline would be initiated, it would be either through the office of professional standards or through her supervisor.

A. Correct.

Q. So you gave that information to the sheriff?

A. Correct.

Q. And your understanding is that no discipline was initiated; or if there was any discipline, it was informal in the form of a corrective counseling?

A. It was informal in the form of a corrective counseling, but nobody seen that. I'm sure if you pull her file you would either see a corrective counseling or not see a corrective counseling, but she reported directly to the sheriff.

Q. When someone receives corrective counseling, is it discipline?

A. It's considered informal discipline.

Q. But it should remain in the employee file for

one year?

A. That's correct. Oftentimes it's not removed. You have to go back in there and say, hey, that needs to come out.

BY INSPECTOR SNOWDEN:

Q. Do you know if Kevin Davis made a complaint about that to OPS or through the sheriff suite?

A. I don't think so because he had already known that it was brought to the attention of the sheriff and Bobby Stafford.

Q. Do you know about any complaint that Kevin Davis took to OPS?

A. I know he made a complaint. I don't remember what it surrounded; but I do remember him taking a complaint, and it was basically like disregarded.

Q. If somebody takes a complaint to OPS, should a case number be drawn?

A. Oh, absolutely, or they say this is really not -- there's a list of standards that OPS will investigate these certain things or as directed by the sheriff.

So they'll look at it, and they'll say we'll take and we're going to pull a case number, or they'll say we're going to defer it back to the division commander and let the employee supervisor handle it.

MR. KRAMER: Any other questions on that particular issue?

BY MR. KRAMER:

Q. Thank you for the clarification. Was there anything else?

A. Did we discuss the bargaining process with the re-openers and the unfair labor practice?

Q. You did. You informed us that one of the reasons why you left the sheriff's office was that you advised them, essentially, that what they were doing was in violation of the National Labor Standards Act.

A. Oh, that's right. I gave you the form. Okay.

So I gave the set of text messages last time between the undersheriff and I.

Q. Yes.

A. The sergeants and lieutenants ratified their contract. The deputies did not ratify their contract. And there was an extended period of time; I don't recall the exact settlement dates, maybe July, August the following year. So we're talking about ten, eleven months later that ultimately we were going to go to a hearing at the sheriff's office.

And right before that began and the sheriff was coming to sit down and testify, if my memory

serves me correctly, he wanted to have a discussion. And then that was ultimately settled, and a substantial check was written for attorney's fees. You may want to pull a copy of that.

Q. Who was the attorney that would have received the fees?

A. It would be the PBA.

Q. Would it be the PBA itself, or would it be paid directly to a particular attorney?

MS. WEBSTER: Do you want me to answer?

MR. KRAMER: No, you can tell him.

THE WITNESS: The check was written to the PBA.

BY MR. KRAMER:

Q. For the attorney's fees?

A. For the attorney's fees.

Q. Incurred because of the actions that you've already described in your previous testimony where the sheriff was essentially acting in violation of the National Labor Standards Act of essentially just refusing to negotiate in good faith.

A. That is correct. And that surrounded the take-home cars, which I believe we talked about last time.

Q. Correct.

A. All those things wrapped up.

Q. He withdrew all the articles. That's the phraseology you used.

A. Everything was TA'd. We were getting ready to go to a vote on Thursday and Friday. On Monday, October 18th, I got a call that he withdrew all the articles.

I said, "Wait a minute. We know this vote is coming. We can't do this."

I brought it to his attention, and the sheriff made the unilateral decision to pull that. I said, "You can't do that. You're going to refuse to sign a contract after it's already been agreed upon."

And in his text messages, which I presented to you last time, I was told that my interpretation was not consistent with the decision of the sheriff.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. Next.

A. We talked about the SWAT rifles.

BY INSPECTOR RIDDICK:

Q. Where are those rifles now, Major?

A. So those rifles were not given to the employee personally. They were issued to the employee that won them with the understanding that when they

retire they will be able to keep them. That was the decision that was made, if my memory serves me correctly; but that's probably not in writing anywhere, I promise you that, because nothing hardly ever gets reduced to writing.

BY MR. KRAMER:

Q. Well, they wouldn't have gone to the inventory? Doesn't every officer have an inventory?

A. Uh-huh.

Q. And if they're not on the inventory, and they're in the officer's possession --

A. No, they're issued to the officer. They're going to be on the inventory.

BY INSPECTOR RIDDICK:

Q. They were taken into the sheriff's office inventory and then issued to the officer that won it.

A. That's correct.

Did I touch on the fact that Watson will make a decision regardless whether it's against policy or procedure?

BY MR. KRAMER:

Q. I think in general that was clear, but are there specific instances that you can reference that you didn't reference last time?

A. No. I just want to make sure I hit that --

Q. You did.

A. It's so frequent, though, that --

Q. What is the effect on the agency when the sheriff doesn't follow the agency's own policy?

A. Well, what it does is, it sets the tone of the only consistency is inconsistency, right? And when the sheriff isn't following his own policies and procedures, what message is that sending down to the troops?

It sends a horrible message down saying I don't have to follow policy and procedure, but I'm going to hold you to it; and when you aren't held to it, when you violate that, I'm going to write you up.

Q. Would it also lead people to the conclusion that -- wouldn't it also lead to the natural conclusion that if you follow a policy, that the sheriff might still discipline you or you might meet criticism or demotion or job problems because you followed policy that the sheriff no longer wants to have be the policy?

A. It's almost as if you're expected to think like him. And if it is any perceived disrespect or embarrassment, you're going to be talked to about it, if not hit with some sort of discipline.

We just had a recent case, the Glen Stanley

internal investigation, which is closed -- which I suggest you pull a copy of that -- where the sheriff goes outside the disciplinary matrix.

We have a matrix that says this is Level Two, Level Three, Level Four or Five, and this is -- you know, you got a Level Two, you get this many points. This many points is from A to B, and he'll just add C in there.

Q. And in this particular investigation was it to the officer's detriment?

A. Yes.

Q. Is this recourse for the officer under those circumstances? Can the officer appeal that decision? Do they have -- do they enforce the matrix as it exists, or are they simply subject to the sheriff's rulings?

A. Only if they meet the standards set forth in the sheriff's board, which is greater than a two-day suspension. In this case it was one-day suspension, but they put the guy on 12 months of disciplinary probation. And I believe, if you go back and you look at what a Level Three violation is, 12 months of disciplinary probation is not allowed.

And then what you do when you put somebody on disciplinary probation is, the next time they wear the

wrong color socks or doing something that's in violation, then they're not eligible for a career service board.

It's almost like you're setting up them for the next violation, to render them ineffective in a career service board.

Q. And because it's a one-day suspension, it's not appealable?

A. Correct.

We touched on changing past practice without really any discussion with anyone.

Q. Correct. Yes.

A. We touched on Watson and Decoursey routinely holding paperwork and not signing it, essentially neglecting the duties of moving the institution along.

And we -- I know we discussed not reducing things to writing, and we discussed the staffing shortages. So I think that kind of cleans up what I can remember from the last one.

Q. Was there anything additional in response to the question, are you aware of anything immoral, unethical, or illegal, that occurred in the sheriff's office while you were there --

A. Well --

Q. -- that we didn't cover last time?

A. I think that's where we're going to move in to the next section.

Q. Okay.

A. So the sheriff is a steward of the taxpayer's money. Would you agree with that?

Q. Agreed.

A. When he came into office, there were two vehicles that were provided that were left by Darnell and Huckstep. They were not happy with those vehicles even though they were functioning vehicles, and they immediately purchased two black Tahoes; and they were high-end Tahoes to the tune of in the mid 70s. And then, of course, all the equipment and everything had to go in on top of that, so you're talking probably upwards of 90-plus thousand dollars just because they wanted new vehicles. That was kind of like the first thing. Everybody kind of questioned that.

And then he had the badges removed from them that say like "High Country" to make it look like it wasn't, you know, an expensive vehicle as it was, but everybody knew what time of day it was. They saw the badges on there. Everybody knew what was going on. You could see it.

So that was kind of, in my opinion, something that the fleet department should have set back and

assessed and advised the sheriff, "Hey, if we want new vehicles, this is where our budget is. This is how much money we have left. If we make this purchase, then we can't purchase these four cars instead of these two Tahoes."

That didn't happen. He immediately ordered the vehicle. I don't think they came off state contract. I think they got one at the local Chevrolet dealership. Or I don't know where they got them form; you'd have to pull that. One was 74. The other one was 77 or somewhere in there. They were both in the mid 70s. So that was one thing that kind of came up.

So there were some Nissans that were purchased, and I believe they were for the drug task force or somebody, I think, after I had left. And there was an allegation they were purchased from Gainesville Nissan, and his son is one of the sales managers at Gainesville Nissan.

Q. Those type of contract purchases would be normally not done through Gainesville Nissan? They'd be done through state contract?

A. Generally, yes, unless there is a specific reason. Like, I know Darnell, when we purchased Harleys, the state contract price was, say -- I'm just throwing a number out there -- 17,000, but Gainesville

Harley said, hey, we'll sell them to you for 15.5. The sheriff felt we should keep our money local, and she was actually saving money and was being a good steward of the taxpayers' money and purchased the Harleys there.

But as far as going outside of that, the only thing I know of going outside was that some vehicles were purchased from Southeast Car Agency, especially when it came to things like the trucks for the aviation unit, where we could get something that was used; we didn't buy them new. They weren't new vehicles. They were used vehicles.

But there was some allegations that the Nissans came purchased from his son; and I don't have any evidence to substantiate that, but you could certainly run that down.

One of the tasks that I was given fairly early on was -- the office of professional standards was housed within the main sheriff's office at 2621 Southeast Hawthorne Road. And the office of professional standards has a door that goes right into the sheriff's suite, and that was so that the captain of OPS could go in and confer with the sheriff because the captain was direct report to the sheriff. It had been set like that since I've been there. That was

always OPS. Some years prior to that, it was at the jail.

He had me -- he directed me to have OPS relocated back to the office -- the department of the jail, and he then commanded those offices for himself and had them remodeled where he made a rather large office for himself and spent a significant amount of money remodeling that office and then purchased some furniture to fill that office.

Q. Was the furniture purchased off of state contract?

A. I was told it was purchased offline. He went online and bought it because he got a better deal. To what that was, what that P.O. looked like, I have no idea.

Q. Would that be unusual?

A. That would be unusual.

Q. Outside the standard procedures of the sheriff's office to purchase furniture?

A. Correct, because every time we've purchased furniture -- like we purchased tables like these, chairs like these that sit in the squad room that I'm sure you've been to. All those were purchased through a vendor that we've got. And every time we've had to purchase something, A and B has to come to us with a

book like this and said, here's what's available. This is what we can purchase. So to purchase furniture outside that realm, to my knowledge, had never been done.

Q. Okay.

A. There was a lot of controversy surrounding expenditures plastering his name on the building.

Q. Where are those?

A. On one occasion it didn't look right, and he bought it again.

Okay. You're aware of it. We'll move on.

On the back of everybody's vest said "sheriff" just like the cars say "sheriff" on it. It doesn't mean that you are the sheriff. It just indicates like police, sheriff. All those were ordered to be removed and replaced with deputies.

Q. Was it on the cars as well as the uniforms?

A. It was not on the cars. It was just on the uniforms.

Q. Did anybody -- with regard to this, did anybody confer or look at the Florida Statutes to ensure that the officers would be properly marked for the purposes of fleeing or attempting to elude or resisting arrest with or without violence, to ensure that the standards that are set forth in the statutes

would be met?

A. I brought that specific statute that you're referring to to the attention of the undersheriff and said, "There's really no reason for this. It doesn't designate them as the sheriff, but, you know, it's for the purposes of authority."

And the response was, "There's only one sheriff, and that's the guy that signs in green ink. Everybody else is a deputy," and that was the reason for the switch.

But again, you have whatever those patches were, ten, eight, twelve dollars times how many, 300 patches. Again, it's just another tick of expenditures that didn't need to happen.

Q. Understood.

A. The sheriff and the undersheriff has continued to disregard Florida Statute 112 on numerous occasions, which obviously stemmed from the lawsuits that are out there pending.

Q. Do you have any information to indicate whether their disregard of 112 procedures and rights that are contained in Florida Statute 112 are based upon ignorance, that they don't understand them? Or is it based on an intentional act that they don't care to provide those rights and meet their

responsibilities?

A. Personally, I believe they don't care.

Q. So at the time these violations have occurred, are the rights of the officers and responsibilities of the agency being brought to the attention of the individuals who are doing this and being told we don't care?

A. My understanding was 112 violation was raised; and then when the interview was stopped, that individual was charged with insubordination. And 112 clearly says that that can't happen.

Q. Which officer was charged with insubordination because they refused to be interviewed?

A. I believe it was Frank Williams, but I would have to go back and look. I'd have to do some additional research on that.

Q. I may need you to follow up on that if you can identify any particular officer who was -- I'm saying charged, but that's probably not the right word -- was given -- an OPS investigation was instituted for insubordination or insubordination was added to the current charged violations?

A. I believe if you pull the Glen Stanley case, and you pull a recording of the Loudermill that went

along with the Glen Stanley case, the general counsel -- essentially, the argument was being made that truthfulness did not occur, that the officer actually -- it was alleged that the officer did not -- and I don't have first-hand knowledge of it, but from my understanding, is that the officer didn't do something and, in the actual packet, said that they had done it, they had sent an email.

The undersheriff indicated on his recommendation that it was truthfulness, that it didn't occur; and when the disciplinary rep went to make the argument that it was not truthfulness, the general counsel said, "Well, what charge do you think was appropriate?"

So I would encourage you to go back and listen to that audio recording of that Loudermill. In other words, you're going to get charged with something, and we're going to find something to fit.

Q. Okay. Understood.

A. I would encourage you to probably pull his calendar, Watson's calendar, and his gas receipts. On the very early part of his tenure he was there a lot. I know he was there a lot because I was there a lot, and I saw him a lot from very early in the morning, 5:00, 6:00 -- I think we discussed that last time --

until 8:00, 9:00 at night.

It got to the point where we needed the sheriff to approve something or do something, again, because we couldn't approve anything, the sheriff is not here. The sheriff is not here. The sheriff is not here. Where is he? Is he working? Is he not working? It seemed like he was never around.

So I would encourage you to probably pull his calendar for --

Q. What month and years?

A. I would say July '21 and after.

Q. Is there some incident you can point to where his attendance to the office stopped? Was it sudden, or was it gradual?

A. It was gradual. It seemed like he gradually was not there more and more, and he was unavailable, which then just stalemated --

Q. Right, because everything has to go through him.

A. Everything has to go through him, and then everything just slows to a crawl, at best a crawl.

The sheriff's son, Clovis Watson, IV, was the subject of numerous traffic stops and some criminal acts with GPD. This information was forwarded to the sheriff, but he never seemed to rectify it with his

son. It continued to happen.

He was stopped a couple of times by our deputies for traffic violations. We did a DUI checkpoint down on South 13th Street where his son was completely irate and completely out of line just coming to pick somebody up that we had dealt with. I called the sheriff and he said, okay, and that was the end of it.

It was like his son could just do whatever he wanted to because his dad was the sheriff. There was no -- it was a very poor reflection on the sheriff, very poor reflection on the sheriff.

We talked about fails to process paperwork.

I think Ed Bennett -- you might want to talk to Ed Bennett about the disapproval of secondary employment at the academy.

Q. With regard to that, are you aware that the academy became short of staff because of the sheriff disapproving secondary employment?

A. I can't swear to that.

Q. We'd have to check with the academy?

A. You'd have to check with the academy. I would imagine it severely impacted it; but to what extent, I can't speculate.

Q. Understood.

A. The sheriff seems to make decisions based on emotion quite a bit rather than, you know, actual facts. The sheriff demoted Mat Yakubsin from lieutenant back to sergeant for essentially liking a Facebook post. Let me back up.

He demoted him, but he ordered me to demote him. So I had to call him and tell him, "Hey, look, you're demoted because you liked a Facebook post."

Q. Was that formal discipline?

A. He was on probation.

Q. So he was already on disciplinarian probation?

A. No, he was on new-hire -- promotional probation.

Q. I see. So he could be demoted back to his prior rank without any discipline occurring?

A. Correct.

Q. And does that cause him to lose pay?

A. It does cause him to lose pay.

Q. How much, roughly?

A. I'd have to go back and look at the scales. I mean, you can make a request for the pay changes in HTE. A minimum of five percent; but Yakubsin was not that tenured of a sergeant, so potentially ten percent more. I don't know the exact numbers on Yakubsin.

Q. And you know the basis for that demotion was liking a Facebook post because you were instructed to tell him why he was being demoted by the sheriff?

A. I was instructed by the sheriff to demote him back to sergeant; and the sheriff had told me that, "He liked that Facebook post, and I'm going to demote him."

Now, keep in mind everybody else that also liked that Facebook post -- it surrounded a lieutenant Facebook post from the jail that was subsequently terminated. Howard, I believe, is his name, received corrective counseling for that, but Yakubsin was demoted.

BY INSPECTOR RIDDICK:

Q. Did that go through an OPS review?

A. Oh, no.

Q. So there's no documentation on any of it?

A. No.

BY INSPECTOR SNOWDEN:

Q. Did Yakubsin get corrective counseling?

A. I believe he may have, but he was hit with a demotion and the corrective counseling where everybody else was just hit with the corrective counseling. In other words, I felt as if the demotion was excessive in comparison to what had been handed out to everybody

else. That's kind of where I was going with that.

We discussed the negligent promotions last time.

BY INSPECTOR SNOWDEN:

Q. While we're on that topic --

A. Which topic?

Q. Negligent promotion. You mentioned Cleveland Cox. Talk about your knowledge about what happened when he tried out for the SWAT team?

A. He tried out for the SWAT team. He wasn't recommended, and then he was appointed by recommendation of the undersheriff.

BY MR. KRAMER:

Q. Also, what the consequence was to the person who did not want him appointed to the SWAT team.

A. Oh, he adamantly opposed it. He was -- I can't remember if it was Josh Crews or Rich Howell at the time.

Q. Josh Crews.

A. Josh Crews absolutely did not want him to the point he wanted to go meet with the undersheriff, and I think he did meet with undersheriff about it; but the decision was made that he did not get his number one and number two picks, and he got Cleveland Cox. And Cleveland Cox was almost promoted at the

recommendation of the sheriff.

Q. What happened with Josh Crews with his relationship with the SWAT team after he didn't want Cleveland Cox on there?

A. I'd have to go back and scroll and think about the timeline, but I can tell you, if you're referring to his removal from the SWAT team, his removal from the SWAT team, I do not believe, was tied to that incident.

We had a SWAT call-out in Monteoca, and the sheriff and undersheriff were there. And Josh Crews was insubordinate to me; and the sheriff found out about it, and the sheriff removed him from the SWAT team based on that incident.

Q. Were those two things occurring closely in time, the Cleveland Cox incident and Monteoca incident?

A. I believe the Cleveland Cox thing was a couple months afterwards. It could have been pretty close. It could have been pretty close.

Q. I don't know the answer, but my understanding is that the delivery of the information that Cleveland Cox would be assigned to the SWAT team and the removal of then lieutenant -- captain, sergeant, I'm not sure --

A. Lieutenant Josh Crews.

Q. -- Lieutenant Crews were delivered at the same time.

A. It may have been. It could have been in close proximity, and I can see how maybe he could correlate that if it was in close proximity, but my knowledge of the incident, it was really based on Lieutenant Crews' insubordination. Because I was ordered by the sheriff to conduct -- to basically put gas on the house with the hopes that the guy would come out, and Josh Crews came over to me and said, "I hope it's not a tactic," and he was rather nasty about it.

I'm not on the SWAT team. I've never been on the SWAT team, and I don't pretend to be on the SWAT team. So when it comes to SWAT-related matters, I would defer to Josh. Josh has got the knowledge. He's been on there a long time, along with his brother. His brother is no longer with us. He's retired. But I had a direct order from the sheriff that this is the way we're going to proceed, and Josh didn't agree with it.

Q. Let me make sure I understand the sheriff is directing a tactic to remove an individual from a home that a SWAT team is doing?

A. To put gas in there, yes.

Q. But is the sheriff qualified to make a decision about a tactic to remove a barricaded subject?

A. In my opinion, no, and that just falls on the back of what I just said. I'm a major. And even when I was a captain over those units, if I called you as my SWAT commander, and you said, "This is what we need to do," I'm going to defer to you. As long as we're not violating policy, we're not violating the law, and we're not creating some additional liability for the sheriff, I'm going to defer to you because that's your area of expertise.

Q. But doesn't it create liability if the sheriff, who is not qualified, is directing a tactic to be used in an extremely dangerous situation?

A. Oh, absolutely. The direction should not have come from the sheriff. The sheriff should have let Josh Crews run the incident, is what it comes down to.

BY INSPECTOR RIDDICK:

Q. What was the barricaded subject?

A. There was another individual in the house. I think it was domestic.

Q. So the bad guy wasn't the only one in the

house?

A. Correct.

BY MR. KRAMER:

Q. I guess you're probably the wrong person to ask, but do we put gas in the house when there's more than one person in the house?

A. Generally, no, but I would defer to Josh Crews and let him discuss that incident in greater detail.

Q. And the insubordination that Josh demonstrated during that incident, was he ever a subject of formal discipline? Or was it just we're going to discipline him by removing him from the SWAT team?

A. He got a corrective counseling from me for his insubordination, but then the sheriff removed him as the SWAT team commander.

Q. Did they put gas in the house?

A. I don't remember. That was very early on in the tenure of the administration.

BY INSPECTOR RIDDICK:

Q. Did the sheriff give a reason why he wanted the gas? Did he have some place to go?

A. Uh-uh. It was clear he was trying to direct the incident where he didn't have the experience to

direct the incident.
BY INSPECTOR SNOWDEN:
Q. Was the sheriff at the scene?
A. He was, and the undersheriff. They both showed up. And, you know, to be fair, normally the sheriff and the undersheriff, the major does not show up to SWAT teams. You know, normally we're behind the phone somewhere, and we're letting those people run those operations; but that's not the way the sheriff wanted it run.
The captain was there. I was there. Captain Bella Blizzard was there. I was there. Decoursey was there. The sheriff was there. And I think probably Josh felt like he wasn't being allowed to operate under the parameters that he normally operates because his decision-making was being impeded by us.
BY MR. KRAMER:
Q. And that's what lead to his insubordination.
A. Correct.
Q. That's also consistent with what you've previously testified to, that all the decisions are being made by the sheriff to operational and tactical decisions.
A. That is correct.
BY INSPECTOR SNOWDEN:

Q. Were you familiar or did we talk about it last time, about the Cleveland Cox investigation that went through the office of professional standards?

A. I was aware.

Q. Do you know what happened with that eventually, or why it was terminated?

A. I don't remember.

Q. Is there some connection or familial connection between the undersheriff and Cleveland Cox?

A. We speculated that there was, but we -- I don't know of one, but it seemed to be really out of character that he was placed on the SWAT team and he was promoted against the objections of essentially everyone.

Q. Was he also assigned to CID?

A. He was.

Q. Against the objections?

A. He was. It was a pattern existing with Cleveland Cox, but I don't know what the connection is.

MR. KRAMER: I want to talk about time.

We can go off the record.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. All we were discussing is how much time we

have remaining before our other witnesses to need to appear.

A. Eric Hutchison was promoted to the rank of acting lieutenant when he wasn't on the eligibility list. I would suggest you pull the employee profile and the eligibility list. When that was called to the sheriff's attention, that he wasn't eligible for promotion, the sheriff did act and rescinded that; but then here recently Scott Bonafide has been promoted to an active lieutenant, and he's been moved to civil.

As you're aware, civil is a completely different animal than any other part of the sheriff's office. You deal with evicting people and serving papers that can and cannot be served at certain times of day. To my knowledge, Scott has no knowledge of the civil process.

I did mention Rashawn Flanders. I do not have that paperwork that I thought I had.

The last one is Pat Ford Thomas. Michelle Clement was the division manager, and she was removed for seemingly no reason and moved over to the contract monitor at the jail, which she's got zero experience at. She was removed from her role as a division manager, and she was replaced with Pat Ford Thomas.

Pat Ford Thomas is the wife of Dave Thomas,

who, interestingly enough, was one of the very core group of people in Watson's campaign.

Q. We're going to speak with Michelle Clement. We just haven't gotten her scheduled yet.

A. Okay. I have for you a copy of one of the personnel orders that went out, and as you can see, the quantity of moves that were made at one time are significant; and that's not one of them, but the reason why that's significant is because I have this to go along with it, which is completely out of character, which has everybody's picture and where they're going, where you can definitely see folks --

MR. KRAMER: All right. We'll make this an exhibit to your statement.

That's all I have. I'm sure if something else comes up, I may think of something or whatever.

(Exhibit 1 was marked for identification.)

BY INSPECTOR SNOWDEN:

Q. One last question I've got. When transfers and things were made, were the positions that they went to, were they resumed made for? Or were persons just told, you're going here, and you're going here?

A. Under the Darnell administration, generally, what would happen would be, an open position

announcement would come out: Any interested deputy sheriff that wishes to apply to be a detective, please submit your name to ISIS, which is our internal system. Interviews are conducted, and then somebody would be selected from the list.

Under the Watson administration, that pretty much went out the window. He just made moves willie-nillie as he felt necessary with no rhyme or reason is really the short answer.

MR. KRAMER: Thank you. We may be talking to you further.

(The witness concluded at 11:20 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORINE, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named GEORGE CORINE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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APPROVE (39:3)(39:4)
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B

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BUY (33:11)

C

CALENDAR (8:5)(38:21)(39:9)
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CASES (9:3)(21:5)
CAUSE (41:18)(41:19)
CELLULAR (20:8)
CENTER (2:9)
CERTAIN (5:4)(23:20)(50:14)
CERTAINLY (33:16)

WHEREUPON,

GEORGE CORINE

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. Could you state your full name?

A. George John Corine.

Q. Mr. Corine, we're here again for continuation of our prior interview after the interview in which we ran out of time due to our scheduling and not really understanding the full breath of the information that you had.

Did you have an opportunity to review the questions that were asked by me and the officers to you during the interview?

A. I did.

Q. And thinking it through, were there other instances that would have been responsive to our questions that you didn't have an opportunity to provide?

A. Yes. And then I think there were some other things that -- notes were made, but we had skipped back and forth. We were moving forward and back and

forward and back in time, and I don't know if I discussed them or not. If I did, I apologize. It would be a duplicate.

Q. That's fine.

A. But if not --

Q. Where would you prefer to start? You want to start with things that you're concerned about that we just skipped over, or do you want to start with more -- the question, I believe, was, is there anything that occurred at the sheriff's office that was illegal, unethical, or immoral that you observed that you could tell us about, and I think that might be the area where there were additional responses.

A. Yeah. I think the other -- the things that I have highlighted here may just clean up my previous notes.

Q. All right. Let's start with that.

A. And again, I don't know if I got these things on the record last time.

One of my notes that I had made that nothing can be decided until the sheriff has made final decision. So it seems as if he is the sole decision maker, and nobody in the chain of command has the ability to make any types of decisions.

BY INSPECTOR RIDDICK:

Q. Did you get that from him?

A. That's just the perception.

And let me say that we have forms that, obviously, go up to certain levels, and some of the forms go to the sheriff. For instance, if you have a -- if you win a prize, for example -- I'm sure you guys have heard of SWAT Roundup.

We had an incident where a couple of guys won some rifles at SWAT Roundup, and guns, which I'm sure you're familiar always happens. And history has always been when that item comes back, that the sheriff has allowed the person to keep it. We fill out a form that basically says, "Hey, I received this as essentially gratuity. What do you want to do with it?" and history had always been ever since I've been there that the employee was just allowed to keep it.

Those forms sat for months and months and months, and we continuously asked and asked and asked; and the paper was never being processed, which seemed to be the history of things like secondary employment forms.

In other words, I work for Home Depot. I have to fill out a form saying I work for Home Depot, I work five to ten hours a week. You know, it doesn't conflict, I won't be doing any law enforcement action,

blah, blah, blah, and it gets approved all the way up to the sheriff. Those type of forms just sit.

It's like there's a neglect to fill those forms out and get them back to people, especially when it comes to the folks that live in reduced rent apartments; because those reduced rent apartments are really considered secondary employment, and now we have people who come back and fill out the form, say, "Hey, I have this secondary employment. I live at ABC Apartment Complex," and those forms never get processed.

Lately -- I've been gone, but lately -- I'm sure you guys can follow up with it -- some secondary employment has been approved, but it's been very sporadic; and then others, it's been straight-up denied. And those denials have come on the backs of years and years and years of approval.

In other words, I might be teaching at the academy. I taught at the academy for 15 years, let's say, and then all of a sudden this year it's a denial for no reason, and there's no reason given.

Q. Is that detrimental to the functioning of the sheriff's office?

A. The academy, absolutely, because we have an agreement with the academy that we're going to provide

people to teach the recruits.

Q. Well, maybe I'm being too obtuse. If employees are being mistreated and treated very differently than they have been by prior administrations without any explanation, does that create an environment where employees are likely to remain?

A. Absolutely not. What happens is too often -- I'm sure you guys are aware that law enforcement salaries are not that high, and almost everybody has got some sort of secondary employment whether it be at the academy or whether they have a business. Like we have several folks that have lawn maintain businesses, you know, and they thrive on those businesses, especially during the summer months when grass cutting is frequent. And when those forms aren't being approved, then you get into a situation where am I allowed to continue my business that I invested all this capital in, or what do I need to do? Do I need to quit and just move on?

And I'm sure if you pull the vacancy rate, the FT vacancies on January 5th of 2021, you pull the FT vacancy rate as of today, you'll see that they're vastly different.

Q. Just so I understand, do those supplemental

employment forms have to be yearly?

A. They do.

Q. So even if you've had the same position for years and years, it has to be approved every year?

A. Every calendar year.

Q. Is it October 1? January 1?

A. January 1, if my memory recalls. I think it's January 1.

Q. Would your understanding be, there would be individuals who would resubmit after January 1 and would not get an answer for five, six, seven months?

A. Lengthy amounts of times or outright denials with no excuse, or no response, really. And, you know, the academy relies on those folks to teach recruits.

Q. Right.

A. I do believe we discussed that it could be found in one of the audio recordings that the undersheriff said that nothing is final until it's in green ink.

Q. Correct.

A. So that just kind of plays into that.

Q. And, also, I want to follow up on that issue. I want to make sure I understand what you're telling me, which is that -- and I'll use my organization as

an example. We have -- I delegate control out to supervisors because I am physically incapable of making timely decisions in 20,000 cases of prosecution per year, and that is necessary for the proper functioning of the agency.

A. That is correct. I felt as if I had less decision-making authority as a major than I did as a lieutenant under the Darnell administration, which chokes the entire operation.

Q. So the same is true at the sheriff's office, and probably on a much larger scale than my organization. I have 135 employees, and the sheriff's office has how many employees?

A. About 960.

Q. Nine hundred sixty employees, and then essentially day-to-day decision making is being made by the sheriff?

A. Essentially.

Q. And that has prevented the sheriff's office's proper functioning because decision-making is delayed, and this -- what you've been talking about, this example of additional employment, is just maybe one example of delay.

A. It is one example, yes.

Q. And there are many others?

A. Right.

Q. And I don't know if you can speak to this, but is one of those examples, would it be assisting other agencies?

A. Yes.

Q. And are you aware during the time you were at the sheriff's office of a change in the decision-making process by which the sheriff's office decided whether or not to assist other agencies?

A. Absolutely.

Q. And if you could clarify. Does the sheriff's office have obligations, contractual and grant-oriented obligations, to provide assistance to regional agencies with equipment and expertise that those agencies would not have?

A. Absolutely.

Q. And could you explain what happened while you were there? What was the change from the prior administration? How did that affect things?

A. So operationally when I was the patrol support lieutenant, which was over all the special teams, Bradford County would call and say, "Hey, we've got an incident up here. We need the SWAT team."

So we're part of a region. The SWAT team is a regional team. There's funding that comes out of --

I can't remember the abbreviation, but it is -- there's funding that comes out. They fund some equipment, and that is really meant so that when Bradford County calls, or Union County folks that don't have a SWAT team, we go up there and we handle it.

And usually the protocol was, they would call. The captain would say, "Hey, Union County has a SWAT call-out." I would notify the SWAT guys, and then they would go.

The captain would then turn around and notify the chain upwards, "Hey, this is what's happened. I'm just kind of letting you know that Bradford County has called, or Union County has called, and they need the SWAT team."

That's been the practice for years. I mean, time was of the essence when you're talking about calling out a SWAT team. If we're not calling them for some preplanned event three days from now, then we don't have time to sit around and talk and have approval. It's go.

That completely changed under the Watson administration. He simply demanded that, in order for any asset to leave this county, that that sheriff that was requesting or that chief that was requesting the

equipment called him first, which severely choked the response time.

So it was a complete spin. It was something we weren't used to, but he wanted the sheriff of Bradford County, Union County to call him and ask for the equipment before we were authorized.

Q. And what if he wasn't available?

A. (Shrugs shoulders.)

Q. You're holding up your hands and saying there's no answer for that?

A. There's no answer for that because we weren't authorized to proceed.

Q. So, for instance, just an instance that I was personally involved in was, there was an officer-involved shooting in Levy County, and they only have maybe four deputies on the road at any one time. I don't know if you're aware of this incident.

A. Correct.

Q. And when three of the officers were involved in a shooting, then they had no -- essentially, one deputy remaining on the road. They requested assistance from the Alachua County Sheriff's Office. Would that assistance request have to go through the sheriff himself?

A. It would.

Q. Would you agree that under those circumstances where a county was essentially now --

A. Vacant.

Q. -- had no law enforcement available, that time is of the essence?

A. Yeah, it is essential. And I'll follow up with another example.

The two deputies that were shot in Gilchrist County under the Darnell administration. As soon as that happened, everybody started rolling. We rolled the command -- I mean, we had the mobile command bus. We had schedules done to start covering the county, and then we just started notifying the sheriff, "Hey, this is what we're doing. This is how we're taking care of them." It was almost the information was flowing upward rather than flowing downward.

And under the Watson administration it's completely immerse. It's not allowed to happen in that manner. And the folks who may call 911 in Gilchrist County, now that there's no deputies available, they rely on our assistance. And we have the resources to provide to Gilchrist County or to Union County that Union County or Gilchrist County doesn't otherwise have.

MR. KRAMER: All right. Let's go back to

things that you may -- unless you wanted to follow up. I'm sorry.

BY INSPECTOR RIDDICK:

Q. Has he ever denied one of those requests that you know of?

A. Yes.

Q. Which one?

A. There was an incident where University of Florida had called and requested the use of the jail vans. There was something going on at the Reitz Union. I think Darren Baxley had called and requested the jail vans. Don't quote me. I think it was Darren Baxley, deputy chief. Sheriff Watson refused to let them utilize the jail vans.

All that is, is a transport function. It's not like we were sending personnel. You know, we send in a couple of people to operate the vans, but we weren't sending crowd management. We weren't getting involved with their business on campus. They were just simply asking for assistance because, again, the university, you know, they've only got 80 FTEs, you know, somewhere in there. They don't have the capacity to deal with 15 or 20 arrestees at the same time. It would impact them severely to have to deal with that, and we had the resources. I didn't

understand what the purpose of withholding a jail van was.

Q. When you say impact severely, would that mean creating an unsafe environment for the remainder of the students and faculty on campus?

A. Potentially. I mean, it depends on how the incident goes. If you got all your guys on the incident tied up with 10-15, or arrestees, if you will, and then they need to focus their attention somewhere else, next thing you know, you divert your attention to the people that need to go. Now you have an unsafe number of officers with the arrestees; or do the officers stay with the arrestees, and now you've neglected this? You have to make a decision.

You've only got so many personnel. The jail van would have been very quick, easy. You bring the jail vans over, put them in the jail vans, pat them down, get them in there, at least hold them there for a few minutes or get them out of there, whatever they decided to do. It was a relatively simple request.

There was some issues surrounding the drug task force, which I'm sure you're aware of, and the sheriff not wanting anyone to operate in the county.

Q. Were you an employee of the sheriff's office at the time that the sheriff directed the removal of

all the equipment from the drug task force?

A. No, but my understanding is it was done in the middle of the night under some covert operation, was the rumor.

Q. Correct. I just didn't know if you were personally involved.

A. I was not.

BY INSPECTOR RIDDICK:

Q. Were you there when Nassau County requested assistance on an officer-involved shooting, and it was denied?

A. Actually, yes. I believe I was.

Q. Do we know why?

A. I don't know why.

BY MR. KRAMER:

Q. But that denial would have come from the sheriff?

A. It come from the sheriff. No cop, working cop, like even coming up through the ranks, when they had something like that, would deny that type of assistance. Those are the things -- when things were choked, it chokes to the point where it doesn't -- it doesn't run efficiently.

BY INSPECTOR RIDDICK:

Q. And for the record, let me correct that. It

may have been an officer-involved shooting, but actually the deputy had been shot; and they had a subject cornered, and they were asking for assistance from SWAT teams.

A. Correct. Correct.

MR. KRAMER: Anything further on what he's said so far?

THE WITNESS: One of the things that -- you know, you talk about assets. The SWAT team is one of them, but more frequently the helicopter is something that -- you know, we have an aviation unit. And folks in Putnam County and Columbia County, you know, they rely on that air support. You know, one helicopter there, arguably, is equivalent of 15 or 20 units on the ground.

Those requests were frequently -- we ran into problems where there would be a pursuit at, say, 2:00 in the morning, and they're calling and asking for our assistance. And then you have to make the decision, do I say, okay, go ahead and go, and then get chewed out the next day because they didn't -- because that sheriff didn't call our sheriff at 2:00 in the morning?

I mean, that's the type of slow-down we're

talking about, to the point where you might as well not even send them at that point. It's almost rendering it useless.

BY MR. KRAMER:

Q. And it's 2:00 in the morning. Is Sheriff Watson available to answer another sheriff's call?

A. I don't know. I never called him at 2:00 in the morning.

BY INSPECTOR RIDDICK:

Q. You mentioned earlier about the funding. If I recall from my days with RDS --

A. RDSTF, yeah, that's it.

Q. Regional Domestic Security Task Force. That's where a lot of Alachua's money came from. Or I say a lot. That's basically --

A. A significant amount of money.

Q. They were given a lot of money to create those regional units in case of -- for the region.

A. Right.

Q. And that was the understanding, that the money is given to you, but you need to be available if the region needs you.

A. The BearCat. I believe the BearCat was portioned with RDSTF money; or a portion of it was purchased with it, and you know how expensive those

are.

The bomb team is another RDSTF, you know.

BY MR. KRAMER:

Q. Let me ask you this. Are these requests reduced in any way to writing, or would there be any evidence of the request existing at all?

A. Usually -- from my recollection, usually when something breaks off, it's a phone call saying, "We need SWAT."

Q. Let me ask you this --

A. There could be a Teletype follow-up, though. I don't know.

Q. Would there be text messaging? Like, for instance, might you send a text message to the sheriff "We've received request from Scott for SWAT in Union County"?

A. Oh, I'm sure, but I never really directly contacted the sheriff. That was the undersheriff. I would call him, the undersheriff. I mean, he would answer his phone.

Q. But if -- you would agree those communications would be records at the agency?

A. There should be records at the agency.

Q. But if those records were not being -- they may not be preserved.

A. They should be preserved. Because there was a point in time when we all got iPhones -- you get into the debate of the iPhone or the Android, right? The iPhone is a blue, which is MMS; and then you have the Android, which is an SMS message. From my understanding, the SMS messages are recorded through your carrier, but the MMS are not because they're run on data and not run on cellular.

Q. But if the sheriff didn't allow the recording devices on his phone, there would be no record of those requests being made to the sheriff, correct?

A. I know that the phone that I had had recording because that was all enabled by Scott Shelpman, if my memory serves me correctly.

Q. Understood. Let's move on to the next item that you were concerned that we had missed due to our time constraints.

A. We discussed briefly Michelle Shirfield last time. She had posted some items on Facebook that could be seen by some folks as slanted to one racial side, if you will. That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that. Nobody ever saw the corrective counseling.

And then the order was basically given, you

know, for Facebook or for violations of social media, that was -- that was the -- what should be done, give them a corrective counseling and go through progressive discipline.

And I think there's a couple open cases right now -- or I don't know if they're open or closed.

So Frank Williams and Kevin Davis are under investigation, or open at the moment, for things that I think were far less controversial, and they were placed on admin suspension and been sitting at the house for months.

Q. And let me ask you because I don't know the answer to this. This individual -- and you said her name was Michelle?

A. Shirfield.

Q. Shirfield? Is she African American?

A. She is.

Q. And the posts that you're referencing, they were -- I don't know the posts. Were they racially inappropriate?

A. It was more of a supporting a racial position, and I believe Kevin Davis could speak more on that.

Q. Is it your understanding that a formal complaint was made either to her supervisor or to the

office of professional standards so that discipline should have been initiated?

A. I told the sheriff directly about the violation, and Bobby Stafford told the sheriff directly about the violation.

Q. But as far as I understand -- and my understanding of discipline is developing -- is that the way the discipline would be initiated, it would be either through the office of professional standards or through her supervisor.

A. Correct.

Q. So you gave that information to the sheriff?

A. Correct.

Q. And your understanding is that no discipline was initiated; or if there was any discipline, it was informal in the form of a corrective counseling?

A. It was informal in the form of a corrective counseling, but nobody seen that. I'm sure if you pull her file you would either see a corrective counseling or not see a corrective counseling, but she reported directly to the sheriff.

Q. When someone receives corrective counseling, is it discipline?

A. It's considered informal discipline.

Q. But it should remain in the employee file for

one year?

A. That's correct. Oftentimes it's not removed. You have to go back in there and say, hey, that needs to come out.

BY INSPECTOR SNOWDEN:

Q. Do you know if Kevin Davis made a complaint about that to OPS or through the sheriff suite?

A. I don't think so because he had already known that it was brought to the attention of the sheriff and Bobby Stafford.

Q. Do you know about any complaint that Kevin Davis took to OPS?

A. I know he made a complaint. I don't remember what it surrounded; but I do remember him taking a complaint, and it was basically like disregarded.

Q. If somebody takes a complaint to OPS, should a case number be drawn?

A. Oh, absolutely, or they say this is really not -- there's a list of standards that OPS will investigate these certain things or as directed by the sheriff.

So they'll look at it, and they'll say we'll take and we're going to pull a case number, or they'll say we're going to defer it back to the division commander and let the employee supervisor handle it.

MR. KRAMER: Any other questions on that particular issue?

BY MR. KRAMER:

Q. Thank you for the clarification. Was there anything else?

A. Did we discuss the bargaining process with the re-openers and the unfair labor practice?

Q. You did. You informed us that one of the reasons why you left the sheriff's office was that you advised them, essentially, that what they were doing was in violation of the National Labor Standards Act.

A. Oh, that's right. I gave you the form. Okay.

So I gave the set of text messages last time between the undersheriff and I.

Q. Yes.

A. The sergeants and lieutenants ratified their contract. The deputies did not ratify their contract. And there was an extended period of time; I don't recall the exact settlement dates, maybe July, August the following year. So we're talking about ten, eleven months later that ultimately we were going to go to a hearing at the sheriff's office.

And right before that began and the sheriff was coming to sit down and testify, if my memory

serves me correctly, he wanted to have a discussion. And then that was ultimately settled, and a substantial check was written for attorney's fees. You may want to pull a copy of that.

Q. Who was the attorney that would have received the fees?

A. It would be the PBA.

Q. Would it be the PBA itself, or would it be paid directly to a particular attorney?

MS. WEBSTER: Do you want me to answer?

MR. KRAMER: No, you can tell him.

THE WITNESS: The check was written to the PBA.

BY MR. KRAMER:

Q. For the attorney's fees?

A. For the attorney's fees.

Q. Incurred because of the actions that you've already described in your previous testimony where the sheriff was essentially acting in violation of the National Labor Standards Act of essentially just refusing to negotiate in good faith.

A. That is correct. And that surrounded the take-home cars, which I believe we talked about last time.

Q. Correct.

A. All those things wrapped up.

Q. He withdrew all the articles. That's the phraseology you used.

A. Everything was TA'd. We were getting ready to go to a vote on Thursday and Friday. On Monday, October 18th, I got a call that he withdrew all the articles.

I said, "Wait a minute. We know this vote is coming. We can't do this."

I brought it to his attention, and the sheriff made the unilateral decision to pull that. I said, "You can't do that. You're going to refuse to sign a contract after it's already been agreed upon."

And in his text messages, which I presented to you last time, I was told that my interpretation was not consistent with the decision of the sheriff.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. Next.

A. We talked about the SWAT rifles.

BY INSPECTOR RIDDICK:

Q. Where are those rifles now, Major?

A. So those rifles were not given to the employee personally. They were issued to the employee that won them with the understanding that when they

retire they will be able to keep them. That was the decision that was made, if my memory serves me correctly; but that's probably not in writing anywhere, I promise you that, because nothing hardly ever gets reduced to writing.

BY MR. KRAMER:

Q. Well, they wouldn't have gone to the inventory? Doesn't every officer have an inventory?

A. Uh-huh.

Q. And if they're not on the inventory, and they're in the officer's possession --

A. No, they're issued to the officer. They're going to be on the inventory.

BY INSPECTOR RIDDICK:

Q. They were taken into the sheriff's office inventory and then issued to the officer that won it.

A. That's correct.

Did I touch on the fact that Watson will make a decision regardless whether it's against policy or procedure?

BY MR. KRAMER:

Q. I think in general that was clear, but are there specific instances that you can reference that you didn't reference last time?

A. No. I just want to make sure I hit that --

Q. You did.

A. It's so frequent, though, that --

Q. What is the effect on the agency when the sheriff doesn't follow the agency's own policy?

A. Well, what it does is, it sets the tone of the only consistency is inconsistency, right? And when the sheriff isn't following his own policies and procedures, what message is that sending down to the troops?

It sends a horrible message down saying I don't have to follow policy and procedure, but I'm going to hold you to it; and when you aren't held to it, when you violate that, I'm going to write you up.

Q. Would it also lead people to the conclusion that -- wouldn't it also lead to the natural conclusion that if you follow a policy, that the sheriff might still discipline you or you might meet criticism or demotion or job problems because you followed policy that the sheriff no longer wants to have be the policy?

A. It's almost as if you're expected to think like him. And if it is any perceived disrespect or embarrassment, you're going to be talked to about it, if not hit with some sort of discipline.

We just had a recent case, the Glen Stanley

internal investigation, which is closed -- which I suggest you pull a copy of that -- where the sheriff goes outside the disciplinary matrix.

We have a matrix that says this is Level Two, Level Three, Level Four or Five, and this is -- you know, you got a Level Two, you get this many points. This many points is from A to B, and he'll just add C in there.

Q. And in this particular investigation was it to the officer's detriment?

A. Yes.

Q. Is this recourse for the officer under those circumstances? Can the officer appeal that decision? Do they have -- do they enforce the matrix as it exists, or are they simply subject to the sheriff's rulings?

A. Only if they meet the standards set forth in the sheriff's board, which is greater than a two-day suspension. In this case it was one-day suspension, but they put the guy on 12 months of disciplinary probation. And I believe, if you go back and you look at what a Level Three violation is, 12 months of disciplinary probation is not allowed.

And then what you do when you put somebody on disciplinary probation is, the next time they wear the

wrong color socks or doing something that's in violation, then they're not eligible for a career service board.

It's almost like you're setting up them for the next violation, to render them ineffective in a career service board.

Q. And because it's a one-day suspension, it's not appealable?

A. Correct.

We touched on changing past practice without really any discussion with anyone.

Q. Correct. Yes.

A. We touched on Watson and Decoursey routinely holding paperwork and not signing it, essentially neglecting the duties of moving the institution along.

And we -- I know we discussed not reducing things to writing, and we discussed the staffing shortages. So I think that kind of cleans up what I can remember from the last one.

Q. Was there anything additional in response to the question, are you aware of anything immoral, unethical, or illegal, that occurred in the sheriff's office while you were there --

A. Well --

Q. -- that we didn't cover last time?

A. I think that's where we're going to move in to the next section.

Q. Okay.

A. So the sheriff is a steward of the taxpayer's money. Would you agree with that?

Q. Agreed.

A. When he came into office, there were two vehicles that were provided that were left by Darnell and Huckstep. They were not happy with those vehicles even though they were functioning vehicles, and they immediately purchased two black Tahoes; and they were high-end Tahoes to the tune of in the mid 70s. And then, of course, all the equipment and everything had to go in on top of that, so you're talking probably upwards of 90-plus thousand dollars just because they wanted new vehicles. That was kind of like the first thing. Everybody kind of questioned that.

And then he had the badges removed from them that say like "High Country" to make it look like it wasn't, you know, an expensive vehicle as it was, but everybody knew what time of day it was. They saw the badges on there. Everybody knew what was going on. You could see it.

So that was kind of, in my opinion, something that the fleet department should have set back and

assessed and advised the sheriff, "Hey, if we want new vehicles, this is where our budget is. This is how much money we have left. If we make this purchase, then we can't purchase these four cars instead of these two Tahoes."

That didn't happen. He immediately ordered the vehicle. I don't think they came off state contract. I think they got one at the local Chevrolet dealership. Or I don't know where they got them form; you'd have to pull that. One was 74. The other one was 77 or somewhere in there. They were both in the mid 70s. So that was one thing that kind of came up.

So there were some Nissans that were purchased, and I believe they were for the drug task force or somebody, I think, after I had left. And there was an allegation they were purchased from Gainesville Nissan, and his son is one of the sales managers at Gainesville Nissan.

Q. Those type of contract purchases would be normally not done through Gainesville Nissan? They'd be done through state contract?

A. Generally, yes, unless there is a specific reason. Like, I know Darnell, when we purchased Harleys, the state contract price was, say -- I'm just throwing a number out there -- 17,000, but Gainesville

Harley said, hey, we'll sell them to you for 15.5. The sheriff felt we should keep our money local, and she was actually saving money and was being a good steward of the taxpayers' money and purchased the Harleys there.

But as far as going outside of that, the only thing I know of going outside was that some vehicles were purchased from Southeast Car Agency, especially when it came to things like the trucks for the aviation unit, where we could get something that was used; we didn't buy them new. They weren't new vehicles. They were used vehicles.

But there was some allegations that the Nissans came purchased from his son; and I don't have any evidence to substantiate that, but you could certainly run that down.

One of the tasks that I was given fairly early on was -- the office of professional standards was housed within the main sheriff's office at 2621 Southeast Hawthorne Road. And the office of professional standards has a door that goes right into the sheriff's suite, and that was so that the captain of OPS could go in and confer with the sheriff because the captain was direct report to the sheriff. It had been set like that since I've been there. That was

always OPS. Some years prior to that, it was at the jail.

He had me -- he directed me to have OPS relocated back to the office -- the department of the jail, and he then commanded those offices for himself and had them remodeled where he made a rather large office for himself and spent a significant amount of money remodeling that office and then purchased some furniture to fill that office.

Q. Was the furniture purchased off of state contract?

A. I was told it was purchased offline. He went online and bought it because he got a better deal. To what that was, what that P.O. looked like, I have no idea.

Q. Would that be unusual?

A. That would be unusual.

Q. Outside the standard procedures of the sheriff's office to purchase furniture?

A. Correct, because every time we've purchased furniture -- like we purchased tables like these, chairs like these that sit in the squad room that I'm sure you've been to. All those were purchased through a vendor that we've got. And every time we've had to purchase something, A and B has to come to us with a

book like this and said, here's what's available. This is what we can purchase. So to purchase furniture outside that realm, to my knowledge, had never been done.

Q. Okay.

A. There was a lot of controversy surrounding expenditures plastering his name on the building.

Q. Where are those?

A. On one occasion it didn't look right, and he bought it again.

Okay. You're aware of it. We'll move on.

On the back of everybody's vest said "sheriff" just like the cars say "sheriff" on it. It doesn't mean that you are the sheriff. It just indicates like police, sheriff. All those were ordered to be removed and replaced with deputies.

Q. Was it on the cars as well as the uniforms?

A. It was not on the cars. It was just on the uniforms.

Q. Did anybody -- with regard to this, did anybody confer or look at the Florida Statutes to ensure that the officers would be properly marked for the purposes of fleeing or attempting to elude or resisting arrest with or without violence, to ensure that the standards that are set forth in the statutes

would be met?

A. I brought that specific statute that you're referring to to the attention of the undersheriff and said, "There's really no reason for this. It doesn't designate them as the sheriff, but, you know, it's for the purposes of authority."

And the response was, "There's only one sheriff, and that's the guy that signs in green ink. Everybody else is a deputy," and that was the reason for the switch.

But again, you have whatever those patches were, ten, eight, twelve dollars times how many, 300 patches. Again, it's just another tick of expenditures that didn't need to happen.

Q. Understood.

A. The sheriff and the undersheriff has continued to disregard Florida Statute 112 on numerous occasions, which obviously stemmed from the lawsuits that are out there pending.

Q. Do you have any information to indicate whether their disregard of 112 procedures and rights that are contained in Florida Statute 112 are based upon ignorance, that they don't understand them? Or is it based on an intentional act that they don't care to provide those rights and meet their

responsibilities?

A. Personally, I believe they don't care.

Q. So at the time these violations have occurred, are the rights of the officers and responsibilities of the agency being brought to the attention of the individuals who are doing this and being told we don't care?

A. My understanding was 112 violation was raised; and then when the interview was stopped, that individual was charged with insubordination. And 112 clearly says that that can't happen.

Q. Which officer was charged with insubordination because they refused to be interviewed?

A. I believe it was Frank Williams, but I would have to go back and look. I'd have to do some additional research on that.

Q. I may need you to follow up on that if you can identify any particular officer who was -- I'm saying charged, but that's probably not the right word -- was given -- an OPS investigation was instituted for insubordination or insubordination was added to the current charged violations?

A. I believe if you pull the Glen Stanley case, and you pull a recording of the Loudermill that went

along with the Glen Stanley case, the general counsel -- essentially, the argument was being made that truthfulness did not occur, that the officer actually -- it was alleged that the officer did not -- and I don't have first-hand knowledge of it, but from my understanding, is that the officer didn't do something and, in the actual packet, said that they had done it, they had sent an email.

The undersheriff indicated on his recommendation that it was truthfulness, that it didn't occur; and when the disciplinary rep went to make the argument that it was not truthfulness, the general counsel said, "Well, what charge do you think was appropriate?"

So I would encourage you to go back and listen to that audio recording of that Loudermill. In other words, you're going to get charged with something, and we're going to find something to fit.

Q. Okay. Understood.

A. I would encourage you to probably pull his calendar, Watson's calendar, and his gas receipts. On the very early part of his tenure he was there a lot. I know he was there a lot because I was there a lot, and I saw him a lot from very early in the morning, 5:00, 6:00 -- I think we discussed that last time --

until 8:00, 9:00 at night.

It got to the point where we needed the sheriff to approve something or do something, again, because we couldn't approve anything, the sheriff is not here. The sheriff is not here. The sheriff is not here. Where is he? Is he working? Is he not working? It seemed like he was never around.

So I would encourage you to probably pull his calendar for --

Q. What month and years?

A. I would say July '21 and after.

Q. Is there some incident you can point to where his attendance to the office stopped? Was it sudden, or was it gradual?

A. It was gradual. It seemed like he gradually was not there more and more, and he was unavailable, which then just stalemated --

Q. Right, because everything has to go through him.

A. Everything has to go through him, and then everything just slows to a crawl, at best a crawl.

The sheriff's son, Clovis Watson, IV, was the subject of numerous traffic stops and some criminal acts with GPD. This information was forwarded to the sheriff, but he never seemed to rectify it with his

son. It continued to happen.

He was stopped a couple of times by our deputies for traffic violations. We did a DUI checkpoint down on South 13th Street where his son was completely irate and completely out of line just coming to pick somebody up that we had dealt with. I called the sheriff and he said, okay, and that was the end of it.

It was like his son could just do whatever he wanted to because his dad was the sheriff. There was no -- it was a very poor reflection on the sheriff, very poor reflection on the sheriff.

We talked about fails to process paperwork.

I think Ed Bennett -- you might want to talk to Ed Bennett about the disapproval of secondary employment at the academy.

Q. With regard to that, are you aware that the academy became short of staff because of the sheriff disapproving secondary employment?

A. I can't swear to that.

Q. We'd have to check with the academy?

A. You'd have to check with the academy. I would imagine it severely impacted it; but to what extent, I can't speculate.

Q. Understood.

A. The sheriff seems to make decisions based on emotion quite a bit rather than, you know, actual facts. The sheriff demoted Mat Yakubsin from lieutenant back to sergeant for essentially liking a Facebook post. Let me back up.

He demoted him, but he ordered me to demote him. So I had to call him and tell him, "Hey, look, you're demoted because you liked a Facebook post."

Q. Was that formal discipline?

A. He was on probation.

Q. So he was already on disciplinarian probation?

A. No, he was on new-hire -- promotional probation.

Q. I see. So he could be demoted back to his prior rank without any discipline occurring?

A. Correct.

Q. And does that cause him to lose pay?

A. It does cause him to lose pay.

Q. How much, roughly?

A. I'd have to go back and look at the scales. I mean, you can make a request for the pay changes in HTE. A minimum of five percent; but Yakubsin was not that tenured of a sergeant, so potentially ten percent more. I don't know the exact numbers on Yakubsin.

Q. And you know the basis for that demotion was liking a Facebook post because you were instructed to tell him why he was being demoted by the sheriff?

A. I was instructed by the sheriff to demote him back to sergeant; and the sheriff had told me that, "He liked that Facebook post, and I'm going to demote him."

Now, keep in mind everybody else that also liked that Facebook post -- it surrounded a lieutenant Facebook post from the jail that was subsequently terminated. Howard, I believe, is his name, received corrective counseling for that, but Yakubsin was demoted.

BY INSPECTOR RIDDICK:

Q. Did that go through an OPS review?

A. Oh, no.

Q. So there's no documentation on any of it?

A. No.

BY INSPECTOR SNOWDEN:

Q. Did Yakubsin get corrective counseling?

A. I believe he may have, but he was hit with a demotion and the corrective counseling where everybody else was just hit with the corrective counseling. In other words, I felt as if the demotion was excessive in comparison to what had been handed out to everybody

else. That's kind of where I was going with that.

We discussed the negligent promotions last time.

BY INSPECTOR SNOWDEN:

Q. While we're on that topic --

A. Which topic?

Q. Negligent promotion. You mentioned Cleveland Cox. Talk about your knowledge about what happened when he tried out for the SWAT team?

A. He tried out for the SWAT team. He wasn't recommended, and then he was appointed by recommendation of the undersheriff.

BY MR. KRAMER:

Q. Also, what the consequence was to the person who did not want him appointed to the SWAT team.

A. Oh, he adamantly opposed it. He was -- I can't remember if it was Josh Crews or Rich Howell at the time.

Q. Josh Crews.

A. Josh Crews absolutely did not want him to the point he wanted to go meet with the undersheriff, and I think he did meet with undersheriff about it; but the decision was made that he did not get his number one and number two picks, and he got Cleveland Cox. And Cleveland Cox was almost promoted at the

recommendation of the sheriff.

Q. What happened with Josh Crews with his relationship with the SWAT team after he didn't want Cleveland Cox on there?

A. I'd have to go back and scroll and think about the timeline, but I can tell you, if you're referring to his removal from the SWAT team, his removal from the SWAT team, I do not believe, was tied to that incident.

We had a SWAT call-out in Monteoca, and the sheriff and undersheriff were there. And Josh Crews was insubordinate to me; and the sheriff found out about it, and the sheriff removed him from the SWAT team based on that incident.

Q. Were those two things occurring closely in time, the Cleveland Cox incident and Monteoca incident?

A. I believe the Cleveland Cox thing was a couple months afterwards. It could have been pretty close. It could have been pretty close.

Q. I don't know the answer, but my understanding is that the delivery of the information that Cleveland Cox would be assigned to the SWAT team and the removal of then lieutenant -- captain, sergeant, I'm not sure --

A. Lieutenant Josh Crews.

Q. -- Lieutenant Crews were delivered at the same time.

A. It may have been. It could have been in close proximity, and I can see how maybe he could correlate that if it was in close proximity, but my knowledge of the incident, it was really based on Lieutenant Crews' insubordination. Because I was ordered by the sheriff to conduct -- to basically put gas on the house with the hopes that the guy would come out, and Josh Crews came over to me and said, "I hope it's not a tactic," and he was rather nasty about it.

I'm not on the SWAT team. I've never been on the SWAT team, and I don't pretend to be on the SWAT team. So when it comes to SWAT-related matters, I would defer to Josh. Josh has got the knowledge. He's been on there a long time, along with his brother. His brother is no longer with us. He's retired. But I had a direct order from the sheriff that this is the way we're going to proceed, and Josh didn't agree with it.

Q. Let me make sure I understand the sheriff is directing a tactic to remove an individual from a home that a SWAT team is doing?

A. To put gas in there, yes.

Q. But is the sheriff qualified to make a decision about a tactic to remove a barricaded subject?

A. In my opinion, no, and that just falls on the back of what I just said. I'm a major. And even when I was a captain over those units, if I called you as my SWAT commander, and you said, "This is what we need to do," I'm going to defer to you. As long as we're not violating policy, we're not violating the law, and we're not creating some additional liability for the sheriff, I'm going to defer to you because that's your area of expertise.

Q. But doesn't it create liability if the sheriff, who is not qualified, is directing a tactic to be used in an extremely dangerous situation?

A. Oh, absolutely. The direction should not have come from the sheriff. The sheriff should have let Josh Crews run the incident, is what it comes down to.

BY INSPECTOR RIDDICK:

Q. What was the barricaded subject?

A. There was another individual in the house. I think it was domestic.

Q. So the bad guy wasn't the only one in the

house?

A. Correct.

BY MR. KRAMER:

Q. I guess you're probably the wrong person to ask, but do we put gas in the house when there's more than one person in the house?

A. Generally, no, but I would defer to Josh Crews and let him discuss that incident in greater detail.

Q. And the insubordination that Josh demonstrated during that incident, was he ever a subject of formal discipline? Or was it just we're going to discipline him by removing him from the SWAT team?

A. He got a corrective counseling from me for his insubordination, but then the sheriff removed him as the SWAT team commander.

Q. Did they put gas in the house?

A. I don't remember. That was very early on in the tenure of the administration.

BY INSPECTOR RIDDICK:

Q. Did the sheriff give a reason why he wanted the gas? Did he have some place to go?

A. Uh-uh. It was clear he was trying to direct the incident where he didn't have the experience to

direct the incident.
BY INSPECTOR SNOWDEN:
Q. Was the sheriff at the scene?
A. He was, and the undersheriff. They both showed up. And, you know, to be fair, normally the sheriff and the undersheriff, the major does not show up to SWAT teams. You know, normally we're behind the phone somewhere, and we're letting those people run those operations; but that's not the way the sheriff wanted it run.
The captain was there. I was there. Captain Bella Blizzard was there. I was there. Decoursey was there. The sheriff was there. And I think probably Josh felt like he wasn't being allowed to operate under the parameters that he normally operates because his decision-making was being impeded by us.
BY MR. KRAMER:
Q. And that's what lead to his insubordination.
A. Correct.
Q. That's also consistent with what you've previously testified to, that all the decisions are being made by the sheriff to operational and tactical decisions.
A. That is correct.
BY INSPECTOR SNOWDEN:

Q. Were you familiar or did we talk about it last time, about the Cleveland Cox investigation that went through the office of professional standards?

A. I was aware.

Q. Do you know what happened with that eventually, or why it was terminated?

A. I don't remember.

Q. Is there some connection or familial connection between the undersheriff and Cleveland Cox?

A. We speculated that there was, but we -- I don't know of one, but it seemed to be really out of character that he was placed on the SWAT team and he was promoted against the objections of essentially everyone.

Q. Was he also assigned to CID?

A. He was.

Q. Against the objections?

A. He was. It was a pattern existing with Cleveland Cox, but I don't know what the connection is.

MR. KRAMER: I want to talk about time.

We can go off the record.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. All we were discussing is how much time we

have remaining before our other witnesses to need to appear.

A. Eric Hutchison was promoted to the rank of acting lieutenant when he wasn't on the eligibility list. I would suggest you pull the employee profile and the eligibility list. When that was called to the sheriff's attention, that he wasn't eligible for promotion, the sheriff did act and rescinded that; but then here recently Scott Bonafide has been promoted to an active lieutenant, and he's been moved to civil.

As you're aware, civil is a completely different animal than any other part of the sheriff's office. You deal with evicting people and serving papers that can and cannot be served at certain times of day. To my knowledge, Scott has no knowledge of the civil process.

I did mention Rashawn Flanders. I do not have that paperwork that I thought I had.

The last one is Pat Ford Thomas. Michelle Clement was the division manager, and she was removed for seemingly no reason and moved over to the contract monitor at the jail, which she's got zero experience at. She was removed from her role as a division manager, and she was replaced with Pat Ford Thomas.

Pat Ford Thomas is the wife of Dave Thomas,

who, interestingly enough, was one of the very core group of people in Watson's campaign.

Q. We're going to speak with Michelle Clement. We just haven't gotten her scheduled yet.

A. Okay. I have for you a copy of one of the personnel orders that went out, and as you can see, the quantity of moves that were made at one time are significant; and that's not one of them, but the reason why that's significant is because I have this to go along with it, which is completely out of character, which has everybody's picture and where they're going, where you can definitely see folks --

MR. KRAMER: All right. We'll make this an exhibit to your statement.

That's all I have. I'm sure if something else comes up, I may think of something or whatever.

(Exhibit 1 was marked for identification.)

BY INSPECTOR SNOWDEN:

Q. One last question I've got. When transfers and things were made, were the positions that they went to, were they resumed made for? Or were persons just told, you're going here, and you're going here?

A. Under the Darnell administration, generally, what would happen would be, an open position

announcement would come out: Any interested deputy sheriff that wishes to apply to be a detective, please submit your name to ISIS, which is our internal system. Interviews are conducted, and then somebody would be selected from the list.

Under the Watson administration, that pretty much went out the window. He just made moves willie-nillie as he felt necessary with no rhyme or reason is really the short answer.

MR. KRAMER: Thank you. We may be talking to you further.

(The witness concluded at 11:20 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORINE, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named GEORGE CORINE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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forward and back in time, and I don't know if I discussed them or not. If I did, I apologize. It would be a duplicate.

Q. That's fine.

A. But if not --

Q. Where would you prefer to start? You want to start with things that you're concerned about that we just skipped over, or do you want to start with more -- the question, I believe, was, is there anything that occurred at the sheriff's office that was illegal, unethical, or immoral that you observed that you could tell us about, and I think that might be the area where there were additional responses.

A. Yeah. I think the other -- the things that I have highlighted here may just clean up my previous notes.

Q. All right. Let's start with that.

A. And again, I don't know if I got these things on the record last time.

One of my notes that I had made that nothing can be decided until the sheriff has made final decision. So it seems as if he is the sole decision maker, and nobody in the chain of command has the ability to make any types of decisions.

BY INSPECTOR RIDDICK:

Q. Did you get that from him?

A. That's just the perception.

And let me say that we have forms that, obviously, go up to certain levels, and some of the forms go to the sheriff. For instance, if you have a -- if you win a prize, for example -- I'm sure you guys have heard of SWAT Roundup.

We had an incident where a couple of guys won some rifles at SWAT Roundup, and guns, which I'm sure you're familiar always happens. And history has always been when that item comes back, that the sheriff has allowed the person to keep it. We fill out a form that basically says, "Hey, I received this as essentially gratuity. What do you want to do with it?" and history had always been ever since I've been there that the employee was just allowed to keep it.

Those forms sat for months and months and months, and we continuously asked and asked and asked; and the paper was never being processed, which seemed to be the history of things like secondary employment forms.

In other words, I work for Home Depot. I have to fill out a form saying I work for Home Depot, I work five to ten hours a week. You know, it doesn't conflict, I won't be doing any law enforcement action,

blah, blah, blah, and it gets approved all the way up to the sheriff. Those type of forms just sit.

It's like there's a neglect to fill those forms out and get them back to people, especially when it comes to the folks that live in reduced rent apartments; because those reduced rent apartments are really considered secondary employment, and now we have people who come back and fill out the form, say, "Hey, I have this secondary employment. I live at ABC Apartment Complex," and those forms never get processed.

Lately -- I've been gone, but lately -- I'm sure you guys can follow up with it -- some secondary employment has been approved, but it's been very sporadic; and then others, it's been straight-up denied. And those denials have come on the backs of years and years and years of approval.

In other words, I might be teaching at the academy. I taught at the academy for 15 years, let's say, and then all of a sudden this year it's a denial for no reason, and there's no reason given.

Q. Is that detrimental to the functioning of the sheriff's office?

A. The academy, absolutely, because we have an agreement with the academy that we're going to provide

people to teach the recruits.

Q. Well, maybe I'm being too obtuse. If employees are being mistreated and treated very differently than they have been by prior administrations without any explanation, does that create an environment where employees are likely to remain?

A. Absolutely not. What happens is too often -- I'm sure you guys are aware that law enforcement salaries are not that high, and almost everybody has got some sort of secondary employment whether it be at the academy or whether they have a business. Like we have several folks that have lawn maintain businesses, you know, and they thrive on those businesses, especially during the summer months when grass cutting is frequent. And when those forms aren't being approved, then you get into a situation where am I allowed to continue my business that I invested all this capital in, or what do I need to do? Do I need to quit and just move on?

And I'm sure if you pull the vacancy rate, the FT vacancies on January 5th of 2021, you pull the FT vacancy rate as of today, you'll see that they're vastly different.

Q. Just so I understand, do those supplemental

employment forms have to be yearly?

A. They do.

Q. So even if you've had the same position for years and years, it has to be approved every year?

A. Every calendar year.

Q. Is it October 1? January 1?

A. January 1, if my memory recalls. I think it's January 1.

Q. Would your understanding be, there would be individuals who would resubmit after January 1 and would not get an answer for five, six, seven months?

A. Lengthy amounts of times or outright denials with no excuse, or no response, really. And, you know, the academy relies on those folks to teach recruits.

Q. Right.

A. I do believe we discussed that it could be found in one of the audio recordings that the undersheriff said that nothing is final until it's in green ink.

Q. Correct.

A. So that just kind of plays into that.

Q. And, also, I want to follow up on that issue. I want to make sure I understand what you're telling me, which is that -- and I'll use my organization as

an example. We have -- I delegate control out to supervisors because I am physically incapable of making timely decisions in 20,000 cases of prosecution per year, and that is necessary for the proper functioning of the agency.

A. That is correct. I felt as if I had less decision-making authority as a major than I did as a lieutenant under the Darnell administration, which chokes the entire operation.

Q. So the same is true at the sheriff's office, and probably on a much larger scale than my organization. I have 135 employees, and the sheriff's office has how many employees?

A. About 960.

Q. Nine hundred sixty employees, and then essentially day-to-day decision making is being made by the sheriff?

A. Essentially.

Q. And that has prevented the sheriff's office's proper functioning because decision-making is delayed, and this -- what you've been talking about, this example of additional employment, is just maybe one example of delay.

A. It is one example, yes.

Q. And there are many others?

A. Right.

Q. And I don't know if you can speak to this, but is one of those examples, would it be assisting other agencies?

A. Yes.

Q. And are you aware during the time you were at the sheriff's office of a change in the decision-making process by which the sheriff's office decided whether or not to assist other agencies?

A. Absolutely.

Q. And if you could clarify. Does the sheriff's office have obligations, contractual and grant-oriented obligations, to provide assistance to regional agencies with equipment and expertise that those agencies would not have?

A. Absolutely.

Q. And could you explain what happened while you were there? What was the change from the prior administration? How did that affect things?

A. So operationally when I was the patrol support lieutenant, which was over all the special teams, Bradford County would call and say, "Hey, we've got an incident up here. We need the SWAT team."

So we're part of a region. The SWAT team is a regional team. There's funding that comes out of --

I can't remember the abbreviation, but it is -- there's funding that comes out. They fund some equipment, and that is really meant so that when Bradford County calls, or Union County folks that don't have a SWAT team, we go up there and we handle it.

And usually the protocol was, they would call. The captain would say, "Hey, Union County has a SWAT call-out." I would notify the SWAT guys, and then they would go.

The captain would then turn around and notify the chain upwards, "Hey, this is what's happened. I'm just kind of letting you know that Bradford County has called, or Union County has called, and they need the SWAT team."

That's been the practice for years. I mean, time was of the essence when you're talking about calling out a SWAT team. If we're not calling them for some preplanned event three days from now, then we don't have time to sit around and talk and have approval. It's go.

That completely changed under the Watson administration. He simply demanded that, in order for any asset to leave this county, that that sheriff that was requesting or that chief that was requesting the

equipment called him first, which severely choked the response time.

So it was a complete spin. It was something we weren't used to, but he wanted the sheriff of Bradford County, Union County to call him and ask for the equipment before we were authorized.

Q. And what if he wasn't available?

A. (Shrugs shoulders.)

Q. You're holding up your hands and saying there's no answer for that?

A. There's no answer for that because we weren't authorized to proceed.

Q. So, for instance, just an instance that I was personally involved in was, there was an officer-involved shooting in Levy County, and they only have maybe four deputies on the road at any one time. I don't know if you're aware of this incident.

A. Correct.

Q. And when three of the officers were involved in a shooting, then they had no -- essentially, one deputy remaining on the road. They requested assistance from the Alachua County Sheriff's Office. Would that assistance request have to go through the sheriff himself?

A. It would.

Q. Would you agree that under those circumstances where a county was essentially now --

A. Vacant.

Q. -- had no law enforcement available, that time is of the essence?

A. Yeah, it is essential. And I'll follow up with another example.

The two deputies that were shot in Gilchrist County under the Darnell administration. As soon as that happened, everybody started rolling. We rolled the command -- I mean, we had the mobile command bus. We had schedules done to start covering the county, and then we just started notifying the sheriff, "Hey, this is what we're doing. This is how we're taking care of them." It was almost the information was flowing upward rather than flowing downward.

And under the Watson administration it's completely immerse. It's not allowed to happen in that manner. And the folks who may call 911 in Gilchrist County, now that there's no deputies available, they rely on our assistance. And we have the resources to provide to Gilchrist County or to Union County that Union County or Gilchrist County doesn't otherwise have.

MR. KRAMER: All right. Let's go back to

things that you may -- unless you wanted to follow up. I'm sorry.

BY INSPECTOR RIDDICK:

Q. Has he ever denied one of those requests that you know of?

A. Yes.

Q. Which one?

A. There was an incident where University of Florida had called and requested the use of the jail vans. There was something going on at the Reitz Union. I think Darren Baxley had called and requested the jail vans. Don't quote me. I think it was Darren Baxley, deputy chief. Sheriff Watson refused to let them utilize the jail vans.

All that is, is a transport function. It's not like we were sending personnel. You know, we send in a couple of people to operate the vans, but we weren't sending crowd management. We weren't getting involved with their business on campus. They were just simply asking for assistance because, again, the university, you know, they've only got 80 FTEs, you know, somewhere in there. They don't have the capacity to deal with 15 or 20 arrestees at the same time. It would impact them severely to have to deal with that, and we had the resources. I didn't

understand what the purpose of withholding a jail van was.

Q. When you say impact severely, would that mean creating an unsafe environment for the remainder of the students and faculty on campus?

A. Potentially. I mean, it depends on how the incident goes. If you got all your guys on the incident tied up with 10-15, or arrestees, if you will, and then they need to focus their attention somewhere else, next thing you know, you divert your attention to the people that need to go. Now you have an unsafe number of officers with the arrestees; or do the officers stay with the arrestees, and now you've neglected this? You have to make a decision.

You've only got so many personnel. The jail van would have been very quick, easy. You bring the jail vans over, put them in the jail vans, pat them down, get them in there, at least hold them there for a few minutes or get them out of there, whatever they decided to do. It was a relatively simple request.

There was some issues surrounding the drug task force, which I'm sure you're aware of, and the sheriff not wanting anyone to operate in the county.

Q. Were you an employee of the sheriff's office at the time that the sheriff directed the removal of

all the equipment from the drug task force?

A. No, but my understanding is it was done in the middle of the night under some covert operation, was the rumor.

Q. Correct. I just didn't know if you were personally involved.

A. I was not.

BY INSPECTOR RIDDICK:

Q. Were you there when Nassau County requested assistance on an officer-involved shooting, and it was denied?

A. Actually, yes. I believe I was.

Q. Do we know why?

A. I don't know why.

BY MR. KRAMER:

Q. But that denial would have come from the sheriff?

A. It come from the sheriff. No cop, working cop, like even coming up through the ranks, when they had something like that, would deny that type of assistance. Those are the things -- when things were choked, it chokes to the point where it doesn't -- it doesn't run efficiently.

BY INSPECTOR RIDDICK:

Q. And for the record, let me correct that. It

may have been an officer-involved shooting, but actually the deputy had been shot; and they had a subject cornered, and they were asking for assistance from SWAT teams.

A. Correct. Correct.

MR. KRAMER: Anything further on what he's said so far?

THE WITNESS: One of the things that -- you know, you talk about assets. The SWAT team is one of them, but more frequently the helicopter is something that -- you know, we have an aviation unit. And folks in Putnam County and Columbia County, you know, they rely on that air support. You know, one helicopter there, arguably, is equivalent of 15 or 20 units on the ground.

Those requests were frequently -- we ran into problems where there would be a pursuit at, say, 2:00 in the morning, and they're calling and asking for our assistance. And then you have to make the decision, do I say, okay, go ahead and go, and then get chewed out the next day because they didn't -- because that sheriff didn't call our sheriff at 2:00 in the morning?

I mean, that's the type of slow-down we're

talking about, to the point where you might as well not even send them at that point. It's almost rendering it useless.

BY MR. KRAMER:

Q. And it's 2:00 in the morning. Is Sheriff Watson available to answer another sheriff's call?

A. I don't know. I never called him at 2:00 in the morning.

BY INSPECTOR RIDDICK:

Q. You mentioned earlier about the funding. If I recall from my days with RDS --

A. RDSTF, yeah, that's it.

Q. Regional Domestic Security Task Force. That's where a lot of Alachua's money came from. Or I say a lot. That's basically --

A. A significant amount of money.

Q. They were given a lot of money to create those regional units in case of -- for the region.

A. Right.

Q. And that was the understanding, that the money is given to you, but you need to be available if the region needs you.

A. The BearCat. I believe the BearCat was portioned with RDSTF money; or a portion of it was purchased with it, and you know how expensive those

are.

The bomb team is another RDSTF, you know.

BY MR. KRAMER:

Q. Let me ask you this. Are these requests reduced in any way to writing, or would there be any evidence of the request existing at all?

A. Usually -- from my recollection, usually when something breaks off, it's a phone call saying, "We need SWAT."

Q. Let me ask you this --

A. There could be a Teletype follow-up, though. I don't know.

Q. Would there be text messaging? Like, for instance, might you send a text message to the sheriff "We've received request from Scott for SWAT in Union County"?

A. Oh, I'm sure, but I never really directly contacted the sheriff. That was the undersheriff. I would call him, the undersheriff. I mean, he would answer his phone.

Q. But if -- you would agree those communications would be records at the agency?

A. There should be records at the agency.

Q. But if those records were not being -- they may not be preserved.

A. They should be preserved. Because there was a point in time when we all got iPhones -- you get into the debate of the iPhone or the Android, right? The iPhone is a blue, which is MMS; and then you have the Android, which is an SMS message. From my understanding, the SMS messages are recorded through your carrier, but the MMS are not because they're run on data and not run on cellular.

Q. But if the sheriff didn't allow the recording devices on his phone, there would be no record of those requests being made to the sheriff, correct?

A. I know that the phone that I had had recording because that was all enabled by Scott Shelpman, if my memory serves me correctly.

Q. Understood. Let's move on to the next item that you were concerned that we had missed due to our time constraints.

A. We discussed briefly Michelle Shirfield last time. She had posted some items on Facebook that could be seen by some folks as slanted to one racial side, if you will. That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that. Nobody ever saw the corrective counseling.

And then the order was basically given, you

know, for Facebook or for violations of social media, that was -- that was the -- what should be done, give them a corrective counseling and go through progressive discipline.

And I think there's a couple open cases right now -- or I don't know if they're open or closed.

So Frank Williams and Kevin Davis are under investigation, or open at the moment, for things that I think were far less controversial, and they were placed on admin suspension and been sitting at the house for months.

Q. And let me ask you because I don't know the answer to this. This individual -- and you said her name was Michelle?

A. Shirfield.

Q. Shirfield? Is she African American?

A. She is.

Q. And the posts that you're referencing, they were -- I don't know the posts. Were they racially inappropriate?

A. It was more of a supporting a racial position, and I believe Kevin Davis could speak more on that.

Q. Is it your understanding that a formal complaint was made either to her supervisor or to the

office of professional standards so that discipline should have been initiated?

A. I told the sheriff directly about the violation, and Bobby Stafford told the sheriff directly about the violation.

Q. But as far as I understand -- and my understanding of discipline is developing -- is that the way the discipline would be initiated, it would be either through the office of professional standards or through her supervisor.

A. Correct.

Q. So you gave that information to the sheriff?

A. Correct.

Q. And your understanding is that no discipline was initiated; or if there was any discipline, it was informal in the form of a corrective counseling?

A. It was informal in the form of a corrective counseling, but nobody seen that. I'm sure if you pull her file you would either see a corrective counseling or not see a corrective counseling, but she reported directly to the sheriff.

Q. When someone receives corrective counseling, is it discipline?

A. It's considered informal discipline.

Q. But it should remain in the employee file for

one year?

A. That's correct. Oftentimes it's not removed. You have to go back in there and say, hey, that needs to come out.

BY INSPECTOR SNOWDEN:

Q. Do you know if Kevin Davis made a complaint about that to OPS or through the sheriff suite?

A. I don't think so because he had already known that it was brought to the attention of the sheriff and Bobby Stafford.

Q. Do you know about any complaint that Kevin Davis took to OPS?

A. I know he made a complaint. I don't remember what it surrounded; but I do remember him taking a complaint, and it was basically like disregarded.

Q. If somebody takes a complaint to OPS, should a case number be drawn?

A. Oh, absolutely, or they say this is really not -- there's a list of standards that OPS will investigate these certain things or as directed by the sheriff.

So they'll look at it, and they'll say we'll take and we're going to pull a case number, or they'll say we're going to defer it back to the division commander and let the employee supervisor handle it.

MR. KRAMER: Any other questions on that particular issue?

BY MR. KRAMER:

Q. Thank you for the clarification. Was there anything else?

A. Did we discuss the bargaining process with the re-openers and the unfair labor practice?

Q. You did. You informed us that one of the reasons why you left the sheriff's office was that you advised them, essentially, that what they were doing was in violation of the National Labor Standards Act.

A. Oh, that's right. I gave you the form. Okay.

So I gave the set of text messages last time between the undersheriff and I.

Q. Yes.

A. The sergeants and lieutenants ratified their contract. The deputies did not ratify their contract. And there was an extended period of time; I don't recall the exact settlement dates, maybe July, August the following year. So we're talking about ten, eleven months later that ultimately we were going to go to a hearing at the sheriff's office.

And right before that began and the sheriff was coming to sit down and testify, if my memory

serves me correctly, he wanted to have a discussion. And then that was ultimately settled, and a substantial check was written for attorney's fees. You may want to pull a copy of that.

Q. Who was the attorney that would have received the fees?

A. It would be the PBA.

Q. Would it be the PBA itself, or would it be paid directly to a particular attorney?

MS. WEBSTER: Do you want me to answer?

MR. KRAMER: No, you can tell him.

THE WITNESS: The check was written to the PBA.

BY MR. KRAMER:

Q. For the attorney's fees?

A. For the attorney's fees.

Q. Incurred because of the actions that you've already described in your previous testimony where the sheriff was essentially acting in violation of the National Labor Standards Act of essentially just refusing to negotiate in good faith.

A. That is correct. And that surrounded the take-home cars, which I believe we talked about last time.

Q. Correct.

A. All those things wrapped up.

Q. He withdrew all the articles. That's the phraseology you used.

A. Everything was TA'd. We were getting ready to go to a vote on Thursday and Friday. On Monday, October 18th, I got a call that he withdrew all the articles.

I said, "Wait a minute. We know this vote is coming. We can't do this."

I brought it to his attention, and the sheriff made the unilateral decision to pull that. I said, "You can't do that. You're going to refuse to sign a contract after it's already been agreed upon."

And in his text messages, which I presented to you last time, I was told that my interpretation was not consistent with the decision of the sheriff.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. Next.

A. We talked about the SWAT rifles.

BY INSPECTOR RIDDICK:

Q. Where are those rifles now, Major?

A. So those rifles were not given to the employee personally. They were issued to the employee that won them with the understanding that when they

retire they will be able to keep them. That was the decision that was made, if my memory serves me correctly; but that's probably not in writing anywhere, I promise you that, because nothing hardly ever gets reduced to writing.

BY MR. KRAMER:

Q. Well, they wouldn't have gone to the inventory? Doesn't every officer have an inventory?

A. Uh-huh.

Q. And if they're not on the inventory, and they're in the officer's possession --

A. No, they're issued to the officer. They're going to be on the inventory.

BY INSPECTOR RIDDICK:

Q. They were taken into the sheriff's office inventory and then issued to the officer that won it.

A. That's correct.

Did I touch on the fact that Watson will make a decision regardless whether it's against policy or procedure?

BY MR. KRAMER:

Q. I think in general that was clear, but are there specific instances that you can reference that you didn't reference last time?

A. No. I just want to make sure I hit that --

Q. You did.

A. It's so frequent, though, that --

Q. What is the effect on the agency when the sheriff doesn't follow the agency's own policy?

A. Well, what it does is, it sets the tone of the only consistency is inconsistency, right? And when the sheriff isn't following his own policies and procedures, what message is that sending down to the troops?

It sends a horrible message down saying I don't have to follow policy and procedure, but I'm going to hold you to it; and when you aren't held to it, when you violate that, I'm going to write you up.

Q. Would it also lead people to the conclusion that -- wouldn't it also lead to the natural conclusion that if you follow a policy, that the sheriff might still discipline you or you might meet criticism or demotion or job problems because you followed policy that the sheriff no longer wants to have be the policy?

A. It's almost as if you're expected to think like him. And if it is any perceived disrespect or embarrassment, you're going to be talked to about it, if not hit with some sort of discipline.

We just had a recent case, the Glen Stanley

internal investigation, which is closed -- which I suggest you pull a copy of that -- where the sheriff goes outside the disciplinary matrix.

We have a matrix that says this is Level Two, Level Three, Level Four or Five, and this is -- you know, you got a Level Two, you get this many points. This many points is from A to B, and he'll just add C in there.

Q. And in this particular investigation was it to the officer's detriment?

A. Yes.

Q. Is this recourse for the officer under those circumstances? Can the officer appeal that decision? Do they have -- do they enforce the matrix as it exists, or are they simply subject to the sheriff's rulings?

A. Only if they meet the standards set forth in the sheriff's board, which is greater than a two-day suspension. In this case it was one-day suspension, but they put the guy on 12 months of disciplinary probation. And I believe, if you go back and you look at what a Level Three violation is, 12 months of disciplinary probation is not allowed.

And then what you do when you put somebody on disciplinary probation is, the next time they wear the

wrong color socks or doing something that's in violation, then they're not eligible for a career service board.

It's almost like you're setting up them for the next violation, to render them ineffective in a career service board.

Q. And because it's a one-day suspension, it's not appealable?

A. Correct.

We touched on changing past practice without really any discussion with anyone.

Q. Correct. Yes.

A. We touched on Watson and Decoursey routinely holding paperwork and not signing it, essentially neglecting the duties of moving the institution along.

And we -- I know we discussed not reducing things to writing, and we discussed the staffing shortages. So I think that kind of cleans up what I can remember from the last one.

Q. Was there anything additional in response to the question, are you aware of anything immoral, unethical, or illegal, that occurred in the sheriff's office while you were there --

A. Well --

Q. -- that we didn't cover last time?

A. I think that's where we're going to move in to the next section.

Q. Okay.

A. So the sheriff is a steward of the taxpayer's money. Would you agree with that?

Q. Agreed.

A. When he came into office, there were two vehicles that were provided that were left by Darnell and Huckstep. They were not happy with those vehicles even though they were functioning vehicles, and they immediately purchased two black Tahoes; and they were high-end Tahoes to the tune of in the mid 70s. And then, of course, all the equipment and everything had to go in on top of that, so you're talking probably upwards of 90-plus thousand dollars just because they wanted new vehicles. That was kind of like the first thing. Everybody kind of questioned that.

And then he had the badges removed from them that say like "High Country" to make it look like it wasn't, you know, an expensive vehicle as it was, but everybody knew what time of day it was. They saw the badges on there. Everybody knew what was going on. You could see it.

So that was kind of, in my opinion, something that the fleet department should have set back and

assessed and advised the sheriff, "Hey, if we want new vehicles, this is where our budget is. This is how much money we have left. If we make this purchase, then we can't purchase these four cars instead of these two Tahoes."

That didn't happen. He immediately ordered the vehicle. I don't think they came off state contract. I think they got one at the local Chevrolet dealership. Or I don't know where they got them form; you'd have to pull that. One was 74. The other one was 77 or somewhere in there. They were both in the mid 70s. So that was one thing that kind of came up.

So there were some Nissans that were purchased, and I believe they were for the drug task force or somebody, I think, after I had left. And there was an allegation they were purchased from Gainesville Nissan, and his son is one of the sales managers at Gainesville Nissan.

Q. Those type of contract purchases would be normally not done through Gainesville Nissan? They'd be done through state contract?

A. Generally, yes, unless there is a specific reason. Like, I know Darnell, when we purchased Harleys, the state contract price was, say -- I'm just throwing a number out there -- 17,000, but Gainesville

Harley said, hey, we'll sell them to you for 15.5. The sheriff felt we should keep our money local, and she was actually saving money and was being a good steward of the taxpayers' money and purchased the Harleys there.

But as far as going outside of that, the only thing I know of going outside was that some vehicles were purchased from Southeast Car Agency, especially when it came to things like the trucks for the aviation unit, where we could get something that was used; we didn't buy them new. They weren't new vehicles. They were used vehicles.

But there was some allegations that the Nissans came purchased from his son; and I don't have any evidence to substantiate that, but you could certainly run that down.

One of the tasks that I was given fairly early on was -- the office of professional standards was housed within the main sheriff's office at 2621 Southeast Hawthorne Road. And the office of professional standards has a door that goes right into the sheriff's suite, and that was so that the captain of OPS could go in and confer with the sheriff because the captain was direct report to the sheriff. It had been set like that since I've been there. That was

always OPS. Some years prior to that, it was at the jail.

He had me -- he directed me to have OPS relocated back to the office -- the department of the jail, and he then commanded those offices for himself and had them remodeled where he made a rather large office for himself and spent a significant amount of money remodeling that office and then purchased some furniture to fill that office.

Q. Was the furniture purchased off of state contract?

A. I was told it was purchased offline. He went online and bought it because he got a better deal. To what that was, what that P.O. looked like, I have no idea.

Q. Would that be unusual?

A. That would be unusual.

Q. Outside the standard procedures of the sheriff's office to purchase furniture?

A. Correct, because every time we've purchased furniture -- like we purchased tables like these, chairs like these that sit in the squad room that I'm sure you've been to. All those were purchased through a vendor that we've got. And every time we've had to purchase something, A and B has to come to us with a

book like this and said, here's what's available. This is what we can purchase. So to purchase furniture outside that realm, to my knowledge, had never been done.

Q. Okay.

A. There was a lot of controversy surrounding expenditures plastering his name on the building.

Q. Where are those?

A. On one occasion it didn't look right, and he bought it again.

Okay. You're aware of it. We'll move on.

On the back of everybody's vest said "sheriff" just like the cars say "sheriff" on it. It doesn't mean that you are the sheriff. It just indicates like police, sheriff. All those were ordered to be removed and replaced with deputies.

Q. Was it on the cars as well as the uniforms?

A. It was not on the cars. It was just on the uniforms.

Q. Did anybody -- with regard to this, did anybody confer or look at the Florida Statutes to ensure that the officers would be properly marked for the purposes of fleeing or attempting to elude or resisting arrest with or without violence, to ensure that the standards that are set forth in the statutes

would be met?

A. I brought that specific statute that you're referring to to the attention of the undersheriff and said, "There's really no reason for this. It doesn't designate them as the sheriff, but, you know, it's for the purposes of authority."

And the response was, "There's only one sheriff, and that's the guy that signs in green ink. Everybody else is a deputy," and that was the reason for the switch.

But again, you have whatever those patches were, ten, eight, twelve dollars times how many, 300 patches. Again, it's just another tick of expenditures that didn't need to happen.

Q. Understood.

A. The sheriff and the undersheriff has continued to disregard Florida Statute 112 on numerous occasions, which obviously stemmed from the lawsuits that are out there pending.

Q. Do you have any information to indicate whether their disregard of 112 procedures and rights that are contained in Florida Statute 112 are based upon ignorance, that they don't understand them? Or is it based on an intentional act that they don't care to provide those rights and meet their

responsibilities?

A. Personally, I believe they don't care.

Q. So at the time these violations have occurred, are the rights of the officers and responsibilities of the agency being brought to the attention of the individuals who are doing this and being told we don't care?

A. My understanding was 112 violation was raised; and then when the interview was stopped, that individual was charged with insubordination. And 112 clearly says that that can't happen.

Q. Which officer was charged with insubordination because they refused to be interviewed?

A. I believe it was Frank Williams, but I would have to go back and look. I'd have to do some additional research on that.

Q. I may need you to follow up on that if you can identify any particular officer who was -- I'm saying charged, but that's probably not the right word -- was given -- an OPS investigation was instituted for insubordination or insubordination was added to the current charged violations?

A. I believe if you pull the Glen Stanley case, and you pull a recording of the Loudermill that went

along with the Glen Stanley case, the general counsel -- essentially, the argument was being made that truthfulness did not occur, that the officer actually -- it was alleged that the officer did not -- and I don't have first-hand knowledge of it, but from my understanding, is that the officer didn't do something and, in the actual packet, said that they had done it, they had sent an email.

The undersheriff indicated on his recommendation that it was truthfulness, that it didn't occur; and when the disciplinary rep went to make the argument that it was not truthfulness, the general counsel said, "Well, what charge do you think was appropriate?"

So I would encourage you to go back and listen to that audio recording of that Loudermill. In other words, you're going to get charged with something, and we're going to find something to fit.

Q. Okay. Understood.

A. I would encourage you to probably pull his calendar, Watson's calendar, and his gas receipts. On the very early part of his tenure he was there a lot. I know he was there a lot because I was there a lot, and I saw him a lot from very early in the morning, 5:00, 6:00 -- I think we discussed that last time --

until 8:00, 9:00 at night.

It got to the point where we needed the sheriff to approve something or do something, again, because we couldn't approve anything, the sheriff is not here. The sheriff is not here. The sheriff is not here. Where is he? Is he working? Is he not working? It seemed like he was never around.

So I would encourage you to probably pull his calendar for --

Q. What month and years?

A. I would say July '21 and after.

Q. Is there some incident you can point to where his attendance to the office stopped? Was it sudden, or was it gradual?

A. It was gradual. It seemed like he gradually was not there more and more, and he was unavailable, which then just stalemated --

Q. Right, because everything has to go through him.

A. Everything has to go through him, and then everything just slows to a crawl, at best a crawl.

The sheriff's son, Clovis Watson, IV, was the subject of numerous traffic stops and some criminal acts with GPD. This information was forwarded to the sheriff, but he never seemed to rectify it with his

son. It continued to happen.

He was stopped a couple of times by our deputies for traffic violations. We did a DUI checkpoint down on South 13th Street where his son was completely irate and completely out of line just coming to pick somebody up that we had dealt with. I called the sheriff and he said, okay, and that was the end of it.

It was like his son could just do whatever he wanted to because his dad was the sheriff. There was no -- it was a very poor reflection on the sheriff, very poor reflection on the sheriff.

We talked about fails to process paperwork.

I think Ed Bennett -- you might want to talk to Ed Bennett about the disapproval of secondary employment at the academy.

Q. With regard to that, are you aware that the academy became short of staff because of the sheriff disapproving secondary employment?

A. I can't swear to that.

Q. We'd have to check with the academy?

A. You'd have to check with the academy. I would imagine it severely impacted it; but to what extent, I can't speculate.

Q. Understood.

A. The sheriff seems to make decisions based on emotion quite a bit rather than, you know, actual facts. The sheriff demoted Mat Yakubsin from lieutenant back to sergeant for essentially liking a Facebook post. Let me back up.

He demoted him, but he ordered me to demote him. So I had to call him and tell him, "Hey, look, you're demoted because you liked a Facebook post."

Q. Was that formal discipline?

A. He was on probation.

Q. So he was already on disciplinarian probation?

A. No, he was on new-hire -- promotional probation.

Q. I see. So he could be demoted back to his prior rank without any discipline occurring?

A. Correct.

Q. And does that cause him to lose pay?

A. It does cause him to lose pay.

Q. How much, roughly?

A. I'd have to go back and look at the scales. I mean, you can make a request for the pay changes in HTE. A minimum of five percent; but Yakubsin was not that tenured of a sergeant, so potentially ten percent more. I don't know the exact numbers on Yakubsin.

Q. And you know the basis for that demotion was liking a Facebook post because you were instructed to tell him why he was being demoted by the sheriff?

A. I was instructed by the sheriff to demote him back to sergeant; and the sheriff had told me that, "He liked that Facebook post, and I'm going to demote him."

Now, keep in mind everybody else that also liked that Facebook post -- it surrounded a lieutenant Facebook post from the jail that was subsequently terminated. Howard, I believe, is his name, received corrective counseling for that, but Yakubsin was demoted.

BY INSPECTOR RIDDICK:

Q. Did that go through an OPS review?

A. Oh, no.

Q. So there's no documentation on any of it?

A. No.

BY INSPECTOR SNOWDEN:

Q. Did Yakubsin get corrective counseling?

A. I believe he may have, but he was hit with a demotion and the corrective counseling where everybody else was just hit with the corrective counseling. In other words, I felt as if the demotion was excessive in comparison to what had been handed out to everybody

else. That's kind of where I was going with that.

We discussed the negligent promotions last time.

BY INSPECTOR SNOWDEN:

Q. While we're on that topic --

A. Which topic?

Q. Negligent promotion. You mentioned Cleveland Cox. Talk about your knowledge about what happened when he tried out for the SWAT team?

A. He tried out for the SWAT team. He wasn't recommended, and then he was appointed by recommendation of the undersheriff.

BY MR. KRAMER:

Q. Also, what the consequence was to the person who did not want him appointed to the SWAT team.

A. Oh, he adamantly opposed it. He was -- I can't remember if it was Josh Crews or Rich Howell at the time.

Q. Josh Crews.

A. Josh Crews absolutely did not want him to the point he wanted to go meet with the undersheriff, and I think he did meet with undersheriff about it; but the decision was made that he did not get his number one and number two picks, and he got Cleveland Cox. And Cleveland Cox was almost promoted at the

recommendation of the sheriff.

Q. What happened with Josh Crews with his relationship with the SWAT team after he didn't want Cleveland Cox on there?

A. I'd have to go back and scroll and think about the timeline, but I can tell you, if you're referring to his removal from the SWAT team, his removal from the SWAT team, I do not believe, was tied to that incident.

We had a SWAT call-out in Monteoca, and the sheriff and undersheriff were there. And Josh Crews was insubordinate to me; and the sheriff found out about it, and the sheriff removed him from the SWAT team based on that incident.

Q. Were those two things occurring closely in time, the Cleveland Cox incident and Monteoca incident?

A. I believe the Cleveland Cox thing was a couple months afterwards. It could have been pretty close. It could have been pretty close.

Q. I don't know the answer, but my understanding is that the delivery of the information that Cleveland Cox would be assigned to the SWAT team and the removal of then lieutenant -- captain, sergeant, I'm not sure --

A. Lieutenant Josh Crews.

Q. -- Lieutenant Crews were delivered at the same time.

A. It may have been. It could have been in close proximity, and I can see how maybe he could correlate that if it was in close proximity, but my knowledge of the incident, it was really based on Lieutenant Crews' insubordination. Because I was ordered by the sheriff to conduct -- to basically put gas on the house with the hopes that the guy would come out, and Josh Crews came over to me and said, "I hope it's not a tactic," and he was rather nasty about it.

I'm not on the SWAT team. I've never been on the SWAT team, and I don't pretend to be on the SWAT team. So when it comes to SWAT-related matters, I would defer to Josh. Josh has got the knowledge. He's been on there a long time, along with his brother. His brother is no longer with us. He's retired. But I had a direct order from the sheriff that this is the way we're going to proceed, and Josh didn't agree with it.

Q. Let me make sure I understand the sheriff is directing a tactic to remove an individual from a home that a SWAT team is doing?

A. To put gas in there, yes.

Q. But is the sheriff qualified to make a decision about a tactic to remove a barricaded subject?

A. In my opinion, no, and that just falls on the back of what I just said. I'm a major. And even when I was a captain over those units, if I called you as my SWAT commander, and you said, "This is what we need to do," I'm going to defer to you. As long as we're not violating policy, we're not violating the law, and we're not creating some additional liability for the sheriff, I'm going to defer to you because that's your area of expertise.

Q. But doesn't it create liability if the sheriff, who is not qualified, is directing a tactic to be used in an extremely dangerous situation?

A. Oh, absolutely. The direction should not have come from the sheriff. The sheriff should have let Josh Crews run the incident, is what it comes down to.

BY INSPECTOR RIDDICK:

Q. What was the barricaded subject?

A. There was another individual in the house. I think it was domestic.

Q. So the bad guy wasn't the only one in the

house?

A. Correct.

BY MR. KRAMER:

Q. I guess you're probably the wrong person to ask, but do we put gas in the house when there's more than one person in the house?

A. Generally, no, but I would defer to Josh Crews and let him discuss that incident in greater detail.

Q. And the insubordination that Josh demonstrated during that incident, was he ever a subject of formal discipline? Or was it just we're going to discipline him by removing him from the SWAT team?

A. He got a corrective counseling from me for his insubordination, but then the sheriff removed him as the SWAT team commander.

Q. Did they put gas in the house?

A. I don't remember. That was very early on in the tenure of the administration.

BY INSPECTOR RIDDICK:

Q. Did the sheriff give a reason why he wanted the gas? Did he have some place to go?

A. Uh-uh. It was clear he was trying to direct the incident where he didn't have the experience to

direct the incident.
BY INSPECTOR SNOWDEN:
Q. Was the sheriff at the scene?
A. He was, and the undersheriff. They both showed up. And, you know, to be fair, normally the sheriff and the undersheriff, the major does not show up to SWAT teams. You know, normally we're behind the phone somewhere, and we're letting those people run those operations; but that's not the way the sheriff wanted it run.
The captain was there. I was there. Captain Bella Blizzard was there. I was there. Decoursey was there. The sheriff was there. And I think probably Josh felt like he wasn't being allowed to operate under the parameters that he normally operates because his decision-making was being impeded by us.
BY MR. KRAMER:
Q. And that's what lead to his insubordination.
A. Correct.
Q. That's also consistent with what you've previously testified to, that all the decisions are being made by the sheriff to operational and tactical decisions.
A. That is correct.
BY INSPECTOR SNOWDEN:

Q. Were you familiar or did we talk about it last time, about the Cleveland Cox investigation that went through the office of professional standards?

A. I was aware.

Q. Do you know what happened with that eventually, or why it was terminated?

A. I don't remember.

Q. Is there some connection or familial connection between the undersheriff and Cleveland Cox?

A. We speculated that there was, but we -- I don't know of one, but it seemed to be really out of character that he was placed on the SWAT team and he was promoted against the objections of essentially everyone.

Q. Was he also assigned to CID?

A. He was.

Q. Against the objections?

A. He was. It was a pattern existing with Cleveland Cox, but I don't know what the connection is.

MR. KRAMER: I want to talk about time.

We can go off the record.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. All we were discussing is how much time we

have remaining before our other witnesses to need to appear.

A. Eric Hutchison was promoted to the rank of acting lieutenant when he wasn't on the eligibility list. I would suggest you pull the employee profile and the eligibility list. When that was called to the sheriff's attention, that he wasn't eligible for promotion, the sheriff did act and rescinded that; but then here recently Scott Bonafide has been promoted to an active lieutenant, and he's been moved to civil.

As you're aware, civil is a completely different animal than any other part of the sheriff's office. You deal with evicting people and serving papers that can and cannot be served at certain times of day. To my knowledge, Scott has no knowledge of the civil process.

I did mention Rashawn Flanders. I do not have that paperwork that I thought I had.

The last one is Pat Ford Thomas. Michelle Clement was the division manager, and she was removed for seemingly no reason and moved over to the contract monitor at the jail, which she's got zero experience at. She was removed from her role as a division manager, and she was replaced with Pat Ford Thomas.

Pat Ford Thomas is the wife of Dave Thomas,

who, interestingly enough, was one of the very core group of people in Watson's campaign.

Q. We're going to speak with Michelle Clement. We just haven't gotten her scheduled yet.

A. Okay. I have for you a copy of one of the personnel orders that went out, and as you can see, the quantity of moves that were made at one time are significant; and that's not one of them, but the reason why that's significant is because I have this to go along with it, which is completely out of character, which has everybody's picture and where they're going, where you can definitely see folks --

MR. KRAMER: All right. We'll make this an exhibit to your statement.

That's all I have. I'm sure if something else comes up, I may think of something or whatever.

(Exhibit 1 was marked for identification.)

BY INSPECTOR SNOWDEN:

Q. One last question I've got. When transfers and things were made, were the positions that they went to, were they resumed made for? Or were persons just told, you're going here, and you're going here?

A. Under the Darnell administration, generally, what would happen would be, an open position

announcement would come out: Any interested deputy sheriff that wishes to apply to be a detective, please submit your name to ISIS, which is our internal system. Interviews are conducted, and then somebody would be selected from the list.

Under the Watson administration, that pretty much went out the window. He just made moves willie-nillie as he felt necessary with no rhyme or reason is really the short answer.

MR. KRAMER: Thank you. We may be talking to you further.

(The witness concluded at 11:20 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORINE, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named GEORGE CORINE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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Q. Did you get that from him?

A. That's just the perception.

And let me say that we have forms that, obviously, go up to certain levels, and some of the forms go to the sheriff. For instance, if you have a -- if you win a prize, for example -- I'm sure you guys have heard of SWAT Roundup.

We had an incident where a couple of guys won some rifles at SWAT Roundup, and guns, which I'm sure you're familiar always happens. And history has always been when that item comes back, that the sheriff has allowed the person to keep it. We fill out a form that basically says, "Hey, I received this as essentially gratuity. What do you want to do with it?" and history had always been ever since I've been there that the employee was just allowed to keep it.

Those forms sat for months and months and months, and we continuously asked and asked and asked; and the paper was never being processed, which seemed to be the history of things like secondary employment forms.

In other words, I work for Home Depot. I have to fill out a form saying I work for Home Depot, I work five to ten hours a week. You know, it doesn't conflict, I won't be doing any law enforcement action,

blah, blah, blah, and it gets approved all the way up to the sheriff. Those type of forms just sit.

It's like there's a neglect to fill those forms out and get them back to people, especially when it comes to the folks that live in reduced rent apartments; because those reduced rent apartments are really considered secondary employment, and now we have people who come back and fill out the form, say, "Hey, I have this secondary employment. I live at ABC Apartment Complex," and those forms never get processed.

Lately -- I've been gone, but lately -- I'm sure you guys can follow up with it -- some secondary employment has been approved, but it's been very sporadic; and then others, it's been straight-up denied. And those denials have come on the backs of years and years and years of approval.

In other words, I might be teaching at the academy. I taught at the academy for 15 years, let's say, and then all of a sudden this year it's a denial for no reason, and there's no reason given.

Q. Is that detrimental to the functioning of the sheriff's office?

A. The academy, absolutely, because we have an agreement with the academy that we're going to provide

people to teach the recruits.

Q. Well, maybe I'm being too obtuse. If employees are being mistreated and treated very differently than they have been by prior administrations without any explanation, does that create an environment where employees are likely to remain?

A. Absolutely not. What happens is too often -- I'm sure you guys are aware that law enforcement salaries are not that high, and almost everybody has got some sort of secondary employment whether it be at the academy or whether they have a business. Like we have several folks that have lawn maintain businesses, you know, and they thrive on those businesses, especially during the summer months when grass cutting is frequent. And when those forms aren't being approved, then you get into a situation where am I allowed to continue my business that I invested all this capital in, or what do I need to do? Do I need to quit and just move on?

And I'm sure if you pull the vacancy rate, the FT vacancies on January 5th of 2021, you pull the FT vacancy rate as of today, you'll see that they're vastly different.

Q. Just so I understand, do those supplemental

employment forms have to be yearly?

A. They do.

Q. So even if you've had the same position for years and years, it has to be approved every year?

A. Every calendar year.

Q. Is it October 1? January 1?

A. January 1, if my memory recalls. I think it's January 1.

Q. Would your understanding be, there would be individuals who would resubmit after January 1 and would not get an answer for five, six, seven months?

A. Lengthy amounts of times or outright denials with no excuse, or no response, really. And, you know, the academy relies on those folks to teach recruits.

Q. Right.

A. I do believe we discussed that it could be found in one of the audio recordings that the undersheriff said that nothing is final until it's in green ink.

Q. Correct.

A. So that just kind of plays into that.

Q. And, also, I want to follow up on that issue. I want to make sure I understand what you're telling me, which is that -- and I'll use my organization as

an example. We have -- I delegate control out to supervisors because I am physically incapable of making timely decisions in 20,000 cases of prosecution per year, and that is necessary for the proper functioning of the agency.

A. That is correct. I felt as if I had less decision-making authority as a major than I did as a lieutenant under the Darnell administration, which chokes the entire operation.

Q. So the same is true at the sheriff's office, and probably on a much larger scale than my organization. I have 135 employees, and the sheriff's office has how many employees?

A. About 960.

Q. Nine hundred sixty employees, and then essentially day-to-day decision making is being made by the sheriff?

A. Essentially.

Q. And that has prevented the sheriff's office's proper functioning because decision-making is delayed, and this -- what you've been talking about, this example of additional employment, is just maybe one example of delay.

A. It is one example, yes.

Q. And there are many others?

A. Right.

Q. And I don't know if you can speak to this, but is one of those examples, would it be assisting other agencies?

A. Yes.

Q. And are you aware during the time you were at the sheriff's office of a change in the decision-making process by which the sheriff's office decided whether or not to assist other agencies?

A. Absolutely.

Q. And if you could clarify. Does the sheriff's office have obligations, contractual and grant-oriented obligations, to provide assistance to regional agencies with equipment and expertise that those agencies would not have?

A. Absolutely.

Q. And could you explain what happened while you were there? What was the change from the prior administration? How did that affect things?

A. So operationally when I was the patrol support lieutenant, which was over all the special teams, Bradford County would call and say, "Hey, we've got an incident up here. We need the SWAT team."

So we're part of a region. The SWAT team is a regional team. There's funding that comes out of --

I can't remember the abbreviation, but it is -- there's funding that comes out. They fund some equipment, and that is really meant so that when Bradford County calls, or Union County folks that don't have a SWAT team, we go up there and we handle it.

And usually the protocol was, they would call. The captain would say, "Hey, Union County has a SWAT call-out." I would notify the SWAT guys, and then they would go.

The captain would then turn around and notify the chain upwards, "Hey, this is what's happened. I'm just kind of letting you know that Bradford County has called, or Union County has called, and they need the SWAT team."

That's been the practice for years. I mean, time was of the essence when you're talking about calling out a SWAT team. If we're not calling them for some preplanned event three days from now, then we don't have time to sit around and talk and have approval. It's go.

That completely changed under the Watson administration. He simply demanded that, in order for any asset to leave this county, that that sheriff that was requesting or that chief that was requesting the

equipment called him first, which severely choked the response time.

So it was a complete spin. It was something we weren't used to, but he wanted the sheriff of Bradford County, Union County to call him and ask for the equipment before we were authorized.

Q. And what if he wasn't available?

A. (Shrugs shoulders.)

Q. You're holding up your hands and saying there's no answer for that?

A. There's no answer for that because we weren't authorized to proceed.

Q. So, for instance, just an instance that I was personally involved in was, there was an officer-involved shooting in Levy County, and they only have maybe four deputies on the road at any one time. I don't know if you're aware of this incident.

A. Correct.

Q. And when three of the officers were involved in a shooting, then they had no -- essentially, one deputy remaining on the road. They requested assistance from the Alachua County Sheriff's Office. Would that assistance request have to go through the sheriff himself?

A. It would.

Q. Would you agree that under those circumstances where a county was essentially now --

A. Vacant.

Q. -- had no law enforcement available, that time is of the essence?

A. Yeah, it is essential. And I'll follow up with another example.

The two deputies that were shot in Gilchrist County under the Darnell administration. As soon as that happened, everybody started rolling. We rolled the command -- I mean, we had the mobile command bus. We had schedules done to start covering the county, and then we just started notifying the sheriff, "Hey, this is what we're doing. This is how we're taking care of them." It was almost the information was flowing upward rather than flowing downward.

And under the Watson administration it's completely immerse. It's not allowed to happen in that manner. And the folks who may call 911 in Gilchrist County, now that there's no deputies available, they rely on our assistance. And we have the resources to provide to Gilchrist County or to Union County that Union County or Gilchrist County doesn't otherwise have.

MR. KRAMER: All right. Let's go back to

things that you may -- unless you wanted to follow up. I'm sorry.

BY INSPECTOR RIDDICK:

Q. Has he ever denied one of those requests that you know of?

A. Yes.

Q. Which one?

A. There was an incident where University of Florida had called and requested the use of the jail vans. There was something going on at the Reitz Union. I think Darren Baxley had called and requested the jail vans. Don't quote me. I think it was Darren Baxley, deputy chief. Sheriff Watson refused to let them utilize the jail vans.

All that is, is a transport function. It's not like we were sending personnel. You know, we send in a couple of people to operate the vans, but we weren't sending crowd management. We weren't getting involved with their business on campus. They were just simply asking for assistance because, again, the university, you know, they've only got 80 FTEs, you know, somewhere in there. They don't have the capacity to deal with 15 or 20 arrestees at the same time. It would impact them severely to have to deal with that, and we had the resources. I didn't

understand what the purpose of withholding a jail van was.

Q. When you say impact severely, would that mean creating an unsafe environment for the remainder of the students and faculty on campus?

A. Potentially. I mean, it depends on how the incident goes. If you got all your guys on the incident tied up with 10-15, or arrestees, if you will, and then they need to focus their attention somewhere else, next thing you know, you divert your attention to the people that need to go. Now you have an unsafe number of officers with the arrestees; or do the officers stay with the arrestees, and now you've neglected this? You have to make a decision.

You've only got so many personnel. The jail van would have been very quick, easy. You bring the jail vans over, put them in the jail vans, pat them down, get them in there, at least hold them there for a few minutes or get them out of there, whatever they decided to do. It was a relatively simple request.

There was some issues surrounding the drug task force, which I'm sure you're aware of, and the sheriff not wanting anyone to operate in the county.

Q. Were you an employee of the sheriff's office at the time that the sheriff directed the removal of

all the equipment from the drug task force?

A. No, but my understanding is it was done in the middle of the night under some covert operation, was the rumor.

Q. Correct. I just didn't know if you were personally involved.

A. I was not.

BY INSPECTOR RIDDICK:

Q. Were you there when Nassau County requested assistance on an officer-involved shooting, and it was denied?

A. Actually, yes. I believe I was.

Q. Do we know why?

A. I don't know why.

BY MR. KRAMER:

Q. But that denial would have come from the sheriff?

A. It come from the sheriff. No cop, working cop, like even coming up through the ranks, when they had something like that, would deny that type of assistance. Those are the things -- when things were choked, it chokes to the point where it doesn't -- it doesn't run efficiently.

BY INSPECTOR RIDDICK:

Q. And for the record, let me correct that. It

may have been an officer-involved shooting, but actually the deputy had been shot; and they had a subject cornered, and they were asking for assistance from SWAT teams.

A. Correct. Correct.

MR. KRAMER: Anything further on what he's said so far?

THE WITNESS: One of the things that -- you know, you talk about assets. The SWAT team is one of them, but more frequently the helicopter is something that -- you know, we have an aviation unit. And folks in Putnam County and Columbia County, you know, they rely on that air support. You know, one helicopter there, arguably, is equivalent of 15 or 20 units on the ground.

Those requests were frequently -- we ran into problems where there would be a pursuit at, say, 2:00 in the morning, and they're calling and asking for our assistance. And then you have to make the decision, do I say, okay, go ahead and go, and then get chewed out the next day because they didn't -- because that sheriff didn't call our sheriff at 2:00 in the morning?

I mean, that's the type of slow-down we're

talking about, to the point where you might as well not even send them at that point. It's almost rendering it useless.

BY MR. KRAMER:

Q. And it's 2:00 in the morning. Is Sheriff Watson available to answer another sheriff's call?

A. I don't know. I never called him at 2:00 in the morning.

BY INSPECTOR RIDDICK:

Q. You mentioned earlier about the funding. If I recall from my days with RDS --

A. RDSTF, yeah, that's it.

Q. Regional Domestic Security Task Force. That's where a lot of Alachua's money came from. Or I say a lot. That's basically --

A. A significant amount of money.

Q. They were given a lot of money to create those regional units in case of -- for the region.

A. Right.

Q. And that was the understanding, that the money is given to you, but you need to be available if the region needs you.

A. The BearCat. I believe the BearCat was portioned with RDSTF money; or a portion of it was purchased with it, and you know how expensive those

are.

The bomb team is another RDSTF, you know.

BY MR. KRAMER:

Q. Let me ask you this. Are these requests reduced in any way to writing, or would there be any evidence of the request existing at all?

A. Usually -- from my recollection, usually when something breaks off, it's a phone call saying, "We need SWAT."

Q. Let me ask you this --

A. There could be a Teletype follow-up, though. I don't know.

Q. Would there be text messaging? Like, for instance, might you send a text message to the sheriff "We've received request from Scott for SWAT in Union County"?

A. Oh, I'm sure, but I never really directly contacted the sheriff. That was the undersheriff. I would call him, the undersheriff. I mean, he would answer his phone.

Q. But if -- you would agree those communications would be records at the agency?

A. There should be records at the agency.

Q. But if those records were not being -- they may not be preserved.

A. They should be preserved. Because there was a point in time when we all got iPhones -- you get into the debate of the iPhone or the Android, right? The iPhone is a blue, which is MMS; and then you have the Android, which is an SMS message. From my understanding, the SMS messages are recorded through your carrier, but the MMS are not because they're run on data and not run on cellular.

Q. But if the sheriff didn't allow the recording devices on his phone, there would be no record of those requests being made to the sheriff, correct?

A. I know that the phone that I had had recording because that was all enabled by Scott Shelpman, if my memory serves me correctly.

Q. Understood. Let's move on to the next item that you were concerned that we had missed due to our time constraints.

A. We discussed briefly Michelle Shirfield last time. She had posted some items on Facebook that could be seen by some folks as slanted to one racial side, if you will. That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that. Nobody ever saw the corrective counseling.

And then the order was basically given, you

know, for Facebook or for violations of social media, that was -- that was the -- what should be done, give them a corrective counseling and go through progressive discipline.

And I think there's a couple open cases right now -- or I don't know if they're open or closed.

So Frank Williams and Kevin Davis are under investigation, or open at the moment, for things that I think were far less controversial, and they were placed on admin suspension and been sitting at the house for months.

Q. And let me ask you because I don't know the answer to this. This individual -- and you said her name was Michelle?

A. Shirfield.

Q. Shirfield? Is she African American?

A. She is.

Q. And the posts that you're referencing, they were -- I don't know the posts. Were they racially inappropriate?

A. It was more of a supporting a racial position, and I believe Kevin Davis could speak more on that.

Q. Is it your understanding that a formal complaint was made either to her supervisor or to the

office of professional standards so that discipline should have been initiated?

A. I told the sheriff directly about the violation, and Bobby Stafford told the sheriff directly about the violation.

Q. But as far as I understand -- and my understanding of discipline is developing -- is that the way the discipline would be initiated, it would be either through the office of professional standards or through her supervisor.

A. Correct.

Q. So you gave that information to the sheriff?

A. Correct.

Q. And your understanding is that no discipline was initiated; or if there was any discipline, it was informal in the form of a corrective counseling?

A. It was informal in the form of a corrective counseling, but nobody seen that. I'm sure if you pull her file you would either see a corrective counseling or not see a corrective counseling, but she reported directly to the sheriff.

Q. When someone receives corrective counseling, is it discipline?

A. It's considered informal discipline.

Q. But it should remain in the employee file for

one year?

A. That's correct. Oftentimes it's not removed. You have to go back in there and say, hey, that needs to come out.

BY INSPECTOR SNOWDEN:

Q. Do you know if Kevin Davis made a complaint about that to OPS or through the sheriff suite?

A. I don't think so because he had already known that it was brought to the attention of the sheriff and Bobby Stafford.

Q. Do you know about any complaint that Kevin Davis took to OPS?

A. I know he made a complaint. I don't remember what it surrounded; but I do remember him taking a complaint, and it was basically like disregarded.

Q. If somebody takes a complaint to OPS, should a case number be drawn?

A. Oh, absolutely, or they say this is really not -- there's a list of standards that OPS will investigate these certain things or as directed by the sheriff.

So they'll look at it, and they'll say we'll take and we're going to pull a case number, or they'll say we're going to defer it back to the division commander and let the employee supervisor handle it.

MR. KRAMER: Any other questions on that particular issue?

BY MR. KRAMER:

Q. Thank you for the clarification. Was there anything else?

A. Did we discuss the bargaining process with the re-openers and the unfair labor practice?

Q. You did. You informed us that one of the reasons why you left the sheriff's office was that you advised them, essentially, that what they were doing was in violation of the National Labor Standards Act.

A. Oh, that's right. I gave you the form. Okay.

So I gave the set of text messages last time between the undersheriff and I.

Q. Yes.

A. The sergeants and lieutenants ratified their contract. The deputies did not ratify their contract. And there was an extended period of time; I don't recall the exact settlement dates, maybe July, August the following year. So we're talking about ten, eleven months later that ultimately we were going to go to a hearing at the sheriff's office.

And right before that began and the sheriff was coming to sit down and testify, if my memory

serves me correctly, he wanted to have a discussion. And then that was ultimately settled, and a substantial check was written for attorney's fees. You may want to pull a copy of that.

Q. Who was the attorney that would have received the fees?

A. It would be the PBA.

Q. Would it be the PBA itself, or would it be paid directly to a particular attorney?

MS. WEBSTER: Do you want me to answer?

MR. KRAMER: No, you can tell him.

THE WITNESS: The check was written to the PBA.

BY MR. KRAMER:

Q. For the attorney's fees?

A. For the attorney's fees.

Q. Incurred because of the actions that you've already described in your previous testimony where the sheriff was essentially acting in violation of the National Labor Standards Act of essentially just refusing to negotiate in good faith.

A. That is correct. And that surrounded the take-home cars, which I believe we talked about last time.

Q. Correct.

A. All those things wrapped up.

Q. He withdrew all the articles. That's the phraseology you used.

A. Everything was TA'd. We were getting ready to go to a vote on Thursday and Friday. On Monday, October 18th, I got a call that he withdrew all the articles.

I said, "Wait a minute. We know this vote is coming. We can't do this."

I brought it to his attention, and the sheriff made the unilateral decision to pull that. I said, "You can't do that. You're going to refuse to sign a contract after it's already been agreed upon."

And in his text messages, which I presented to you last time, I was told that my interpretation was not consistent with the decision of the sheriff.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. Next.

A. We talked about the SWAT rifles.

BY INSPECTOR RIDDICK:

Q. Where are those rifles now, Major?

A. So those rifles were not given to the employee personally. They were issued to the employee that won them with the understanding that when they

retire they will be able to keep them. That was the decision that was made, if my memory serves me correctly; but that's probably not in writing anywhere, I promise you that, because nothing hardly ever gets reduced to writing.

BY MR. KRAMER:

Q. Well, they wouldn't have gone to the inventory? Doesn't every officer have an inventory?

A. Uh-huh.

Q. And if they're not on the inventory, and they're in the officer's possession --

A. No, they're issued to the officer. They're going to be on the inventory.

BY INSPECTOR RIDDICK:

Q. They were taken into the sheriff's office inventory and then issued to the officer that won it.

A. That's correct.

Did I touch on the fact that Watson will make a decision regardless whether it's against policy or procedure?

BY MR. KRAMER:

Q. I think in general that was clear, but are there specific instances that you can reference that you didn't reference last time?

A. No. I just want to make sure I hit that --

Q. You did.

A. It's so frequent, though, that --

Q. What is the effect on the agency when the sheriff doesn't follow the agency's own policy?

A. Well, what it does is, it sets the tone of the only consistency is inconsistency, right? And when the sheriff isn't following his own policies and procedures, what message is that sending down to the troops?

It sends a horrible message down saying I don't have to follow policy and procedure, but I'm going to hold you to it; and when you aren't held to it, when you violate that, I'm going to write you up.

Q. Would it also lead people to the conclusion that -- wouldn't it also lead to the natural conclusion that if you follow a policy, that the sheriff might still discipline you or you might meet criticism or demotion or job problems because you followed policy that the sheriff no longer wants to have be the policy?

A. It's almost as if you're expected to think like him. And if it is any perceived disrespect or embarrassment, you're going to be talked to about it, if not hit with some sort of discipline.

We just had a recent case, the Glen Stanley

internal investigation, which is closed -- which I suggest you pull a copy of that -- where the sheriff goes outside the disciplinary matrix.

We have a matrix that says this is Level Two, Level Three, Level Four or Five, and this is -- you know, you got a Level Two, you get this many points. This many points is from A to B, and he'll just add C in there.

Q. And in this particular investigation was it to the officer's detriment?

A. Yes.

Q. Is this recourse for the officer under those circumstances? Can the officer appeal that decision? Do they have -- do they enforce the matrix as it exists, or are they simply subject to the sheriff's rulings?

A. Only if they meet the standards set forth in the sheriff's board, which is greater than a two-day suspension. In this case it was one-day suspension, but they put the guy on 12 months of disciplinary probation. And I believe, if you go back and you look at what a Level Three violation is, 12 months of disciplinary probation is not allowed.

And then what you do when you put somebody on disciplinary probation is, the next time they wear the

wrong color socks or doing something that's in violation, then they're not eligible for a career service board.

It's almost like you're setting up them for the next violation, to render them ineffective in a career service board.

Q. And because it's a one-day suspension, it's not appealable?

A. Correct.

We touched on changing past practice without really any discussion with anyone.

Q. Correct. Yes.

A. We touched on Watson and Decoursey routinely holding paperwork and not signing it, essentially neglecting the duties of moving the institution along.

And we -- I know we discussed not reducing things to writing, and we discussed the staffing shortages. So I think that kind of cleans up what I can remember from the last one.

Q. Was there anything additional in response to the question, are you aware of anything immoral, unethical, or illegal, that occurred in the sheriff's office while you were there --

A. Well --

Q. -- that we didn't cover last time?

A. I think that's where we're going to move in to the next section.

Q. Okay.

A. So the sheriff is a steward of the taxpayer's money. Would you agree with that?

Q. Agreed.

A. When he came into office, there were two vehicles that were provided that were left by Darnell and Huckstep. They were not happy with those vehicles even though they were functioning vehicles, and they immediately purchased two black Tahoes; and they were high-end Tahoes to the tune of in the mid 70s. And then, of course, all the equipment and everything had to go in on top of that, so you're talking probably upwards of 90-plus thousand dollars just because they wanted new vehicles. That was kind of like the first thing. Everybody kind of questioned that.

And then he had the badges removed from them that say like "High Country" to make it look like it wasn't, you know, an expensive vehicle as it was, but everybody knew what time of day it was. They saw the badges on there. Everybody knew what was going on. You could see it.

So that was kind of, in my opinion, something that the fleet department should have set back and

assessed and advised the sheriff, "Hey, if we want new vehicles, this is where our budget is. This is how much money we have left. If we make this purchase, then we can't purchase these four cars instead of these two Tahoes."

That didn't happen. He immediately ordered the vehicle. I don't think they came off state contract. I think they got one at the local Chevrolet dealership. Or I don't know where they got them form; you'd have to pull that. One was 74. The other one was 77 or somewhere in there. They were both in the mid 70s. So that was one thing that kind of came up.

So there were some Nissans that were purchased, and I believe they were for the drug task force or somebody, I think, after I had left. And there was an allegation they were purchased from Gainesville Nissan, and his son is one of the sales managers at Gainesville Nissan.

Q. Those type of contract purchases would be normally not done through Gainesville Nissan? They'd be done through state contract?

A. Generally, yes, unless there is a specific reason. Like, I know Darnell, when we purchased Harleys, the state contract price was, say -- I'm just throwing a number out there -- 17,000, but Gainesville

Harley said, hey, we'll sell them to you for 15.5. The sheriff felt we should keep our money local, and she was actually saving money and was being a good steward of the taxpayers' money and purchased the Harleys there.

But as far as going outside of that, the only thing I know of going outside was that some vehicles were purchased from Southeast Car Agency, especially when it came to things like the trucks for the aviation unit, where we could get something that was used; we didn't buy them new. They weren't new vehicles. They were used vehicles.

But there was some allegations that the Nissans came purchased from his son; and I don't have any evidence to substantiate that, but you could certainly run that down.

One of the tasks that I was given fairly early on was -- the office of professional standards was housed within the main sheriff's office at 2621 Southeast Hawthorne Road. And the office of professional standards has a door that goes right into the sheriff's suite, and that was so that the captain of OPS could go in and confer with the sheriff because the captain was direct report to the sheriff. It had been set like that since I've been there. That was

always OPS. Some years prior to that, it was at the jail.

He had me -- he directed me to have OPS relocated back to the office -- the department of the jail, and he then commanded those offices for himself and had them remodeled where he made a rather large office for himself and spent a significant amount of money remodeling that office and then purchased some furniture to fill that office.

Q. Was the furniture purchased off of state contract?

A. I was told it was purchased offline. He went online and bought it because he got a better deal. To what that was, what that P.O. looked like, I have no idea.

Q. Would that be unusual?

A. That would be unusual.

Q. Outside the standard procedures of the sheriff's office to purchase furniture?

A. Correct, because every time we've purchased furniture -- like we purchased tables like these, chairs like these that sit in the squad room that I'm sure you've been to. All those were purchased through a vendor that we've got. And every time we've had to purchase something, A and B has to come to us with a

book like this and said, here's what's available. This is what we can purchase. So to purchase furniture outside that realm, to my knowledge, had never been done.

Q. Okay.

A. There was a lot of controversy surrounding expenditures plastering his name on the building.

Q. Where are those?

A. On one occasion it didn't look right, and he bought it again.

Okay. You're aware of it. We'll move on.

On the back of everybody's vest said "sheriff" just like the cars say "sheriff" on it. It doesn't mean that you are the sheriff. It just indicates like police, sheriff. All those were ordered to be removed and replaced with deputies.

Q. Was it on the cars as well as the uniforms?

A. It was not on the cars. It was just on the uniforms.

Q. Did anybody -- with regard to this, did anybody confer or look at the Florida Statutes to ensure that the officers would be properly marked for the purposes of fleeing or attempting to elude or resisting arrest with or without violence, to ensure that the standards that are set forth in the statutes

would be met?

A. I brought that specific statute that you're referring to to the attention of the undersheriff and said, "There's really no reason for this. It doesn't designate them as the sheriff, but, you know, it's for the purposes of authority."

And the response was, "There's only one sheriff, and that's the guy that signs in green ink. Everybody else is a deputy," and that was the reason for the switch.

But again, you have whatever those patches were, ten, eight, twelve dollars times how many, 300 patches. Again, it's just another tick of expenditures that didn't need to happen.

Q. Understood.

A. The sheriff and the undersheriff has continued to disregard Florida Statute 112 on numerous occasions, which obviously stemmed from the lawsuits that are out there pending.

Q. Do you have any information to indicate whether their disregard of 112 procedures and rights that are contained in Florida Statute 112 are based upon ignorance, that they don't understand them? Or is it based on an intentional act that they don't care to provide those rights and meet their

responsibilities?

A. Personally, I believe they don't care.

Q. So at the time these violations have occurred, are the rights of the officers and responsibilities of the agency being brought to the attention of the individuals who are doing this and being told we don't care?

A. My understanding was 112 violation was raised; and then when the interview was stopped, that individual was charged with insubordination. And 112 clearly says that that can't happen.

Q. Which officer was charged with insubordination because they refused to be interviewed?

A. I believe it was Frank Williams, but I would have to go back and look. I'd have to do some additional research on that.

Q. I may need you to follow up on that if you can identify any particular officer who was -- I'm saying charged, but that's probably not the right word -- was given -- an OPS investigation was instituted for insubordination or insubordination was added to the current charged violations?

A. I believe if you pull the Glen Stanley case, and you pull a recording of the Loudermill that went

along with the Glen Stanley case, the general counsel -- essentially, the argument was being made that truthfulness did not occur, that the officer actually -- it was alleged that the officer did not -- and I don't have first-hand knowledge of it, but from my understanding, is that the officer didn't do something and, in the actual packet, said that they had done it, they had sent an email.

The undersheriff indicated on his recommendation that it was truthfulness, that it didn't occur; and when the disciplinary rep went to make the argument that it was not truthfulness, the general counsel said, "Well, what charge do you think was appropriate?"

So I would encourage you to go back and listen to that audio recording of that Loudermill. In other words, you're going to get charged with something, and we're going to find something to fit.

Q. Okay. Understood.

A. I would encourage you to probably pull his calendar, Watson's calendar, and his gas receipts. On the very early part of his tenure he was there a lot. I know he was there a lot because I was there a lot, and I saw him a lot from very early in the morning, 5:00, 6:00 -- I think we discussed that last time --

until 8:00, 9:00 at night.

It got to the point where we needed the sheriff to approve something or do something, again, because we couldn't approve anything, the sheriff is not here. The sheriff is not here. The sheriff is not here. Where is he? Is he working? Is he not working? It seemed like he was never around.

So I would encourage you to probably pull his calendar for --

Q. What month and years?

A. I would say July '21 and after.

Q. Is there some incident you can point to where his attendance to the office stopped? Was it sudden, or was it gradual?

A. It was gradual. It seemed like he gradually was not there more and more, and he was unavailable, which then just stalemated --

Q. Right, because everything has to go through him.

A. Everything has to go through him, and then everything just slows to a crawl, at best a crawl.

The sheriff's son, Clovis Watson, IV, was the subject of numerous traffic stops and some criminal acts with GPD. This information was forwarded to the sheriff, but he never seemed to rectify it with his

son. It continued to happen.

He was stopped a couple of times by our deputies for traffic violations. We did a DUI checkpoint down on South 13th Street where his son was completely irate and completely out of line just coming to pick somebody up that we had dealt with. I called the sheriff and he said, okay, and that was the end of it.

It was like his son could just do whatever he wanted to because his dad was the sheriff. There was no -- it was a very poor reflection on the sheriff, very poor reflection on the sheriff.

We talked about fails to process paperwork.

I think Ed Bennett -- you might want to talk to Ed Bennett about the disapproval of secondary employment at the academy.

Q. With regard to that, are you aware that the academy became short of staff because of the sheriff disapproving secondary employment?

A. I can't swear to that.

Q. We'd have to check with the academy?

A. You'd have to check with the academy. I would imagine it severely impacted it; but to what extent, I can't speculate.

Q. Understood.

A. The sheriff seems to make decisions based on emotion quite a bit rather than, you know, actual facts. The sheriff demoted Mat Yakubsin from lieutenant back to sergeant for essentially liking a Facebook post. Let me back up.

He demoted him, but he ordered me to demote him. So I had to call him and tell him, "Hey, look, you're demoted because you liked a Facebook post."

Q. Was that formal discipline?

A. He was on probation.

Q. So he was already on disciplinarian probation?

A. No, he was on new-hire -- promotional probation.

Q. I see. So he could be demoted back to his prior rank without any discipline occurring?

A. Correct.

Q. And does that cause him to lose pay?

A. It does cause him to lose pay.

Q. How much, roughly?

A. I'd have to go back and look at the scales. I mean, you can make a request for the pay changes in HTE. A minimum of five percent; but Yakubsin was not that tenured of a sergeant, so potentially ten percent more. I don't know the exact numbers on Yakubsin.

Q. And you know the basis for that demotion was liking a Facebook post because you were instructed to tell him why he was being demoted by the sheriff?

A. I was instructed by the sheriff to demote him back to sergeant; and the sheriff had told me that, "He liked that Facebook post, and I'm going to demote him."

Now, keep in mind everybody else that also liked that Facebook post -- it surrounded a lieutenant Facebook post from the jail that was subsequently terminated. Howard, I believe, is his name, received corrective counseling for that, but Yakubsin was demoted.

BY INSPECTOR RIDDICK:

Q. Did that go through an OPS review?

A. Oh, no.

Q. So there's no documentation on any of it?

A. No.

BY INSPECTOR SNOWDEN:

Q. Did Yakubsin get corrective counseling?

A. I believe he may have, but he was hit with a demotion and the corrective counseling where everybody else was just hit with the corrective counseling. In other words, I felt as if the demotion was excessive in comparison to what had been handed out to everybody

else. That's kind of where I was going with that.

We discussed the negligent promotions last time.

BY INSPECTOR SNOWDEN:

Q. While we're on that topic --

A. Which topic?

Q. Negligent promotion. You mentioned Cleveland Cox. Talk about your knowledge about what happened when he tried out for the SWAT team?

A. He tried out for the SWAT team. He wasn't recommended, and then he was appointed by recommendation of the undersheriff.

BY MR. KRAMER:

Q. Also, what the consequence was to the person who did not want him appointed to the SWAT team.

A. Oh, he adamantly opposed it. He was -- I can't remember if it was Josh Crews or Rich Howell at the time.

Q. Josh Crews.

A. Josh Crews absolutely did not want him to the point he wanted to go meet with the undersheriff, and I think he did meet with undersheriff about it; but the decision was made that he did not get his number one and number two picks, and he got Cleveland Cox. And Cleveland Cox was almost promoted at the

recommendation of the sheriff.

Q. What happened with Josh Crews with his relationship with the SWAT team after he didn't want Cleveland Cox on there?

A. I'd have to go back and scroll and think about the timeline, but I can tell you, if you're referring to his removal from the SWAT team, his removal from the SWAT team, I do not believe, was tied to that incident.

We had a SWAT call-out in Monteoca, and the sheriff and undersheriff were there. And Josh Crews was insubordinate to me; and the sheriff found out about it, and the sheriff removed him from the SWAT team based on that incident.

Q. Were those two things occurring closely in time, the Cleveland Cox incident and Monteoca incident?

A. I believe the Cleveland Cox thing was a couple months afterwards. It could have been pretty close. It could have been pretty close.

Q. I don't know the answer, but my understanding is that the delivery of the information that Cleveland Cox would be assigned to the SWAT team and the removal of then lieutenant -- captain, sergeant, I'm not sure --

A. Lieutenant Josh Crews.

Q. -- Lieutenant Crews were delivered at the same time.

A. It may have been. It could have been in close proximity, and I can see how maybe he could correlate that if it was in close proximity, but my knowledge of the incident, it was really based on Lieutenant Crews' insubordination. Because I was ordered by the sheriff to conduct -- to basically put gas on the house with the hopes that the guy would come out, and Josh Crews came over to me and said, "I hope it's not a tactic," and he was rather nasty about it.

I'm not on the SWAT team. I've never been on the SWAT team, and I don't pretend to be on the SWAT team. So when it comes to SWAT-related matters, I would defer to Josh. Josh has got the knowledge. He's been on there a long time, along with his brother. His brother is no longer with us. He's retired. But I had a direct order from the sheriff that this is the way we're going to proceed, and Josh didn't agree with it.

Q. Let me make sure I understand the sheriff is directing a tactic to remove an individual from a home that a SWAT team is doing?

A. To put gas in there, yes.

Q. But is the sheriff qualified to make a decision about a tactic to remove a barricaded subject?

A. In my opinion, no, and that just falls on the back of what I just said. I'm a major. And even when I was a captain over those units, if I called you as my SWAT commander, and you said, "This is what we need to do," I'm going to defer to you. As long as we're not violating policy, we're not violating the law, and we're not creating some additional liability for the sheriff, I'm going to defer to you because that's your area of expertise.

Q. But doesn't it create liability if the sheriff, who is not qualified, is directing a tactic to be used in an extremely dangerous situation?

A. Oh, absolutely. The direction should not have come from the sheriff. The sheriff should have let Josh Crews run the incident, is what it comes down to.

BY INSPECTOR RIDDICK:

Q. What was the barricaded subject?

A. There was another individual in the house. I think it was domestic.

Q. So the bad guy wasn't the only one in the

house?

A. Correct.

BY MR. KRAMER:

Q. I guess you're probably the wrong person to ask, but do we put gas in the house when there's more than one person in the house?

A. Generally, no, but I would defer to Josh Crews and let him discuss that incident in greater detail.

Q. And the insubordination that Josh demonstrated during that incident, was he ever a subject of formal discipline? Or was it just we're going to discipline him by removing him from the SWAT team?

A. He got a corrective counseling from me for his insubordination, but then the sheriff removed him as the SWAT team commander.

Q. Did they put gas in the house?

A. I don't remember. That was very early on in the tenure of the administration.

BY INSPECTOR RIDDICK:

Q. Did the sheriff give a reason why he wanted the gas? Did he have some place to go?

A. Uh-uh. It was clear he was trying to direct the incident where he didn't have the experience to

direct the incident.
BY INSPECTOR SNOWDEN:
Q. Was the sheriff at the scene?
A. He was, and the undersheriff. They both showed up. And, you know, to be fair, normally the sheriff and the undersheriff, the major does not show up to SWAT teams. You know, normally we're behind the phone somewhere, and we're letting those people run those operations; but that's not the way the sheriff wanted it run.
The captain was there. I was there. Captain Bella Blizzard was there. I was there. Decoursey was there. The sheriff was there. And I think probably Josh felt like he wasn't being allowed to operate under the parameters that he normally operates because his decision-making was being impeded by us.
BY MR. KRAMER:
Q. And that's what lead to his insubordination.
A. Correct.
Q. That's also consistent with what you've previously testified to, that all the decisions are being made by the sheriff to operational and tactical decisions.
A. That is correct.
BY INSPECTOR SNOWDEN:

Q. Were you familiar or did we talk about it last time, about the Cleveland Cox investigation that went through the office of professional standards?

A. I was aware.

Q. Do you know what happened with that eventually, or why it was terminated?

A. I don't remember.

Q. Is there some connection or familial connection between the undersheriff and Cleveland Cox?

A. We speculated that there was, but we -- I don't know of one, but it seemed to be really out of character that he was placed on the SWAT team and he was promoted against the objections of essentially everyone.

Q. Was he also assigned to CID?

A. He was.

Q. Against the objections?

A. He was. It was a pattern existing with Cleveland Cox, but I don't know what the connection is.

MR. KRAMER: I want to talk about time.

We can go off the record.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. All we were discussing is how much time we

have remaining before our other witnesses to need to appear.

A. Eric Hutchison was promoted to the rank of acting lieutenant when he wasn't on the eligibility list. I would suggest you pull the employee profile and the eligibility list. When that was called to the sheriff's attention, that he wasn't eligible for promotion, the sheriff did act and rescinded that; but then here recently Scott Bonafide has been promoted to an active lieutenant, and he's been moved to civil.

As you're aware, civil is a completely different animal than any other part of the sheriff's office. You deal with evicting people and serving papers that can and cannot be served at certain times of day. To my knowledge, Scott has no knowledge of the civil process.

I did mention Rashawn Flanders. I do not have that paperwork that I thought I had.

The last one is Pat Ford Thomas. Michelle Clement was the division manager, and she was removed for seemingly no reason and moved over to the contract monitor at the jail, which she's got zero experience at. She was removed from her role as a division manager, and she was replaced with Pat Ford Thomas.

Pat Ford Thomas is the wife of Dave Thomas,

who, interestingly enough, was one of the very core group of people in Watson's campaign.

Q. We're going to speak with Michelle Clement. We just haven't gotten her scheduled yet.

A. Okay. I have for you a copy of one of the personnel orders that went out, and as you can see, the quantity of moves that were made at one time are significant; and that's not one of them, but the reason why that's significant is because I have this to go along with it, which is completely out of character, which has everybody's picture and where they're going, where you can definitely see folks --

MR. KRAMER: All right. We'll make this an exhibit to your statement.

That's all I have. I'm sure if something else comes up, I may think of something or whatever.

(Exhibit 1 was marked for identification.)

BY INSPECTOR SNOWDEN:

Q. One last question I've got. When transfers and things were made, were the positions that they went to, were they resumed made for? Or were persons just told, you're going here, and you're going here?

A. Under the Darnell administration, generally, what would happen would be, an open position

announcement would come out: Any interested deputy sheriff that wishes to apply to be a detective, please submit your name to ISIS, which is our internal system. Interviews are conducted, and then somebody would be selected from the list.

Under the Watson administration, that pretty much went out the window. He just made moves willie-nillie as he felt necessary with no rhyme or reason is really the short answer.

MR. KRAMER: Thank you. We may be talking to you further.

(The witness concluded at 11:20 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORINE, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named GEORGE CORINE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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blah, blah, blah, and it gets approved all the way up to the sheriff. Those type of forms just sit.

It's like there's a neglect to fill those forms out and get them back to people, especially when it comes to the folks that live in reduced rent apartments; because those reduced rent apartments are really considered secondary employment, and now we have people who come back and fill out the form, say, "Hey, I have this secondary employment. I live at ABC Apartment Complex," and those forms never get processed.

Lately -- I've been gone, but lately -- I'm sure you guys can follow up with it -- some secondary employment has been approved, but it's been very sporadic; and then others, it's been straight-up denied. And those denials have come on the backs of years and years and years of approval.

In other words, I might be teaching at the academy. I taught at the academy for 15 years, let's say, and then all of a sudden this year it's a denial for no reason, and there's no reason given.

Q. Is that detrimental to the functioning of the sheriff's office?

A. The academy, absolutely, because we have an agreement with the academy that we're going to provide

people to teach the recruits.

Q. Well, maybe I'm being too obtuse. If employees are being mistreated and treated very differently than they have been by prior administrations without any explanation, does that create an environment where employees are likely to remain?

A. Absolutely not. What happens is too often -- I'm sure you guys are aware that law enforcement salaries are not that high, and almost everybody has got some sort of secondary employment whether it be at the academy or whether they have a business. Like we have several folks that have lawn maintain businesses, you know, and they thrive on those businesses, especially during the summer months when grass cutting is frequent. And when those forms aren't being approved, then you get into a situation where am I allowed to continue my business that I invested all this capital in, or what do I need to do? Do I need to quit and just move on?

And I'm sure if you pull the vacancy rate, the FT vacancies on January 5th of 2021, you pull the FT vacancy rate as of today, you'll see that they're vastly different.

Q. Just so I understand, do those supplemental

employment forms have to be yearly?

A. They do.

Q. So even if you've had the same position for years and years, it has to be approved every year?

A. Every calendar year.

Q. Is it October 1? January 1?

A. January 1, if my memory recalls. I think it's January 1.

Q. Would your understanding be, there would be individuals who would resubmit after January 1 and would not get an answer for five, six, seven months?

A. Lengthy amounts of times or outright denials with no excuse, or no response, really. And, you know, the academy relies on those folks to teach recruits.

Q. Right.

A. I do believe we discussed that it could be found in one of the audio recordings that the undersheriff said that nothing is final until it's in green ink.

Q. Correct.

A. So that just kind of plays into that.

Q. And, also, I want to follow up on that issue. I want to make sure I understand what you're telling me, which is that -- and I'll use my organization as

an example. We have -- I delegate control out to supervisors because I am physically incapable of making timely decisions in 20,000 cases of prosecution per year, and that is necessary for the proper functioning of the agency.

A. That is correct. I felt as if I had less decision-making authority as a major than I did as a lieutenant under the Darnell administration, which chokes the entire operation.

Q. So the same is true at the sheriff's office, and probably on a much larger scale than my organization. I have 135 employees, and the sheriff's office has how many employees?

A. About 960.

Q. Nine hundred sixty employees, and then essentially day-to-day decision making is being made by the sheriff?

A. Essentially.

Q. And that has prevented the sheriff's office's proper functioning because decision-making is delayed, and this -- what you've been talking about, this example of additional employment, is just maybe one example of delay.

A. It is one example, yes.

Q. And there are many others?

A. Right.

Q. And I don't know if you can speak to this, but is one of those examples, would it be assisting other agencies?

A. Yes.

Q. And are you aware during the time you were at the sheriff's office of a change in the decision-making process by which the sheriff's office decided whether or not to assist other agencies?

A. Absolutely.

Q. And if you could clarify. Does the sheriff's office have obligations, contractual and grant-oriented obligations, to provide assistance to regional agencies with equipment and expertise that those agencies would not have?

A. Absolutely.

Q. And could you explain what happened while you were there? What was the change from the prior administration? How did that affect things?

A. So operationally when I was the patrol support lieutenant, which was over all the special teams, Bradford County would call and say, "Hey, we've got an incident up here. We need the SWAT team."

So we're part of a region. The SWAT team is a regional team. There's funding that comes out of --

I can't remember the abbreviation, but it is -- there's funding that comes out. They fund some equipment, and that is really meant so that when Bradford County calls, or Union County folks that don't have a SWAT team, we go up there and we handle it.

And usually the protocol was, they would call. The captain would say, "Hey, Union County has a SWAT call-out." I would notify the SWAT guys, and then they would go.

The captain would then turn around and notify the chain upwards, "Hey, this is what's happened. I'm just kind of letting you know that Bradford County has called, or Union County has called, and they need the SWAT team."

That's been the practice for years. I mean, time was of the essence when you're talking about calling out a SWAT team. If we're not calling them for some preplanned event three days from now, then we don't have time to sit around and talk and have approval. It's go.

That completely changed under the Watson administration. He simply demanded that, in order for any asset to leave this county, that that sheriff that was requesting or that chief that was requesting the

equipment called him first, which severely choked the response time.

So it was a complete spin. It was something we weren't used to, but he wanted the sheriff of Bradford County, Union County to call him and ask for the equipment before we were authorized.

Q. And what if he wasn't available?

A. (Shrugs shoulders.)

Q. You're holding up your hands and saying there's no answer for that?

A. There's no answer for that because we weren't authorized to proceed.

Q. So, for instance, just an instance that I was personally involved in was, there was an officer-involved shooting in Levy County, and they only have maybe four deputies on the road at any one time. I don't know if you're aware of this incident.

A. Correct.

Q. And when three of the officers were involved in a shooting, then they had no -- essentially, one deputy remaining on the road. They requested assistance from the Alachua County Sheriff's Office. Would that assistance request have to go through the sheriff himself?

A. It would.

Q. Would you agree that under those circumstances where a county was essentially now --

A. Vacant.

Q. -- had no law enforcement available, that time is of the essence?

A. Yeah, it is essential. And I'll follow up with another example.

The two deputies that were shot in Gilchrist County under the Darnell administration. As soon as that happened, everybody started rolling. We rolled the command -- I mean, we had the mobile command bus. We had schedules done to start covering the county, and then we just started notifying the sheriff, "Hey, this is what we're doing. This is how we're taking care of them." It was almost the information was flowing upward rather than flowing downward.

And under the Watson administration it's completely immerse. It's not allowed to happen in that manner. And the folks who may call 911 in Gilchrist County, now that there's no deputies available, they rely on our assistance. And we have the resources to provide to Gilchrist County or to Union County that Union County or Gilchrist County doesn't otherwise have.

MR. KRAMER: All right. Let's go back to

things that you may -- unless you wanted to follow up. I'm sorry.

BY INSPECTOR RIDDICK:

Q. Has he ever denied one of those requests that you know of?

A. Yes.

Q. Which one?

A. There was an incident where University of Florida had called and requested the use of the jail vans. There was something going on at the Reitz Union. I think Darren Baxley had called and requested the jail vans. Don't quote me. I think it was Darren Baxley, deputy chief. Sheriff Watson refused to let them utilize the jail vans.

All that is, is a transport function. It's not like we were sending personnel. You know, we send in a couple of people to operate the vans, but we weren't sending crowd management. We weren't getting involved with their business on campus. They were just simply asking for assistance because, again, the university, you know, they've only got 80 FTEs, you know, somewhere in there. They don't have the capacity to deal with 15 or 20 arrestees at the same time. It would impact them severely to have to deal with that, and we had the resources. I didn't

understand what the purpose of withholding a jail van was.

Q. When you say impact severely, would that mean creating an unsafe environment for the remainder of the students and faculty on campus?

A. Potentially. I mean, it depends on how the incident goes. If you got all your guys on the incident tied up with 10-15, or arrestees, if you will, and then they need to focus their attention somewhere else, next thing you know, you divert your attention to the people that need to go. Now you have an unsafe number of officers with the arrestees; or do the officers stay with the arrestees, and now you've neglected this? You have to make a decision.

You've only got so many personnel. The jail van would have been very quick, easy. You bring the jail vans over, put them in the jail vans, pat them down, get them in there, at least hold them there for a few minutes or get them out of there, whatever they decided to do. It was a relatively simple request.

There was some issues surrounding the drug task force, which I'm sure you're aware of, and the sheriff not wanting anyone to operate in the county.

Q. Were you an employee of the sheriff's office at the time that the sheriff directed the removal of

all the equipment from the drug task force?

A. No, but my understanding is it was done in the middle of the night under some covert operation, was the rumor.

Q. Correct. I just didn't know if you were personally involved.

A. I was not.

BY INSPECTOR RIDDICK:

Q. Were you there when Nassau County requested assistance on an officer-involved shooting, and it was denied?

A. Actually, yes. I believe I was.

Q. Do we know why?

A. I don't know why.

BY MR. KRAMER:

Q. But that denial would have come from the sheriff?

A. It come from the sheriff. No cop, working cop, like even coming up through the ranks, when they had something like that, would deny that type of assistance. Those are the things -- when things were choked, it chokes to the point where it doesn't -- it doesn't run efficiently.

BY INSPECTOR RIDDICK:

Q. And for the record, let me correct that. It

may have been an officer-involved shooting, but actually the deputy had been shot; and they had a subject cornered, and they were asking for assistance from SWAT teams.

A. Correct. Correct.

MR. KRAMER: Anything further on what he's said so far?

THE WITNESS: One of the things that -- you know, you talk about assets. The SWAT team is one of them, but more frequently the helicopter is something that -- you know, we have an aviation unit. And folks in Putnam County and Columbia County, you know, they rely on that air support. You know, one helicopter there, arguably, is equivalent of 15 or 20 units on the ground.

Those requests were frequently -- we ran into problems where there would be a pursuit at, say, 2:00 in the morning, and they're calling and asking for our assistance. And then you have to make the decision, do I say, okay, go ahead and go, and then get chewed out the next day because they didn't -- because that sheriff didn't call our sheriff at 2:00 in the morning?

I mean, that's the type of slow-down we're

talking about, to the point where you might as well not even send them at that point. It's almost rendering it useless.

BY MR. KRAMER:

Q. And it's 2:00 in the morning. Is Sheriff Watson available to answer another sheriff's call?

A. I don't know. I never called him at 2:00 in the morning.

BY INSPECTOR RIDDICK:

Q. You mentioned earlier about the funding. If I recall from my days with RDS --

A. RDSTF, yeah, that's it.

Q. Regional Domestic Security Task Force. That's where a lot of Alachua's money came from. Or I say a lot. That's basically --

A. A significant amount of money.

Q. They were given a lot of money to create those regional units in case of -- for the region.

A. Right.

Q. And that was the understanding, that the money is given to you, but you need to be available if the region needs you.

A. The BearCat. I believe the BearCat was portioned with RDSTF money; or a portion of it was purchased with it, and you know how expensive those

are.

The bomb team is another RDSTF, you know.

BY MR. KRAMER:

Q. Let me ask you this. Are these requests reduced in any way to writing, or would there be any evidence of the request existing at all?

A. Usually -- from my recollection, usually when something breaks off, it's a phone call saying, "We need SWAT."

Q. Let me ask you this --

A. There could be a Teletype follow-up, though. I don't know.

Q. Would there be text messaging? Like, for instance, might you send a text message to the sheriff "We've received request from Scott for SWAT in Union County"?

A. Oh, I'm sure, but I never really directly contacted the sheriff. That was the undersheriff. I would call him, the undersheriff. I mean, he would answer his phone.

Q. But if -- you would agree those communications would be records at the agency?

A. There should be records at the agency.

Q. But if those records were not being -- they may not be preserved.

A. They should be preserved. Because there was a point in time when we all got iPhones -- you get into the debate of the iPhone or the Android, right? The iPhone is a blue, which is MMS; and then you have the Android, which is an SMS message. From my understanding, the SMS messages are recorded through your carrier, but the MMS are not because they're run on data and not run on cellular.

Q. But if the sheriff didn't allow the recording devices on his phone, there would be no record of those requests being made to the sheriff, correct?

A. I know that the phone that I had had recording because that was all enabled by Scott Shelpman, if my memory serves me correctly.

Q. Understood. Let's move on to the next item that you were concerned that we had missed due to our time constraints.

A. We discussed briefly Michelle Shirfield last time. She had posted some items on Facebook that could be seen by some folks as slanted to one racial side, if you will. That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that. Nobody ever saw the corrective counseling.

And then the order was basically given, you

know, for Facebook or for violations of social media, that was -- that was the -- what should be done, give them a corrective counseling and go through progressive discipline.

And I think there's a couple open cases right now -- or I don't know if they're open or closed.

So Frank Williams and Kevin Davis are under investigation, or open at the moment, for things that I think were far less controversial, and they were placed on admin suspension and been sitting at the house for months.

Q. And let me ask you because I don't know the answer to this. This individual -- and you said her name was Michelle?

A. Shirfield.

Q. Shirfield? Is she African American?

A. She is.

Q. And the posts that you're referencing, they were -- I don't know the posts. Were they racially inappropriate?

A. It was more of a supporting a racial position, and I believe Kevin Davis could speak more on that.

Q. Is it your understanding that a formal complaint was made either to her supervisor or to the

office of professional standards so that discipline should have been initiated?

A. I told the sheriff directly about the violation, and Bobby Stafford told the sheriff directly about the violation.

Q. But as far as I understand -- and my understanding of discipline is developing -- is that the way the discipline would be initiated, it would be either through the office of professional standards or through her supervisor.

A. Correct.

Q. So you gave that information to the sheriff?

A. Correct.

Q. And your understanding is that no discipline was initiated; or if there was any discipline, it was informal in the form of a corrective counseling?

A. It was informal in the form of a corrective counseling, but nobody seen that. I'm sure if you pull her file you would either see a corrective counseling or not see a corrective counseling, but she reported directly to the sheriff.

Q. When someone receives corrective counseling, is it discipline?

A. It's considered informal discipline.

Q. But it should remain in the employee file for

one year?

A. That's correct. Oftentimes it's not removed. You have to go back in there and say, hey, that needs to come out.

BY INSPECTOR SNOWDEN:

Q. Do you know if Kevin Davis made a complaint about that to OPS or through the sheriff suite?

A. I don't think so because he had already known that it was brought to the attention of the sheriff and Bobby Stafford.

Q. Do you know about any complaint that Kevin Davis took to OPS?

A. I know he made a complaint. I don't remember what it surrounded; but I do remember him taking a complaint, and it was basically like disregarded.

Q. If somebody takes a complaint to OPS, should a case number be drawn?

A. Oh, absolutely, or they say this is really not -- there's a list of standards that OPS will investigate these certain things or as directed by the sheriff.

So they'll look at it, and they'll say we'll take and we're going to pull a case number, or they'll say we're going to defer it back to the division commander and let the employee supervisor handle it.

MR. KRAMER: Any other questions on that particular issue?

BY MR. KRAMER:

Q. Thank you for the clarification. Was there anything else?

A. Did we discuss the bargaining process with the re-openers and the unfair labor practice?

Q. You did. You informed us that one of the reasons why you left the sheriff's office was that you advised them, essentially, that what they were doing was in violation of the National Labor Standards Act.

A. Oh, that's right. I gave you the form. Okay.

So I gave the set of text messages last time between the undersheriff and I.

Q. Yes.

A. The sergeants and lieutenants ratified their contract. The deputies did not ratify their contract. And there was an extended period of time; I don't recall the exact settlement dates, maybe July, August the following year. So we're talking about ten, eleven months later that ultimately we were going to go to a hearing at the sheriff's office.

And right before that began and the sheriff was coming to sit down and testify, if my memory

serves me correctly, he wanted to have a discussion. And then that was ultimately settled, and a substantial check was written for attorney's fees. You may want to pull a copy of that.

Q. Who was the attorney that would have received the fees?

A. It would be the PBA.

Q. Would it be the PBA itself, or would it be paid directly to a particular attorney?

MS. WEBSTER: Do you want me to answer?

MR. KRAMER: No, you can tell him.

THE WITNESS: The check was written to the PBA.

BY MR. KRAMER:

Q. For the attorney's fees?

A. For the attorney's fees.

Q. Incurred because of the actions that you've already described in your previous testimony where the sheriff was essentially acting in violation of the National Labor Standards Act of essentially just refusing to negotiate in good faith.

A. That is correct. And that surrounded the take-home cars, which I believe we talked about last time.

Q. Correct.

A. All those things wrapped up.

Q. He withdrew all the articles. That's the phraseology you used.

A. Everything was TA'd. We were getting ready to go to a vote on Thursday and Friday. On Monday, October 18th, I got a call that he withdrew all the articles.

I said, "Wait a minute. We know this vote is coming. We can't do this."

I brought it to his attention, and the sheriff made the unilateral decision to pull that. I said, "You can't do that. You're going to refuse to sign a contract after it's already been agreed upon."

And in his text messages, which I presented to you last time, I was told that my interpretation was not consistent with the decision of the sheriff.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. Next.

A. We talked about the SWAT rifles.

BY INSPECTOR RIDDICK:

Q. Where are those rifles now, Major?

A. So those rifles were not given to the employee personally. They were issued to the employee that won them with the understanding that when they

retire they will be able to keep them. That was the decision that was made, if my memory serves me correctly; but that's probably not in writing anywhere, I promise you that, because nothing hardly ever gets reduced to writing.

BY MR. KRAMER:

Q. Well, they wouldn't have gone to the inventory? Doesn't every officer have an inventory?

A. Uh-huh.

Q. And if they're not on the inventory, and they're in the officer's possession --

A. No, they're issued to the officer. They're going to be on the inventory.

BY INSPECTOR RIDDICK:

Q. They were taken into the sheriff's office inventory and then issued to the officer that won it.

A. That's correct.

Did I touch on the fact that Watson will make a decision regardless whether it's against policy or procedure?

BY MR. KRAMER:

Q. I think in general that was clear, but are there specific instances that you can reference that you didn't reference last time?

A. No. I just want to make sure I hit that --

Q. You did.

A. It's so frequent, though, that --

Q. What is the effect on the agency when the sheriff doesn't follow the agency's own policy?

A. Well, what it does is, it sets the tone of the only consistency is inconsistency, right? And when the sheriff isn't following his own policies and procedures, what message is that sending down to the troops?

It sends a horrible message down saying I don't have to follow policy and procedure, but I'm going to hold you to it; and when you aren't held to it, when you violate that, I'm going to write you up.

Q. Would it also lead people to the conclusion that -- wouldn't it also lead to the natural conclusion that if you follow a policy, that the sheriff might still discipline you or you might meet criticism or demotion or job problems because you followed policy that the sheriff no longer wants to have be the policy?

A. It's almost as if you're expected to think like him. And if it is any perceived disrespect or embarrassment, you're going to be talked to about it, if not hit with some sort of discipline.

We just had a recent case, the Glen Stanley

internal investigation, which is closed -- which I suggest you pull a copy of that -- where the sheriff goes outside the disciplinary matrix.

We have a matrix that says this is Level Two, Level Three, Level Four or Five, and this is -- you know, you got a Level Two, you get this many points. This many points is from A to B, and he'll just add C in there.

Q. And in this particular investigation was it to the officer's detriment?

A. Yes.

Q. Is this recourse for the officer under those circumstances? Can the officer appeal that decision? Do they have -- do they enforce the matrix as it exists, or are they simply subject to the sheriff's rulings?

A. Only if they meet the standards set forth in the sheriff's board, which is greater than a two-day suspension. In this case it was one-day suspension, but they put the guy on 12 months of disciplinary probation. And I believe, if you go back and you look at what a Level Three violation is, 12 months of disciplinary probation is not allowed.

And then what you do when you put somebody on disciplinary probation is, the next time they wear the

wrong color socks or doing something that's in violation, then they're not eligible for a career service board.

It's almost like you're setting up them for the next violation, to render them ineffective in a career service board.

Q. And because it's a one-day suspension, it's not appealable?

A. Correct.

We touched on changing past practice without really any discussion with anyone.

Q. Correct. Yes.

A. We touched on Watson and Decoursey routinely holding paperwork and not signing it, essentially neglecting the duties of moving the institution along.

And we -- I know we discussed not reducing things to writing, and we discussed the staffing shortages. So I think that kind of cleans up what I can remember from the last one.

Q. Was there anything additional in response to the question, are you aware of anything immoral, unethical, or illegal, that occurred in the sheriff's office while you were there --

A. Well --

Q. -- that we didn't cover last time?

A. I think that's where we're going to move in to the next section.

Q. Okay.

A. So the sheriff is a steward of the taxpayer's money. Would you agree with that?

Q. Agreed.

A. When he came into office, there were two vehicles that were provided that were left by Darnell and Huckstep. They were not happy with those vehicles even though they were functioning vehicles, and they immediately purchased two black Tahoes; and they were high-end Tahoes to the tune of in the mid 70s. And then, of course, all the equipment and everything had to go in on top of that, so you're talking probably upwards of 90-plus thousand dollars just because they wanted new vehicles. That was kind of like the first thing. Everybody kind of questioned that.

And then he had the badges removed from them that say like "High Country" to make it look like it wasn't, you know, an expensive vehicle as it was, but everybody knew what time of day it was. They saw the badges on there. Everybody knew what was going on. You could see it.

So that was kind of, in my opinion, something that the fleet department should have set back and

assessed and advised the sheriff, "Hey, if we want new vehicles, this is where our budget is. This is how much money we have left. If we make this purchase, then we can't purchase these four cars instead of these two Tahoes."

That didn't happen. He immediately ordered the vehicle. I don't think they came off state contract. I think they got one at the local Chevrolet dealership. Or I don't know where they got them form; you'd have to pull that. One was 74. The other one was 77 or somewhere in there. They were both in the mid 70s. So that was one thing that kind of came up.

So there were some Nissans that were purchased, and I believe they were for the drug task force or somebody, I think, after I had left. And there was an allegation they were purchased from Gainesville Nissan, and his son is one of the sales managers at Gainesville Nissan.

Q. Those type of contract purchases would be normally not done through Gainesville Nissan? They'd be done through state contract?

A. Generally, yes, unless there is a specific reason. Like, I know Darnell, when we purchased Harleys, the state contract price was, say -- I'm just throwing a number out there -- 17,000, but Gainesville

Harley said, hey, we'll sell them to you for 15.5. The sheriff felt we should keep our money local, and she was actually saving money and was being a good steward of the taxpayers' money and purchased the Harleys there.

But as far as going outside of that, the only thing I know of going outside was that some vehicles were purchased from Southeast Car Agency, especially when it came to things like the trucks for the aviation unit, where we could get something that was used; we didn't buy them new. They weren't new vehicles. They were used vehicles.

But there was some allegations that the Nissans came purchased from his son; and I don't have any evidence to substantiate that, but you could certainly run that down.

One of the tasks that I was given fairly early on was -- the office of professional standards was housed within the main sheriff's office at 2621 Southeast Hawthorne Road. And the office of professional standards has a door that goes right into the sheriff's suite, and that was so that the captain of OPS could go in and confer with the sheriff because the captain was direct report to the sheriff. It had been set like that since I've been there. That was

always OPS. Some years prior to that, it was at the jail.

He had me -- he directed me to have OPS relocated back to the office -- the department of the jail, and he then commanded those offices for himself and had them remodeled where he made a rather large office for himself and spent a significant amount of money remodeling that office and then purchased some furniture to fill that office.

Q. Was the furniture purchased off of state contract?

A. I was told it was purchased offline. He went online and bought it because he got a better deal. To what that was, what that P.O. looked like, I have no idea.

Q. Would that be unusual?

A. That would be unusual.

Q. Outside the standard procedures of the sheriff's office to purchase furniture?

A. Correct, because every time we've purchased furniture -- like we purchased tables like these, chairs like these that sit in the squad room that I'm sure you've been to. All those were purchased through a vendor that we've got. And every time we've had to purchase something, A and B has to come to us with a

book like this and said, here's what's available. This is what we can purchase. So to purchase furniture outside that realm, to my knowledge, had never been done.

Q. Okay.

A. There was a lot of controversy surrounding expenditures plastering his name on the building.

Q. Where are those?

A. On one occasion it didn't look right, and he bought it again.

Okay. You're aware of it. We'll move on.

On the back of everybody's vest said "sheriff" just like the cars say "sheriff" on it. It doesn't mean that you are the sheriff. It just indicates like police, sheriff. All those were ordered to be removed and replaced with deputies.

Q. Was it on the cars as well as the uniforms?

A. It was not on the cars. It was just on the uniforms.

Q. Did anybody -- with regard to this, did anybody confer or look at the Florida Statutes to ensure that the officers would be properly marked for the purposes of fleeing or attempting to elude or resisting arrest with or without violence, to ensure that the standards that are set forth in the statutes

would be met?

A. I brought that specific statute that you're referring to to the attention of the undersheriff and said, "There's really no reason for this. It doesn't designate them as the sheriff, but, you know, it's for the purposes of authority."

And the response was, "There's only one sheriff, and that's the guy that signs in green ink. Everybody else is a deputy," and that was the reason for the switch.

But again, you have whatever those patches were, ten, eight, twelve dollars times how many, 300 patches. Again, it's just another tick of expenditures that didn't need to happen.

Q. Understood.

A. The sheriff and the undersheriff has continued to disregard Florida Statute 112 on numerous occasions, which obviously stemmed from the lawsuits that are out there pending.

Q. Do you have any information to indicate whether their disregard of 112 procedures and rights that are contained in Florida Statute 112 are based upon ignorance, that they don't understand them? Or is it based on an intentional act that they don't care to provide those rights and meet their

responsibilities?

A. Personally, I believe they don't care.

Q. So at the time these violations have occurred, are the rights of the officers and responsibilities of the agency being brought to the attention of the individuals who are doing this and being told we don't care?

A. My understanding was 112 violation was raised; and then when the interview was stopped, that individual was charged with insubordination. And 112 clearly says that that can't happen.

Q. Which officer was charged with insubordination because they refused to be interviewed?

A. I believe it was Frank Williams, but I would have to go back and look. I'd have to do some additional research on that.

Q. I may need you to follow up on that if you can identify any particular officer who was -- I'm saying charged, but that's probably not the right word -- was given -- an OPS investigation was instituted for insubordination or insubordination was added to the current charged violations?

A. I believe if you pull the Glen Stanley case, and you pull a recording of the Loudermill that went

along with the Glen Stanley case, the general counsel -- essentially, the argument was being made that truthfulness did not occur, that the officer actually -- it was alleged that the officer did not -- and I don't have first-hand knowledge of it, but from my understanding, is that the officer didn't do something and, in the actual packet, said that they had done it, they had sent an email.

The undersheriff indicated on his recommendation that it was truthfulness, that it didn't occur; and when the disciplinary rep went to make the argument that it was not truthfulness, the general counsel said, "Well, what charge do you think was appropriate?"

So I would encourage you to go back and listen to that audio recording of that Loudermill. In other words, you're going to get charged with something, and we're going to find something to fit.

Q. Okay. Understood.

A. I would encourage you to probably pull his calendar, Watson's calendar, and his gas receipts. On the very early part of his tenure he was there a lot. I know he was there a lot because I was there a lot, and I saw him a lot from very early in the morning, 5:00, 6:00 -- I think we discussed that last time --

until 8:00, 9:00 at night.

It got to the point where we needed the sheriff to approve something or do something, again, because we couldn't approve anything, the sheriff is not here. The sheriff is not here. The sheriff is not here. Where is he? Is he working? Is he not working? It seemed like he was never around.

So I would encourage you to probably pull his calendar for --

Q. What month and years?

A. I would say July '21 and after.

Q. Is there some incident you can point to where his attendance to the office stopped? Was it sudden, or was it gradual?

A. It was gradual. It seemed like he gradually was not there more and more, and he was unavailable, which then just stalemated --

Q. Right, because everything has to go through him.

A. Everything has to go through him, and then everything just slows to a crawl, at best a crawl.

The sheriff's son, Clovis Watson, IV, was the subject of numerous traffic stops and some criminal acts with GPD. This information was forwarded to the sheriff, but he never seemed to rectify it with his

son. It continued to happen.

He was stopped a couple of times by our deputies for traffic violations. We did a DUI checkpoint down on South 13th Street where his son was completely irate and completely out of line just coming to pick somebody up that we had dealt with. I called the sheriff and he said, okay, and that was the end of it.

It was like his son could just do whatever he wanted to because his dad was the sheriff. There was no -- it was a very poor reflection on the sheriff, very poor reflection on the sheriff.

We talked about fails to process paperwork.

I think Ed Bennett -- you might want to talk to Ed Bennett about the disapproval of secondary employment at the academy.

Q. With regard to that, are you aware that the academy became short of staff because of the sheriff disapproving secondary employment?

A. I can't swear to that.

Q. We'd have to check with the academy?

A. You'd have to check with the academy. I would imagine it severely impacted it; but to what extent, I can't speculate.

Q. Understood.

A. The sheriff seems to make decisions based on emotion quite a bit rather than, you know, actual facts. The sheriff demoted Mat Yakubsin from lieutenant back to sergeant for essentially liking a Facebook post. Let me back up.

He demoted him, but he ordered me to demote him. So I had to call him and tell him, "Hey, look, you're demoted because you liked a Facebook post."

Q. Was that formal discipline?

A. He was on probation.

Q. So he was already on disciplinarian probation?

A. No, he was on new-hire -- promotional probation.

Q. I see. So he could be demoted back to his prior rank without any discipline occurring?

A. Correct.

Q. And does that cause him to lose pay?

A. It does cause him to lose pay.

Q. How much, roughly?

A. I'd have to go back and look at the scales. I mean, you can make a request for the pay changes in HTE. A minimum of five percent; but Yakubsin was not that tenured of a sergeant, so potentially ten percent more. I don't know the exact numbers on Yakubsin.

Q. And you know the basis for that demotion was liking a Facebook post because you were instructed to tell him why he was being demoted by the sheriff?

A. I was instructed by the sheriff to demote him back to sergeant; and the sheriff had told me that, "He liked that Facebook post, and I'm going to demote him."

Now, keep in mind everybody else that also liked that Facebook post -- it surrounded a lieutenant Facebook post from the jail that was subsequently terminated. Howard, I believe, is his name, received corrective counseling for that, but Yakubsin was demoted.

BY INSPECTOR RIDDICK:

Q. Did that go through an OPS review?

A. Oh, no.

Q. So there's no documentation on any of it?

A. No.

BY INSPECTOR SNOWDEN:

Q. Did Yakubsin get corrective counseling?

A. I believe he may have, but he was hit with a demotion and the corrective counseling where everybody else was just hit with the corrective counseling. In other words, I felt as if the demotion was excessive in comparison to what had been handed out to everybody

else. That's kind of where I was going with that.

We discussed the negligent promotions last time.

BY INSPECTOR SNOWDEN:

Q. While we're on that topic --

A. Which topic?

Q. Negligent promotion. You mentioned Cleveland Cox. Talk about your knowledge about what happened when he tried out for the SWAT team?

A. He tried out for the SWAT team. He wasn't recommended, and then he was appointed by recommendation of the undersheriff.

BY MR. KRAMER:

Q. Also, what the consequence was to the person who did not want him appointed to the SWAT team.

A. Oh, he adamantly opposed it. He was -- I can't remember if it was Josh Crews or Rich Howell at the time.

Q. Josh Crews.

A. Josh Crews absolutely did not want him to the point he wanted to go meet with the undersheriff, and I think he did meet with undersheriff about it; but the decision was made that he did not get his number one and number two picks, and he got Cleveland Cox. And Cleveland Cox was almost promoted at the

recommendation of the sheriff.

Q. What happened with Josh Crews with his relationship with the SWAT team after he didn't want Cleveland Cox on there?

A. I'd have to go back and scroll and think about the timeline, but I can tell you, if you're referring to his removal from the SWAT team, his removal from the SWAT team, I do not believe, was tied to that incident.

We had a SWAT call-out in Monteoca, and the sheriff and undersheriff were there. And Josh Crews was insubordinate to me; and the sheriff found out about it, and the sheriff removed him from the SWAT team based on that incident.

Q. Were those two things occurring closely in time, the Cleveland Cox incident and Monteoca incident?

A. I believe the Cleveland Cox thing was a couple months afterwards. It could have been pretty close. It could have been pretty close.

Q. I don't know the answer, but my understanding is that the delivery of the information that Cleveland Cox would be assigned to the SWAT team and the removal of then lieutenant -- captain, sergeant, I'm not sure --

A. Lieutenant Josh Crews.

Q. -- Lieutenant Crews were delivered at the same time.

A. It may have been. It could have been in close proximity, and I can see how maybe he could correlate that if it was in close proximity, but my knowledge of the incident, it was really based on Lieutenant Crews' insubordination. Because I was ordered by the sheriff to conduct -- to basically put gas on the house with the hopes that the guy would come out, and Josh Crews came over to me and said, "I hope it's not a tactic," and he was rather nasty about it.

I'm not on the SWAT team. I've never been on the SWAT team, and I don't pretend to be on the SWAT team. So when it comes to SWAT-related matters, I would defer to Josh. Josh has got the knowledge. He's been on there a long time, along with his brother. His brother is no longer with us. He's retired. But I had a direct order from the sheriff that this is the way we're going to proceed, and Josh didn't agree with it.

Q. Let me make sure I understand the sheriff is directing a tactic to remove an individual from a home that a SWAT team is doing?

A. To put gas in there, yes.

Q. But is the sheriff qualified to make a decision about a tactic to remove a barricaded subject?

A. In my opinion, no, and that just falls on the back of what I just said. I'm a major. And even when I was a captain over those units, if I called you as my SWAT commander, and you said, "This is what we need to do," I'm going to defer to you. As long as we're not violating policy, we're not violating the law, and we're not creating some additional liability for the sheriff, I'm going to defer to you because that's your area of expertise.

Q. But doesn't it create liability if the sheriff, who is not qualified, is directing a tactic to be used in an extremely dangerous situation?

A. Oh, absolutely. The direction should not have come from the sheriff. The sheriff should have let Josh Crews run the incident, is what it comes down to.

BY INSPECTOR RIDDICK:

Q. What was the barricaded subject?

A. There was another individual in the house. I think it was domestic.

Q. So the bad guy wasn't the only one in the

house?

A. Correct.

BY MR. KRAMER:

Q. I guess you're probably the wrong person to ask, but do we put gas in the house when there's more than one person in the house?

A. Generally, no, but I would defer to Josh Crews and let him discuss that incident in greater detail.

Q. And the insubordination that Josh demonstrated during that incident, was he ever a subject of formal discipline? Or was it just we're going to discipline him by removing him from the SWAT team?

A. He got a corrective counseling from me for his insubordination, but then the sheriff removed him as the SWAT team commander.

Q. Did they put gas in the house?

A. I don't remember. That was very early on in the tenure of the administration.

BY INSPECTOR RIDDICK:

Q. Did the sheriff give a reason why he wanted the gas? Did he have some place to go?

A. Uh-uh. It was clear he was trying to direct the incident where he didn't have the experience to

direct the incident.
BY INSPECTOR SNOWDEN:
Q. Was the sheriff at the scene?
A. He was, and the undersheriff. They both showed up. And, you know, to be fair, normally the sheriff and the undersheriff, the major does not show up to SWAT teams. You know, normally we're behind the phone somewhere, and we're letting those people run those operations; but that's not the way the sheriff wanted it run.
The captain was there. I was there. Captain Bella Blizzard was there. I was there. Decoursey was there. The sheriff was there. And I think probably Josh felt like he wasn't being allowed to operate under the parameters that he normally operates because his decision-making was being impeded by us.
BY MR. KRAMER:
Q. And that's what lead to his insubordination.
A. Correct.
Q. That's also consistent with what you've previously testified to, that all the decisions are being made by the sheriff to operational and tactical decisions.
A. That is correct.
BY INSPECTOR SNOWDEN:

Q. Were you familiar or did we talk about it last time, about the Cleveland Cox investigation that went through the office of professional standards?

A. I was aware.

Q. Do you know what happened with that eventually, or why it was terminated?

A. I don't remember.

Q. Is there some connection or familial connection between the undersheriff and Cleveland Cox?

A. We speculated that there was, but we -- I don't know of one, but it seemed to be really out of character that he was placed on the SWAT team and he was promoted against the objections of essentially everyone.

Q. Was he also assigned to CID?

A. He was.

Q. Against the objections?

A. He was. It was a pattern existing with Cleveland Cox, but I don't know what the connection is.

MR. KRAMER: I want to talk about time.

We can go off the record.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. All we were discussing is how much time we

have remaining before our other witnesses to need to appear.

A. Eric Hutchison was promoted to the rank of acting lieutenant when he wasn't on the eligibility list. I would suggest you pull the employee profile and the eligibility list. When that was called to the sheriff's attention, that he wasn't eligible for promotion, the sheriff did act and rescinded that; but then here recently Scott Bonafide has been promoted to an active lieutenant, and he's been moved to civil.

As you're aware, civil is a completely different animal than any other part of the sheriff's office. You deal with evicting people and serving papers that can and cannot be served at certain times of day. To my knowledge, Scott has no knowledge of the civil process.

I did mention Rashawn Flanders. I do not have that paperwork that I thought I had.

The last one is Pat Ford Thomas. Michelle Clement was the division manager, and she was removed for seemingly no reason and moved over to the contract monitor at the jail, which she's got zero experience at. She was removed from her role as a division manager, and she was replaced with Pat Ford Thomas.

Pat Ford Thomas is the wife of Dave Thomas,

who, interestingly enough, was one of the very core group of people in Watson's campaign.

Q. We're going to speak with Michelle Clement. We just haven't gotten her scheduled yet.

A. Okay. I have for you a copy of one of the personnel orders that went out, and as you can see, the quantity of moves that were made at one time are significant; and that's not one of them, but the reason why that's significant is because I have this to go along with it, which is completely out of character, which has everybody's picture and where they're going, where you can definitely see folks --

MR. KRAMER: All right. We'll make this an exhibit to your statement.

That's all I have. I'm sure if something else comes up, I may think of something or whatever.

(Exhibit 1 was marked for identification.)

BY INSPECTOR SNOWDEN:

Q. One last question I've got. When transfers and things were made, were the positions that they went to, were they resumed made for? Or were persons just told, you're going here, and you're going here?

A. Under the Darnell administration, generally, what would happen would be, an open position

announcement would come out: Any interested deputy sheriff that wishes to apply to be a detective, please submit your name to ISIS, which is our internal system. Interviews are conducted, and then somebody would be selected from the list.

Under the Watson administration, that pretty much went out the window. He just made moves willie-nillie as he felt necessary with no rhyme or reason is really the short answer.

MR. KRAMER: Thank you. We may be talking to you further.

(The witness concluded at 11:20 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORINE, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named GEORGE CORINE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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people to teach the recruits.

Q. Well, maybe I'm being too obtuse. If employees are being mistreated and treated very differently than they have been by prior administrations without any explanation, does that create an environment where employees are likely to remain?

A. Absolutely not. What happens is too often -- I'm sure you guys are aware that law enforcement salaries are not that high, and almost everybody has got some sort of secondary employment whether it be at the academy or whether they have a business. Like we have several folks that have lawn maintain businesses, you know, and they thrive on those businesses, especially during the summer months when grass cutting is frequent. And when those forms aren't being approved, then you get into a situation where am I allowed to continue my business that I invested all this capital in, or what do I need to do? Do I need to quit and just move on?

And I'm sure if you pull the vacancy rate, the FT vacancies on January 5th of 2021, you pull the FT vacancy rate as of today, you'll see that they're vastly different.

Q. Just so I understand, do those supplemental

employment forms have to be yearly?

A. They do.

Q. So even if you've had the same position for years and years, it has to be approved every year?

A. Every calendar year.

Q. Is it October 1? January 1?

A. January 1, if my memory recalls. I think it's January 1.

Q. Would your understanding be, there would be individuals who would resubmit after January 1 and would not get an answer for five, six, seven months?

A. Lengthy amounts of times or outright denials with no excuse, or no response, really. And, you know, the academy relies on those folks to teach recruits.

Q. Right.

A. I do believe we discussed that it could be found in one of the audio recordings that the undersheriff said that nothing is final until it's in green ink.

Q. Correct.

A. So that just kind of plays into that.

Q. And, also, I want to follow up on that issue. I want to make sure I understand what you're telling me, which is that -- and I'll use my organization as

an example. We have -- I delegate control out to supervisors because I am physically incapable of making timely decisions in 20,000 cases of prosecution per year, and that is necessary for the proper functioning of the agency.

A. That is correct. I felt as if I had less decision-making authority as a major than I did as a lieutenant under the Darnell administration, which chokes the entire operation.

Q. So the same is true at the sheriff's office, and probably on a much larger scale than my organization. I have 135 employees, and the sheriff's office has how many employees?

A. About 960.

Q. Nine hundred sixty employees, and then essentially day-to-day decision making is being made by the sheriff?

A. Essentially.

Q. And that has prevented the sheriff's office's proper functioning because decision-making is delayed, and this -- what you've been talking about, this example of additional employment, is just maybe one example of delay.

A. It is one example, yes.

Q. And there are many others?

A. Right.

Q. And I don't know if you can speak to this, but is one of those examples, would it be assisting other agencies?

A. Yes.

Q. And are you aware during the time you were at the sheriff's office of a change in the decision-making process by which the sheriff's office decided whether or not to assist other agencies?

A. Absolutely.

Q. And if you could clarify. Does the sheriff's office have obligations, contractual and grant-oriented obligations, to provide assistance to regional agencies with equipment and expertise that those agencies would not have?

A. Absolutely.

Q. And could you explain what happened while you were there? What was the change from the prior administration? How did that affect things?

A. So operationally when I was the patrol support lieutenant, which was over all the special teams, Bradford County would call and say, "Hey, we've got an incident up here. We need the SWAT team."

So we're part of a region. The SWAT team is a regional team. There's funding that comes out of --

I can't remember the abbreviation, but it is -- there's funding that comes out. They fund some equipment, and that is really meant so that when Bradford County calls, or Union County folks that don't have a SWAT team, we go up there and we handle it.

And usually the protocol was, they would call. The captain would say, "Hey, Union County has a SWAT call-out." I would notify the SWAT guys, and then they would go.

The captain would then turn around and notify the chain upwards, "Hey, this is what's happened. I'm just kind of letting you know that Bradford County has called, or Union County has called, and they need the SWAT team."

That's been the practice for years. I mean, time was of the essence when you're talking about calling out a SWAT team. If we're not calling them for some preplanned event three days from now, then we don't have time to sit around and talk and have approval. It's go.

That completely changed under the Watson administration. He simply demanded that, in order for any asset to leave this county, that that sheriff that was requesting or that chief that was requesting the

equipment called him first, which severely choked the response time.

So it was a complete spin. It was something we weren't used to, but he wanted the sheriff of Bradford County, Union County to call him and ask for the equipment before we were authorized.

Q. And what if he wasn't available?

A. (Shrugs shoulders.)

Q. You're holding up your hands and saying there's no answer for that?

A. There's no answer for that because we weren't authorized to proceed.

Q. So, for instance, just an instance that I was personally involved in was, there was an officer-involved shooting in Levy County, and they only have maybe four deputies on the road at any one time. I don't know if you're aware of this incident.

A. Correct.

Q. And when three of the officers were involved in a shooting, then they had no -- essentially, one deputy remaining on the road. They requested assistance from the Alachua County Sheriff's Office. Would that assistance request have to go through the sheriff himself?

A. It would.

Q. Would you agree that under those circumstances where a county was essentially now --

A. Vacant.

Q. -- had no law enforcement available, that time is of the essence?

A. Yeah, it is essential. And I'll follow up with another example.

The two deputies that were shot in Gilchrist County under the Darnell administration. As soon as that happened, everybody started rolling. We rolled the command -- I mean, we had the mobile command bus. We had schedules done to start covering the county, and then we just started notifying the sheriff, "Hey, this is what we're doing. This is how we're taking care of them." It was almost the information was flowing upward rather than flowing downward.

And under the Watson administration it's completely immerse. It's not allowed to happen in that manner. And the folks who may call 911 in Gilchrist County, now that there's no deputies available, they rely on our assistance. And we have the resources to provide to Gilchrist County or to Union County that Union County or Gilchrist County doesn't otherwise have.

MR. KRAMER: All right. Let's go back to

things that you may -- unless you wanted to follow up. I'm sorry.

BY INSPECTOR RIDDICK:

Q. Has he ever denied one of those requests that you know of?

A. Yes.

Q. Which one?

A. There was an incident where University of Florida had called and requested the use of the jail vans. There was something going on at the Reitz Union. I think Darren Baxley had called and requested the jail vans. Don't quote me. I think it was Darren Baxley, deputy chief. Sheriff Watson refused to let them utilize the jail vans.

All that is, is a transport function. It's not like we were sending personnel. You know, we send in a couple of people to operate the vans, but we weren't sending crowd management. We weren't getting involved with their business on campus. They were just simply asking for assistance because, again, the university, you know, they've only got 80 FTEs, you know, somewhere in there. They don't have the capacity to deal with 15 or 20 arrestees at the same time. It would impact them severely to have to deal with that, and we had the resources. I didn't

understand what the purpose of withholding a jail van was.

Q. When you say impact severely, would that mean creating an unsafe environment for the remainder of the students and faculty on campus?

A. Potentially. I mean, it depends on how the incident goes. If you got all your guys on the incident tied up with 10-15, or arrestees, if you will, and then they need to focus their attention somewhere else, next thing you know, you divert your attention to the people that need to go. Now you have an unsafe number of officers with the arrestees; or do the officers stay with the arrestees, and now you've neglected this? You have to make a decision.

You've only got so many personnel. The jail van would have been very quick, easy. You bring the jail vans over, put them in the jail vans, pat them down, get them in there, at least hold them there for a few minutes or get them out of there, whatever they decided to do. It was a relatively simple request.

There was some issues surrounding the drug task force, which I'm sure you're aware of, and the sheriff not wanting anyone to operate in the county.

Q. Were you an employee of the sheriff's office at the time that the sheriff directed the removal of

all the equipment from the drug task force?

A. No, but my understanding is it was done in the middle of the night under some covert operation, was the rumor.

Q. Correct. I just didn't know if you were personally involved.

A. I was not.

BY INSPECTOR RIDDICK:

Q. Were you there when Nassau County requested assistance on an officer-involved shooting, and it was denied?

A. Actually, yes. I believe I was.

Q. Do we know why?

A. I don't know why.

BY MR. KRAMER:

Q. But that denial would have come from the sheriff?

A. It come from the sheriff. No cop, working cop, like even coming up through the ranks, when they had something like that, would deny that type of assistance. Those are the things -- when things were choked, it chokes to the point where it doesn't -- it doesn't run efficiently.

BY INSPECTOR RIDDICK:

Q. And for the record, let me correct that. It

may have been an officer-involved shooting, but actually the deputy had been shot; and they had a subject cornered, and they were asking for assistance from SWAT teams.

A. Correct. Correct.

MR. KRAMER: Anything further on what he's said so far?

THE WITNESS: One of the things that -- you know, you talk about assets. The SWAT team is one of them, but more frequently the helicopter is something that -- you know, we have an aviation unit. And folks in Putnam County and Columbia County, you know, they rely on that air support. You know, one helicopter there, arguably, is equivalent of 15 or 20 units on the ground.

Those requests were frequently -- we ran into problems where there would be a pursuit at, say, 2:00 in the morning, and they're calling and asking for our assistance. And then you have to make the decision, do I say, okay, go ahead and go, and then get chewed out the next day because they didn't -- because that sheriff didn't call our sheriff at 2:00 in the morning?

I mean, that's the type of slow-down we're

talking about, to the point where you might as well not even send them at that point. It's almost rendering it useless.

BY MR. KRAMER:

Q. And it's 2:00 in the morning. Is Sheriff Watson available to answer another sheriff's call?

A. I don't know. I never called him at 2:00 in the morning.

BY INSPECTOR RIDDICK:

Q. You mentioned earlier about the funding. If I recall from my days with RDS --

A. RDSTF, yeah, that's it.

Q. Regional Domestic Security Task Force. That's where a lot of Alachua's money came from. Or I say a lot. That's basically --

A. A significant amount of money.

Q. They were given a lot of money to create those regional units in case of -- for the region.

A. Right.

Q. And that was the understanding, that the money is given to you, but you need to be available if the region needs you.

A. The BearCat. I believe the BearCat was portioned with RDSTF money; or a portion of it was purchased with it, and you know how expensive those

are.

The bomb team is another RDSTF, you know.

BY MR. KRAMER:

Q. Let me ask you this. Are these requests reduced in any way to writing, or would there be any evidence of the request existing at all?

A. Usually -- from my recollection, usually when something breaks off, it's a phone call saying, "We need SWAT."

Q. Let me ask you this --

A. There could be a Teletype follow-up, though. I don't know.

Q. Would there be text messaging? Like, for instance, might you send a text message to the sheriff "We've received request from Scott for SWAT in Union County"?

A. Oh, I'm sure, but I never really directly contacted the sheriff. That was the undersheriff. I would call him, the undersheriff. I mean, he would answer his phone.

Q. But if -- you would agree those communications would be records at the agency?

A. There should be records at the agency.

Q. But if those records were not being -- they may not be preserved.

A. They should be preserved. Because there was a point in time when we all got iPhones -- you get into the debate of the iPhone or the Android, right? The iPhone is a blue, which is MMS; and then you have the Android, which is an SMS message. From my understanding, the SMS messages are recorded through your carrier, but the MMS are not because they're run on data and not run on cellular.

Q. But if the sheriff didn't allow the recording devices on his phone, there would be no record of those requests being made to the sheriff, correct?

A. I know that the phone that I had had recording because that was all enabled by Scott Shelpman, if my memory serves me correctly.

Q. Understood. Let's move on to the next item that you were concerned that we had missed due to our time constraints.

A. We discussed briefly Michelle Shirfield last time. She had posted some items on Facebook that could be seen by some folks as slanted to one racial side, if you will. That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that. Nobody ever saw the corrective counseling.

And then the order was basically given, you

know, for Facebook or for violations of social media, that was -- that was the -- what should be done, give them a corrective counseling and go through progressive discipline.

And I think there's a couple open cases right now -- or I don't know if they're open or closed.

So Frank Williams and Kevin Davis are under investigation, or open at the moment, for things that I think were far less controversial, and they were placed on admin suspension and been sitting at the house for months.

Q. And let me ask you because I don't know the answer to this. This individual -- and you said her name was Michelle?

A. Shirfield.

Q. Shirfield? Is she African American?

A. She is.

Q. And the posts that you're referencing, they were -- I don't know the posts. Were they racially inappropriate?

A. It was more of a supporting a racial position, and I believe Kevin Davis could speak more on that.

Q. Is it your understanding that a formal complaint was made either to her supervisor or to the

office of professional standards so that discipline should have been initiated?

A. I told the sheriff directly about the violation, and Bobby Stafford told the sheriff directly about the violation.

Q. But as far as I understand -- and my understanding of discipline is developing -- is that the way the discipline would be initiated, it would be either through the office of professional standards or through her supervisor.

A. Correct.

Q. So you gave that information to the sheriff?

A. Correct.

Q. And your understanding is that no discipline was initiated; or if there was any discipline, it was informal in the form of a corrective counseling?

A. It was informal in the form of a corrective counseling, but nobody seen that. I'm sure if you pull her file you would either see a corrective counseling or not see a corrective counseling, but she reported directly to the sheriff.

Q. When someone receives corrective counseling, is it discipline?

A. It's considered informal discipline.

Q. But it should remain in the employee file for

one year?

A. That's correct. Oftentimes it's not removed. You have to go back in there and say, hey, that needs to come out.

BY INSPECTOR SNOWDEN:

Q. Do you know if Kevin Davis made a complaint about that to OPS or through the sheriff suite?

A. I don't think so because he had already known that it was brought to the attention of the sheriff and Bobby Stafford.

Q. Do you know about any complaint that Kevin Davis took to OPS?

A. I know he made a complaint. I don't remember what it surrounded; but I do remember him taking a complaint, and it was basically like disregarded.

Q. If somebody takes a complaint to OPS, should a case number be drawn?

A. Oh, absolutely, or they say this is really not -- there's a list of standards that OPS will investigate these certain things or as directed by the sheriff.

So they'll look at it, and they'll say we'll take and we're going to pull a case number, or they'll say we're going to defer it back to the division commander and let the employee supervisor handle it.

MR. KRAMER: Any other questions on that particular issue?

BY MR. KRAMER:

Q. Thank you for the clarification. Was there anything else?

A. Did we discuss the bargaining process with the re-openers and the unfair labor practice?

Q. You did. You informed us that one of the reasons why you left the sheriff's office was that you advised them, essentially, that what they were doing was in violation of the National Labor Standards Act.

A. Oh, that's right. I gave you the form. Okay.

So I gave the set of text messages last time between the undersheriff and I.

Q. Yes.

A. The sergeants and lieutenants ratified their contract. The deputies did not ratify their contract. And there was an extended period of time; I don't recall the exact settlement dates, maybe July, August the following year. So we're talking about ten, eleven months later that ultimately we were going to go to a hearing at the sheriff's office.

And right before that began and the sheriff was coming to sit down and testify, if my memory

serves me correctly, he wanted to have a discussion. And then that was ultimately settled, and a substantial check was written for attorney's fees. You may want to pull a copy of that.

Q. Who was the attorney that would have received the fees?

A. It would be the PBA.

Q. Would it be the PBA itself, or would it be paid directly to a particular attorney?

MS. WEBSTER: Do you want me to answer?

MR. KRAMER: No, you can tell him.

THE WITNESS: The check was written to the PBA.

BY MR. KRAMER:

Q. For the attorney's fees?

A. For the attorney's fees.

Q. Incurred because of the actions that you've already described in your previous testimony where the sheriff was essentially acting in violation of the National Labor Standards Act of essentially just refusing to negotiate in good faith.

A. That is correct. And that surrounded the take-home cars, which I believe we talked about last time.

Q. Correct.

A. All those things wrapped up.

Q. He withdrew all the articles. That's the phraseology you used.

A. Everything was TA'd. We were getting ready to go to a vote on Thursday and Friday. On Monday, October 18th, I got a call that he withdrew all the articles.

I said, "Wait a minute. We know this vote is coming. We can't do this."

I brought it to his attention, and the sheriff made the unilateral decision to pull that. I said, "You can't do that. You're going to refuse to sign a contract after it's already been agreed upon."

And in his text messages, which I presented to you last time, I was told that my interpretation was not consistent with the decision of the sheriff.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. Next.

A. We talked about the SWAT rifles.

BY INSPECTOR RIDDICK:

Q. Where are those rifles now, Major?

A. So those rifles were not given to the employee personally. They were issued to the employee that won them with the understanding that when they

retire they will be able to keep them. That was the decision that was made, if my memory serves me correctly; but that's probably not in writing anywhere, I promise you that, because nothing hardly ever gets reduced to writing.

BY MR. KRAMER:

Q. Well, they wouldn't have gone to the inventory? Doesn't every officer have an inventory?

A. Uh-huh.

Q. And if they're not on the inventory, and they're in the officer's possession --

A. No, they're issued to the officer. They're going to be on the inventory.

BY INSPECTOR RIDDICK:

Q. They were taken into the sheriff's office inventory and then issued to the officer that won it.

A. That's correct.

Did I touch on the fact that Watson will make a decision regardless whether it's against policy or procedure?

BY MR. KRAMER:

Q. I think in general that was clear, but are there specific instances that you can reference that you didn't reference last time?

A. No. I just want to make sure I hit that --

Q. You did.

A. It's so frequent, though, that --

Q. What is the effect on the agency when the sheriff doesn't follow the agency's own policy?

A. Well, what it does is, it sets the tone of the only consistency is inconsistency, right? And when the sheriff isn't following his own policies and procedures, what message is that sending down to the troops?

It sends a horrible message down saying I don't have to follow policy and procedure, but I'm going to hold you to it; and when you aren't held to it, when you violate that, I'm going to write you up.

Q. Would it also lead people to the conclusion that -- wouldn't it also lead to the natural conclusion that if you follow a policy, that the sheriff might still discipline you or you might meet criticism or demotion or job problems because you followed policy that the sheriff no longer wants to have be the policy?

A. It's almost as if you're expected to think like him. And if it is any perceived disrespect or embarrassment, you're going to be talked to about it, if not hit with some sort of discipline.

We just had a recent case, the Glen Stanley

internal investigation, which is closed -- which I suggest you pull a copy of that -- where the sheriff goes outside the disciplinary matrix.

We have a matrix that says this is Level Two, Level Three, Level Four or Five, and this is -- you know, you got a Level Two, you get this many points. This many points is from A to B, and he'll just add C in there.

Q. And in this particular investigation was it to the officer's detriment?

A. Yes.

Q. Is this recourse for the officer under those circumstances? Can the officer appeal that decision? Do they have -- do they enforce the matrix as it exists, or are they simply subject to the sheriff's rulings?

A. Only if they meet the standards set forth in the sheriff's board, which is greater than a two-day suspension. In this case it was one-day suspension, but they put the guy on 12 months of disciplinary probation. And I believe, if you go back and you look at what a Level Three violation is, 12 months of disciplinary probation is not allowed.

And then what you do when you put somebody on disciplinary probation is, the next time they wear the

wrong color socks or doing something that's in violation, then they're not eligible for a career service board.

It's almost like you're setting up them for the next violation, to render them ineffective in a career service board.

Q. And because it's a one-day suspension, it's not appealable?

A. Correct.

We touched on changing past practice without really any discussion with anyone.

Q. Correct. Yes.

A. We touched on Watson and Decoursey routinely holding paperwork and not signing it, essentially neglecting the duties of moving the institution along.

And we -- I know we discussed not reducing things to writing, and we discussed the staffing shortages. So I think that kind of cleans up what I can remember from the last one.

Q. Was there anything additional in response to the question, are you aware of anything immoral, unethical, or illegal, that occurred in the sheriff's office while you were there --

A. Well --

Q. -- that we didn't cover last time?

A. I think that's where we're going to move in to the next section.

Q. Okay.

A. So the sheriff is a steward of the taxpayer's money. Would you agree with that?

Q. Agreed.

A. When he came into office, there were two vehicles that were provided that were left by Darnell and Huckstep. They were not happy with those vehicles even though they were functioning vehicles, and they immediately purchased two black Tahoes; and they were high-end Tahoes to the tune of in the mid 70s. And then, of course, all the equipment and everything had to go in on top of that, so you're talking probably upwards of 90-plus thousand dollars just because they wanted new vehicles. That was kind of like the first thing. Everybody kind of questioned that.

And then he had the badges removed from them that say like "High Country" to make it look like it wasn't, you know, an expensive vehicle as it was, but everybody knew what time of day it was. They saw the badges on there. Everybody knew what was going on. You could see it.

So that was kind of, in my opinion, something that the fleet department should have set back and

assessed and advised the sheriff, "Hey, if we want new vehicles, this is where our budget is. This is how much money we have left. If we make this purchase, then we can't purchase these four cars instead of these two Tahoes."

That didn't happen. He immediately ordered the vehicle. I don't think they came off state contract. I think they got one at the local Chevrolet dealership. Or I don't know where they got them form; you'd have to pull that. One was 74. The other one was 77 or somewhere in there. They were both in the mid 70s. So that was one thing that kind of came up.

So there were some Nissans that were purchased, and I believe they were for the drug task force or somebody, I think, after I had left. And there was an allegation they were purchased from Gainesville Nissan, and his son is one of the sales managers at Gainesville Nissan.

Q. Those type of contract purchases would be normally not done through Gainesville Nissan? They'd be done through state contract?

A. Generally, yes, unless there is a specific reason. Like, I know Darnell, when we purchased Harleys, the state contract price was, say -- I'm just throwing a number out there -- 17,000, but Gainesville

Harley said, hey, we'll sell them to you for 15.5. The sheriff felt we should keep our money local, and she was actually saving money and was being a good steward of the taxpayers' money and purchased the Harleys there.

But as far as going outside of that, the only thing I know of going outside was that some vehicles were purchased from Southeast Car Agency, especially when it came to things like the trucks for the aviation unit, where we could get something that was used; we didn't buy them new. They weren't new vehicles. They were used vehicles.

But there was some allegations that the Nissans came purchased from his son; and I don't have any evidence to substantiate that, but you could certainly run that down.

One of the tasks that I was given fairly early on was -- the office of professional standards was housed within the main sheriff's office at 2621 Southeast Hawthorne Road. And the office of professional standards has a door that goes right into the sheriff's suite, and that was so that the captain of OPS could go in and confer with the sheriff because the captain was direct report to the sheriff. It had been set like that since I've been there. That was

always OPS. Some years prior to that, it was at the jail.

He had me -- he directed me to have OPS relocated back to the office -- the department of the jail, and he then commanded those offices for himself and had them remodeled where he made a rather large office for himself and spent a significant amount of money remodeling that office and then purchased some furniture to fill that office.

Q. Was the furniture purchased off of state contract?

A. I was told it was purchased offline. He went online and bought it because he got a better deal. To what that was, what that P.O. looked like, I have no idea.

Q. Would that be unusual?

A. That would be unusual.

Q. Outside the standard procedures of the sheriff's office to purchase furniture?

A. Correct, because every time we've purchased furniture -- like we purchased tables like these, chairs like these that sit in the squad room that I'm sure you've been to. All those were purchased through a vendor that we've got. And every time we've had to purchase something, A and B has to come to us with a

book like this and said, here's what's available. This is what we can purchase. So to purchase furniture outside that realm, to my knowledge, had never been done.

Q. Okay.

A. There was a lot of controversy surrounding expenditures plastering his name on the building.

Q. Where are those?

A. On one occasion it didn't look right, and he bought it again.

Okay. You're aware of it. We'll move on.

On the back of everybody's vest said "sheriff" just like the cars say "sheriff" on it. It doesn't mean that you are the sheriff. It just indicates like police, sheriff. All those were ordered to be removed and replaced with deputies.

Q. Was it on the cars as well as the uniforms?

A. It was not on the cars. It was just on the uniforms.

Q. Did anybody -- with regard to this, did anybody confer or look at the Florida Statutes to ensure that the officers would be properly marked for the purposes of fleeing or attempting to elude or resisting arrest with or without violence, to ensure that the standards that are set forth in the statutes

would be met?

A. I brought that specific statute that you're referring to to the attention of the undersheriff and said, "There's really no reason for this. It doesn't designate them as the sheriff, but, you know, it's for the purposes of authority."

And the response was, "There's only one sheriff, and that's the guy that signs in green ink. Everybody else is a deputy," and that was the reason for the switch.

But again, you have whatever those patches were, ten, eight, twelve dollars times how many, 300 patches. Again, it's just another tick of expenditures that didn't need to happen.

Q. Understood.

A. The sheriff and the undersheriff has continued to disregard Florida Statute 112 on numerous occasions, which obviously stemmed from the lawsuits that are out there pending.

Q. Do you have any information to indicate whether their disregard of 112 procedures and rights that are contained in Florida Statute 112 are based upon ignorance, that they don't understand them? Or is it based on an intentional act that they don't care to provide those rights and meet their

responsibilities?

A. Personally, I believe they don't care.

Q. So at the time these violations have occurred, are the rights of the officers and responsibilities of the agency being brought to the attention of the individuals who are doing this and being told we don't care?

A. My understanding was 112 violation was raised; and then when the interview was stopped, that individual was charged with insubordination. And 112 clearly says that that can't happen.

Q. Which officer was charged with insubordination because they refused to be interviewed?

A. I believe it was Frank Williams, but I would have to go back and look. I'd have to do some additional research on that.

Q. I may need you to follow up on that if you can identify any particular officer who was -- I'm saying charged, but that's probably not the right word -- was given -- an OPS investigation was instituted for insubordination or insubordination was added to the current charged violations?

A. I believe if you pull the Glen Stanley case, and you pull a recording of the Loudermill that went

along with the Glen Stanley case, the general counsel -- essentially, the argument was being made that truthfulness did not occur, that the officer actually -- it was alleged that the officer did not -- and I don't have first-hand knowledge of it, but from my understanding, is that the officer didn't do something and, in the actual packet, said that they had done it, they had sent an email.

The undersheriff indicated on his recommendation that it was truthfulness, that it didn't occur; and when the disciplinary rep went to make the argument that it was not truthfulness, the general counsel said, "Well, what charge do you think was appropriate?"

So I would encourage you to go back and listen to that audio recording of that Loudermill. In other words, you're going to get charged with something, and we're going to find something to fit.

Q. Okay. Understood.

A. I would encourage you to probably pull his calendar, Watson's calendar, and his gas receipts. On the very early part of his tenure he was there a lot. I know he was there a lot because I was there a lot, and I saw him a lot from very early in the morning, 5:00, 6:00 -- I think we discussed that last time --

until 8:00, 9:00 at night.

It got to the point where we needed the sheriff to approve something or do something, again, because we couldn't approve anything, the sheriff is not here. The sheriff is not here. The sheriff is not here. Where is he? Is he working? Is he not working? It seemed like he was never around.

So I would encourage you to probably pull his calendar for --

Q. What month and years?

A. I would say July '21 and after.

Q. Is there some incident you can point to where his attendance to the office stopped? Was it sudden, or was it gradual?

A. It was gradual. It seemed like he gradually was not there more and more, and he was unavailable, which then just stalemated --

Q. Right, because everything has to go through him.

A. Everything has to go through him, and then everything just slows to a crawl, at best a crawl.

The sheriff's son, Clovis Watson, IV, was the subject of numerous traffic stops and some criminal acts with GPD. This information was forwarded to the sheriff, but he never seemed to rectify it with his

son. It continued to happen.

He was stopped a couple of times by our deputies for traffic violations. We did a DUI checkpoint down on South 13th Street where his son was completely irate and completely out of line just coming to pick somebody up that we had dealt with. I called the sheriff and he said, okay, and that was the end of it.

It was like his son could just do whatever he wanted to because his dad was the sheriff. There was no -- it was a very poor reflection on the sheriff, very poor reflection on the sheriff.

We talked about fails to process paperwork.

I think Ed Bennett -- you might want to talk to Ed Bennett about the disapproval of secondary employment at the academy.

Q. With regard to that, are you aware that the academy became short of staff because of the sheriff disapproving secondary employment?

A. I can't swear to that.

Q. We'd have to check with the academy?

A. You'd have to check with the academy. I would imagine it severely impacted it; but to what extent, I can't speculate.

Q. Understood.

A. The sheriff seems to make decisions based on emotion quite a bit rather than, you know, actual facts. The sheriff demoted Mat Yakubsin from lieutenant back to sergeant for essentially liking a Facebook post. Let me back up.

He demoted him, but he ordered me to demote him. So I had to call him and tell him, "Hey, look, you're demoted because you liked a Facebook post."

Q. Was that formal discipline?

A. He was on probation.

Q. So he was already on disciplinarian probation?

A. No, he was on new-hire -- promotional probation.

Q. I see. So he could be demoted back to his prior rank without any discipline occurring?

A. Correct.

Q. And does that cause him to lose pay?

A. It does cause him to lose pay.

Q. How much, roughly?

A. I'd have to go back and look at the scales. I mean, you can make a request for the pay changes in HTE. A minimum of five percent; but Yakubsin was not that tenured of a sergeant, so potentially ten percent more. I don't know the exact numbers on Yakubsin.

Q. And you know the basis for that demotion was liking a Facebook post because you were instructed to tell him why he was being demoted by the sheriff?

A. I was instructed by the sheriff to demote him back to sergeant; and the sheriff had told me that, "He liked that Facebook post, and I'm going to demote him."

Now, keep in mind everybody else that also liked that Facebook post -- it surrounded a lieutenant Facebook post from the jail that was subsequently terminated. Howard, I believe, is his name, received corrective counseling for that, but Yakubsin was demoted.

BY INSPECTOR RIDDICK:

Q. Did that go through an OPS review?

A. Oh, no.

Q. So there's no documentation on any of it?

A. No.

BY INSPECTOR SNOWDEN:

Q. Did Yakubsin get corrective counseling?

A. I believe he may have, but he was hit with a demotion and the corrective counseling where everybody else was just hit with the corrective counseling. In other words, I felt as if the demotion was excessive in comparison to what had been handed out to everybody

else. That's kind of where I was going with that.

We discussed the negligent promotions last time.

BY INSPECTOR SNOWDEN:

Q. While we're on that topic --

A. Which topic?

Q. Negligent promotion. You mentioned Cleveland Cox. Talk about your knowledge about what happened when he tried out for the SWAT team?

A. He tried out for the SWAT team. He wasn't recommended, and then he was appointed by recommendation of the undersheriff.

BY MR. KRAMER:

Q. Also, what the consequence was to the person who did not want him appointed to the SWAT team.

A. Oh, he adamantly opposed it. He was -- I can't remember if it was Josh Crews or Rich Howell at the time.

Q. Josh Crews.

A. Josh Crews absolutely did not want him to the point he wanted to go meet with the undersheriff, and I think he did meet with undersheriff about it; but the decision was made that he did not get his number one and number two picks, and he got Cleveland Cox. And Cleveland Cox was almost promoted at the

recommendation of the sheriff.

Q. What happened with Josh Crews with his relationship with the SWAT team after he didn't want Cleveland Cox on there?

A. I'd have to go back and scroll and think about the timeline, but I can tell you, if you're referring to his removal from the SWAT team, his removal from the SWAT team, I do not believe, was tied to that incident.

We had a SWAT call-out in Monteoca, and the sheriff and undersheriff were there. And Josh Crews was insubordinate to me; and the sheriff found out about it, and the sheriff removed him from the SWAT team based on that incident.

Q. Were those two things occurring closely in time, the Cleveland Cox incident and Monteoca incident?

A. I believe the Cleveland Cox thing was a couple months afterwards. It could have been pretty close. It could have been pretty close.

Q. I don't know the answer, but my understanding is that the delivery of the information that Cleveland Cox would be assigned to the SWAT team and the removal of then lieutenant -- captain, sergeant, I'm not sure --

A. Lieutenant Josh Crews.

Q. -- Lieutenant Crews were delivered at the same time.

A. It may have been. It could have been in close proximity, and I can see how maybe he could correlate that if it was in close proximity, but my knowledge of the incident, it was really based on Lieutenant Crews' insubordination. Because I was ordered by the sheriff to conduct -- to basically put gas on the house with the hopes that the guy would come out, and Josh Crews came over to me and said, "I hope it's not a tactic," and he was rather nasty about it.

I'm not on the SWAT team. I've never been on the SWAT team, and I don't pretend to be on the SWAT team. So when it comes to SWAT-related matters, I would defer to Josh. Josh has got the knowledge. He's been on there a long time, along with his brother. His brother is no longer with us. He's retired. But I had a direct order from the sheriff that this is the way we're going to proceed, and Josh didn't agree with it.

Q. Let me make sure I understand the sheriff is directing a tactic to remove an individual from a home that a SWAT team is doing?

A. To put gas in there, yes.

Q. But is the sheriff qualified to make a decision about a tactic to remove a barricaded subject?

A. In my opinion, no, and that just falls on the back of what I just said. I'm a major. And even when I was a captain over those units, if I called you as my SWAT commander, and you said, "This is what we need to do," I'm going to defer to you. As long as we're not violating policy, we're not violating the law, and we're not creating some additional liability for the sheriff, I'm going to defer to you because that's your area of expertise.

Q. But doesn't it create liability if the sheriff, who is not qualified, is directing a tactic to be used in an extremely dangerous situation?

A. Oh, absolutely. The direction should not have come from the sheriff. The sheriff should have let Josh Crews run the incident, is what it comes down to.

BY INSPECTOR RIDDICK:

Q. What was the barricaded subject?

A. There was another individual in the house. I think it was domestic.

Q. So the bad guy wasn't the only one in the

house?

A. Correct.

BY MR. KRAMER:

Q. I guess you're probably the wrong person to ask, but do we put gas in the house when there's more than one person in the house?

A. Generally, no, but I would defer to Josh Crews and let him discuss that incident in greater detail.

Q. And the insubordination that Josh demonstrated during that incident, was he ever a subject of formal discipline? Or was it just we're going to discipline him by removing him from the SWAT team?

A. He got a corrective counseling from me for his insubordination, but then the sheriff removed him as the SWAT team commander.

Q. Did they put gas in the house?

A. I don't remember. That was very early on in the tenure of the administration.

BY INSPECTOR RIDDICK:

Q. Did the sheriff give a reason why he wanted the gas? Did he have some place to go?

A. Uh-uh. It was clear he was trying to direct the incident where he didn't have the experience to

direct the incident.
BY INSPECTOR SNOWDEN:
Q. Was the sheriff at the scene?
A. He was, and the undersheriff. They both showed up. And, you know, to be fair, normally the sheriff and the undersheriff, the major does not show up to SWAT teams. You know, normally we're behind the phone somewhere, and we're letting those people run those operations; but that's not the way the sheriff wanted it run.
The captain was there. I was there. Captain Bella Blizzard was there. I was there. Decoursey was there. The sheriff was there. And I think probably Josh felt like he wasn't being allowed to operate under the parameters that he normally operates because his decision-making was being impeded by us.
BY MR. KRAMER:
Q. And that's what lead to his insubordination.
A. Correct.
Q. That's also consistent with what you've previously testified to, that all the decisions are being made by the sheriff to operational and tactical decisions.
A. That is correct.
BY INSPECTOR SNOWDEN:

Q. Were you familiar or did we talk about it last time, about the Cleveland Cox investigation that went through the office of professional standards?

A. I was aware.

Q. Do you know what happened with that eventually, or why it was terminated?

A. I don't remember.

Q. Is there some connection or familial connection between the undersheriff and Cleveland Cox?

A. We speculated that there was, but we -- I don't know of one, but it seemed to be really out of character that he was placed on the SWAT team and he was promoted against the objections of essentially everyone.

Q. Was he also assigned to CID?

A. He was.

Q. Against the objections?

A. He was. It was a pattern existing with Cleveland Cox, but I don't know what the connection is.

MR. KRAMER: I want to talk about time.

We can go off the record.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. All we were discussing is how much time we

have remaining before our other witnesses to need to appear.

A. Eric Hutchison was promoted to the rank of acting lieutenant when he wasn't on the eligibility list. I would suggest you pull the employee profile and the eligibility list. When that was called to the sheriff's attention, that he wasn't eligible for promotion, the sheriff did act and rescinded that; but then here recently Scott Bonafide has been promoted to an active lieutenant, and he's been moved to civil.

As you're aware, civil is a completely different animal than any other part of the sheriff's office. You deal with evicting people and serving papers that can and cannot be served at certain times of day. To my knowledge, Scott has no knowledge of the civil process.

I did mention Rashawn Flanders. I do not have that paperwork that I thought I had.

The last one is Pat Ford Thomas. Michelle Clement was the division manager, and she was removed for seemingly no reason and moved over to the contract monitor at the jail, which she's got zero experience at. She was removed from her role as a division manager, and she was replaced with Pat Ford Thomas.

Pat Ford Thomas is the wife of Dave Thomas,

who, interestingly enough, was one of the very core group of people in Watson's campaign.

Q. We're going to speak with Michelle Clement. We just haven't gotten her scheduled yet.

A. Okay. I have for you a copy of one of the personnel orders that went out, and as you can see, the quantity of moves that were made at one time are significant; and that's not one of them, but the reason why that's significant is because I have this to go along with it, which is completely out of character, which has everybody's picture and where they're going, where you can definitely see folks --

MR. KRAMER: All right. We'll make this an exhibit to your statement.

That's all I have. I'm sure if something else comes up, I may think of something or whatever.

(Exhibit 1 was marked for identification.)

BY INSPECTOR SNOWDEN:

Q. One last question I've got. When transfers and things were made, were the positions that they went to, were they resumed made for? Or were persons just told, you're going here, and you're going here?

A. Under the Darnell administration, generally, what would happen would be, an open position

announcement would come out: Any interested deputy sheriff that wishes to apply to be a detective, please submit your name to ISIS, which is our internal system. Interviews are conducted, and then somebody would be selected from the list.

Under the Watson administration, that pretty much went out the window. He just made moves willie-nillie as he felt necessary with no rhyme or reason is really the short answer.

MR. KRAMER: Thank you. We may be talking to you further.

(The witness concluded at 11:20 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORINE, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named GEORGE CORINE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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KRAMERB (2:3)

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MARKED (35:22)(51:18)
MAT (41:3)
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MATTERS (45:16)
MAY (4:15)(13:19)(14:1)(17:1)(19:25)(25:4)(37:18)(42:21)(45:4)(51:16)(52:10)
MAYBE (7:2)(9:22)(12:16)(24:20)(45:5)
MEAN (11:16)(13:11)(15:3)(15:6)(17:25)(19:19)(35:14)(41:22)
MEANS (54:13)
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MEDIA (21:1)
MEET (28:17)(29:17)(36:25)(43:21)(43:22)
MEMORY (8:7)(20:14)(24:25)(27:2)
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employment forms have to be yearly?

A. They do.

Q. So even if you've had the same position for years and years, it has to be approved every year?

A. Every calendar year.

Q. Is it October 1? January 1?

A. January 1, if my memory recalls. I think it's January 1.

Q. Would your understanding be, there would be individuals who would resubmit after January 1 and would not get an answer for five, six, seven months?

A. Lengthy amounts of times or outright denials with no excuse, or no response, really. And, you know, the academy relies on those folks to teach recruits.

Q. Right.

A. I do believe we discussed that it could be found in one of the audio recordings that the undersheriff said that nothing is final until it's in green ink.

Q. Correct.

A. So that just kind of plays into that.

Q. And, also, I want to follow up on that issue. I want to make sure I understand what you're telling me, which is that -- and I'll use my organization as

an example. We have -- I delegate control out to supervisors because I am physically incapable of making timely decisions in 20,000 cases of prosecution per year, and that is necessary for the proper functioning of the agency.

A. That is correct. I felt as if I had less decision-making authority as a major than I did as a lieutenant under the Darnell administration, which chokes the entire operation.

Q. So the same is true at the sheriff's office, and probably on a much larger scale than my organization. I have 135 employees, and the sheriff's office has how many employees?

A. About 960.

Q. Nine hundred sixty employees, and then essentially day-to-day decision making is being made by the sheriff?

A. Essentially.

Q. And that has prevented the sheriff's office's proper functioning because decision-making is delayed, and this -- what you've been talking about, this example of additional employment, is just maybe one example of delay.

A. It is one example, yes.

Q. And there are many others?

A. Right.

Q. And I don't know if you can speak to this, but is one of those examples, would it be assisting other agencies?

A. Yes.

Q. And are you aware during the time you were at the sheriff's office of a change in the decision-making process by which the sheriff's office decided whether or not to assist other agencies?

A. Absolutely.

Q. And if you could clarify. Does the sheriff's office have obligations, contractual and grant-oriented obligations, to provide assistance to regional agencies with equipment and expertise that those agencies would not have?

A. Absolutely.

Q. And could you explain what happened while you were there? What was the change from the prior administration? How did that affect things?

A. So operationally when I was the patrol support lieutenant, which was over all the special teams, Bradford County would call and say, "Hey, we've got an incident up here. We need the SWAT team."

So we're part of a region. The SWAT team is a regional team. There's funding that comes out of --

I can't remember the abbreviation, but it is -- there's funding that comes out. They fund some equipment, and that is really meant so that when Bradford County calls, or Union County folks that don't have a SWAT team, we go up there and we handle it.

And usually the protocol was, they would call. The captain would say, "Hey, Union County has a SWAT call-out." I would notify the SWAT guys, and then they would go.

The captain would then turn around and notify the chain upwards, "Hey, this is what's happened. I'm just kind of letting you know that Bradford County has called, or Union County has called, and they need the SWAT team."

That's been the practice for years. I mean, time was of the essence when you're talking about calling out a SWAT team. If we're not calling them for some preplanned event three days from now, then we don't have time to sit around and talk and have approval. It's go.

That completely changed under the Watson administration. He simply demanded that, in order for any asset to leave this county, that that sheriff that was requesting or that chief that was requesting the

equipment called him first, which severely choked the response time.

So it was a complete spin. It was something we weren't used to, but he wanted the sheriff of Bradford County, Union County to call him and ask for the equipment before we were authorized.

Q. And what if he wasn't available?

A. (Shrugs shoulders.)

Q. You're holding up your hands and saying there's no answer for that?

A. There's no answer for that because we weren't authorized to proceed.

Q. So, for instance, just an instance that I was personally involved in was, there was an officer-involved shooting in Levy County, and they only have maybe four deputies on the road at any one time. I don't know if you're aware of this incident.

A. Correct.

Q. And when three of the officers were involved in a shooting, then they had no -- essentially, one deputy remaining on the road. They requested assistance from the Alachua County Sheriff's Office. Would that assistance request have to go through the sheriff himself?

A. It would.

Q. Would you agree that under those circumstances where a county was essentially now --

A. Vacant.

Q. -- had no law enforcement available, that time is of the essence?

A. Yeah, it is essential. And I'll follow up with another example.

The two deputies that were shot in Gilchrist County under the Darnell administration. As soon as that happened, everybody started rolling. We rolled the command -- I mean, we had the mobile command bus. We had schedules done to start covering the county, and then we just started notifying the sheriff, "Hey, this is what we're doing. This is how we're taking care of them." It was almost the information was flowing upward rather than flowing downward.

And under the Watson administration it's completely immerse. It's not allowed to happen in that manner. And the folks who may call 911 in Gilchrist County, now that there's no deputies available, they rely on our assistance. And we have the resources to provide to Gilchrist County or to Union County that Union County or Gilchrist County doesn't otherwise have.

MR. KRAMER: All right. Let's go back to

things that you may -- unless you wanted to follow up. I'm sorry.

BY INSPECTOR RIDDICK:

Q. Has he ever denied one of those requests that you know of?

A. Yes.

Q. Which one?

A. There was an incident where University of Florida had called and requested the use of the jail vans. There was something going on at the Reitz Union. I think Darren Baxley had called and requested the jail vans. Don't quote me. I think it was Darren Baxley, deputy chief. Sheriff Watson refused to let them utilize the jail vans.

All that is, is a transport function. It's not like we were sending personnel. You know, we send in a couple of people to operate the vans, but we weren't sending crowd management. We weren't getting involved with their business on campus. They were just simply asking for assistance because, again, the university, you know, they've only got 80 FTEs, you know, somewhere in there. They don't have the capacity to deal with 15 or 20 arrestees at the same time. It would impact them severely to have to deal with that, and we had the resources. I didn't

understand what the purpose of withholding a jail van was.

Q. When you say impact severely, would that mean creating an unsafe environment for the remainder of the students and faculty on campus?

A. Potentially. I mean, it depends on how the incident goes. If you got all your guys on the incident tied up with 10-15, or arrestees, if you will, and then they need to focus their attention somewhere else, next thing you know, you divert your attention to the people that need to go. Now you have an unsafe number of officers with the arrestees; or do the officers stay with the arrestees, and now you've neglected this? You have to make a decision.

You've only got so many personnel. The jail van would have been very quick, easy. You bring the jail vans over, put them in the jail vans, pat them down, get them in there, at least hold them there for a few minutes or get them out of there, whatever they decided to do. It was a relatively simple request.

There was some issues surrounding the drug task force, which I'm sure you're aware of, and the sheriff not wanting anyone to operate in the county.

Q. Were you an employee of the sheriff's office at the time that the sheriff directed the removal of

all the equipment from the drug task force?

A. No, but my understanding is it was done in the middle of the night under some covert operation, was the rumor.

Q. Correct. I just didn't know if you were personally involved.

A. I was not.

BY INSPECTOR RIDDICK:

Q. Were you there when Nassau County requested assistance on an officer-involved shooting, and it was denied?

A. Actually, yes. I believe I was.

Q. Do we know why?

A. I don't know why.

BY MR. KRAMER:

Q. But that denial would have come from the sheriff?

A. It come from the sheriff. No cop, working cop, like even coming up through the ranks, when they had something like that, would deny that type of assistance. Those are the things -- when things were choked, it chokes to the point where it doesn't -- it doesn't run efficiently.

BY INSPECTOR RIDDICK:

Q. And for the record, let me correct that. It

may have been an officer-involved shooting, but actually the deputy had been shot; and they had a subject cornered, and they were asking for assistance from SWAT teams.

A. Correct. Correct.

MR. KRAMER: Anything further on what he's said so far?

THE WITNESS: One of the things that -- you know, you talk about assets. The SWAT team is one of them, but more frequently the helicopter is something that -- you know, we have an aviation unit. And folks in Putnam County and Columbia County, you know, they rely on that air support. You know, one helicopter there, arguably, is equivalent of 15 or 20 units on the ground.

Those requests were frequently -- we ran into problems where there would be a pursuit at, say, 2:00 in the morning, and they're calling and asking for our assistance. And then you have to make the decision, do I say, okay, go ahead and go, and then get chewed out the next day because they didn't -- because that sheriff didn't call our sheriff at 2:00 in the morning?

I mean, that's the type of slow-down we're

talking about, to the point where you might as well not even send them at that point. It's almost rendering it useless.

BY MR. KRAMER:

Q. And it's 2:00 in the morning. Is Sheriff Watson available to answer another sheriff's call?

A. I don't know. I never called him at 2:00 in the morning.

BY INSPECTOR RIDDICK:

Q. You mentioned earlier about the funding. If I recall from my days with RDS --

A. RDSTF, yeah, that's it.

Q. Regional Domestic Security Task Force. That's where a lot of Alachua's money came from. Or I say a lot. That's basically --

A. A significant amount of money.

Q. They were given a lot of money to create those regional units in case of -- for the region.

A. Right.

Q. And that was the understanding, that the money is given to you, but you need to be available if the region needs you.

A. The BearCat. I believe the BearCat was portioned with RDSTF money; or a portion of it was purchased with it, and you know how expensive those

are.

The bomb team is another RDSTF, you know.

BY MR. KRAMER:

Q. Let me ask you this. Are these requests reduced in any way to writing, or would there be any evidence of the request existing at all?

A. Usually -- from my recollection, usually when something breaks off, it's a phone call saying, "We need SWAT."

Q. Let me ask you this --

A. There could be a Teletype follow-up, though. I don't know.

Q. Would there be text messaging? Like, for instance, might you send a text message to the sheriff "We've received request from Scott for SWAT in Union County"?

A. Oh, I'm sure, but I never really directly contacted the sheriff. That was the undersheriff. I would call him, the undersheriff. I mean, he would answer his phone.

Q. But if -- you would agree those communications would be records at the agency?

A. There should be records at the agency.

Q. But if those records were not being -- they may not be preserved.

A. They should be preserved. Because there was a point in time when we all got iPhones -- you get into the debate of the iPhone or the Android, right? The iPhone is a blue, which is MMS; and then you have the Android, which is an SMS message. From my understanding, the SMS messages are recorded through your carrier, but the MMS are not because they're run on data and not run on cellular.

Q. But if the sheriff didn't allow the recording devices on his phone, there would be no record of those requests being made to the sheriff, correct?

A. I know that the phone that I had had recording because that was all enabled by Scott Shelpman, if my memory serves me correctly.

Q. Understood. Let's move on to the next item that you were concerned that we had missed due to our time constraints.

A. We discussed briefly Michelle Shirfield last time. She had posted some items on Facebook that could be seen by some folks as slanted to one racial side, if you will. That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that. Nobody ever saw the corrective counseling.

And then the order was basically given, you

know, for Facebook or for violations of social media, that was -- that was the -- what should be done, give them a corrective counseling and go through progressive discipline.

And I think there's a couple open cases right now -- or I don't know if they're open or closed.

So Frank Williams and Kevin Davis are under investigation, or open at the moment, for things that I think were far less controversial, and they were placed on admin suspension and been sitting at the house for months.

Q. And let me ask you because I don't know the answer to this. This individual -- and you said her name was Michelle?

A. Shirfield.

Q. Shirfield? Is she African American?

A. She is.

Q. And the posts that you're referencing, they were -- I don't know the posts. Were they racially inappropriate?

A. It was more of a supporting a racial position, and I believe Kevin Davis could speak more on that.

Q. Is it your understanding that a formal complaint was made either to her supervisor or to the

office of professional standards so that discipline should have been initiated?

A. I told the sheriff directly about the violation, and Bobby Stafford told the sheriff directly about the violation.

Q. But as far as I understand -- and my understanding of discipline is developing -- is that the way the discipline would be initiated, it would be either through the office of professional standards or through her supervisor.

A. Correct.

Q. So you gave that information to the sheriff?

A. Correct.

Q. And your understanding is that no discipline was initiated; or if there was any discipline, it was informal in the form of a corrective counseling?

A. It was informal in the form of a corrective counseling, but nobody seen that. I'm sure if you pull her file you would either see a corrective counseling or not see a corrective counseling, but she reported directly to the sheriff.

Q. When someone receives corrective counseling, is it discipline?

A. It's considered informal discipline.

Q. But it should remain in the employee file for

one year?

A. That's correct. Oftentimes it's not removed. You have to go back in there and say, hey, that needs to come out.

BY INSPECTOR SNOWDEN:

Q. Do you know if Kevin Davis made a complaint about that to OPS or through the sheriff suite?

A. I don't think so because he had already known that it was brought to the attention of the sheriff and Bobby Stafford.

Q. Do you know about any complaint that Kevin Davis took to OPS?

A. I know he made a complaint. I don't remember what it surrounded; but I do remember him taking a complaint, and it was basically like disregarded.

Q. If somebody takes a complaint to OPS, should a case number be drawn?

A. Oh, absolutely, or they say this is really not -- there's a list of standards that OPS will investigate these certain things or as directed by the sheriff.

So they'll look at it, and they'll say we'll take and we're going to pull a case number, or they'll say we're going to defer it back to the division commander and let the employee supervisor handle it.

MR. KRAMER: Any other questions on that particular issue?

BY MR. KRAMER:

Q. Thank you for the clarification. Was there anything else?

A. Did we discuss the bargaining process with the re-openers and the unfair labor practice?

Q. You did. You informed us that one of the reasons why you left the sheriff's office was that you advised them, essentially, that what they were doing was in violation of the National Labor Standards Act.

A. Oh, that's right. I gave you the form. Okay.

So I gave the set of text messages last time between the undersheriff and I.

Q. Yes.

A. The sergeants and lieutenants ratified their contract. The deputies did not ratify their contract. And there was an extended period of time; I don't recall the exact settlement dates, maybe July, August the following year. So we're talking about ten, eleven months later that ultimately we were going to go to a hearing at the sheriff's office.

And right before that began and the sheriff was coming to sit down and testify, if my memory

serves me correctly, he wanted to have a discussion. And then that was ultimately settled, and a substantial check was written for attorney's fees. You may want to pull a copy of that.

Q. Who was the attorney that would have received the fees?

A. It would be the PBA.

Q. Would it be the PBA itself, or would it be paid directly to a particular attorney?

MS. WEBSTER: Do you want me to answer?

MR. KRAMER: No, you can tell him.

THE WITNESS: The check was written to the PBA.

BY MR. KRAMER:

Q. For the attorney's fees?

A. For the attorney's fees.

Q. Incurred because of the actions that you've already described in your previous testimony where the sheriff was essentially acting in violation of the National Labor Standards Act of essentially just refusing to negotiate in good faith.

A. That is correct. And that surrounded the take-home cars, which I believe we talked about last time.

Q. Correct.

A. All those things wrapped up.

Q. He withdrew all the articles. That's the phraseology you used.

A. Everything was TA'd. We were getting ready to go to a vote on Thursday and Friday. On Monday, October 18th, I got a call that he withdrew all the articles.

I said, "Wait a minute. We know this vote is coming. We can't do this."

I brought it to his attention, and the sheriff made the unilateral decision to pull that. I said, "You can't do that. You're going to refuse to sign a contract after it's already been agreed upon."

And in his text messages, which I presented to you last time, I was told that my interpretation was not consistent with the decision of the sheriff.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. Next.

A. We talked about the SWAT rifles.

BY INSPECTOR RIDDICK:

Q. Where are those rifles now, Major?

A. So those rifles were not given to the employee personally. They were issued to the employee that won them with the understanding that when they

retire they will be able to keep them. That was the decision that was made, if my memory serves me correctly; but that's probably not in writing anywhere, I promise you that, because nothing hardly ever gets reduced to writing.

BY MR. KRAMER:

Q. Well, they wouldn't have gone to the inventory? Doesn't every officer have an inventory?

A. Uh-huh.

Q. And if they're not on the inventory, and they're in the officer's possession --

A. No, they're issued to the officer. They're going to be on the inventory.

BY INSPECTOR RIDDICK:

Q. They were taken into the sheriff's office inventory and then issued to the officer that won it.

A. That's correct.

Did I touch on the fact that Watson will make a decision regardless whether it's against policy or procedure?

BY MR. KRAMER:

Q. I think in general that was clear, but are there specific instances that you can reference that you didn't reference last time?

A. No. I just want to make sure I hit that --

Q. You did.

A. It's so frequent, though, that --

Q. What is the effect on the agency when the sheriff doesn't follow the agency's own policy?

A. Well, what it does is, it sets the tone of the only consistency is inconsistency, right? And when the sheriff isn't following his own policies and procedures, what message is that sending down to the troops?

It sends a horrible message down saying I don't have to follow policy and procedure, but I'm going to hold you to it; and when you aren't held to it, when you violate that, I'm going to write you up.

Q. Would it also lead people to the conclusion that -- wouldn't it also lead to the natural conclusion that if you follow a policy, that the sheriff might still discipline you or you might meet criticism or demotion or job problems because you followed policy that the sheriff no longer wants to have be the policy?

A. It's almost as if you're expected to think like him. And if it is any perceived disrespect or embarrassment, you're going to be talked to about it, if not hit with some sort of discipline.

We just had a recent case, the Glen Stanley

internal investigation, which is closed -- which I suggest you pull a copy of that -- where the sheriff goes outside the disciplinary matrix.

We have a matrix that says this is Level Two, Level Three, Level Four or Five, and this is -- you know, you got a Level Two, you get this many points. This many points is from A to B, and he'll just add C in there.

Q. And in this particular investigation was it to the officer's detriment?

A. Yes.

Q. Is this recourse for the officer under those circumstances? Can the officer appeal that decision? Do they have -- do they enforce the matrix as it exists, or are they simply subject to the sheriff's rulings?

A. Only if they meet the standards set forth in the sheriff's board, which is greater than a two-day suspension. In this case it was one-day suspension, but they put the guy on 12 months of disciplinary probation. And I believe, if you go back and you look at what a Level Three violation is, 12 months of disciplinary probation is not allowed.

And then what you do when you put somebody on disciplinary probation is, the next time they wear the

wrong color socks or doing something that's in violation, then they're not eligible for a career service board.

It's almost like you're setting up them for the next violation, to render them ineffective in a career service board.

Q. And because it's a one-day suspension, it's not appealable?

A. Correct.

We touched on changing past practice without really any discussion with anyone.

Q. Correct. Yes.

A. We touched on Watson and Decoursey routinely holding paperwork and not signing it, essentially neglecting the duties of moving the institution along.

And we -- I know we discussed not reducing things to writing, and we discussed the staffing shortages. So I think that kind of cleans up what I can remember from the last one.

Q. Was there anything additional in response to the question, are you aware of anything immoral, unethical, or illegal, that occurred in the sheriff's office while you were there --

A. Well --

Q. -- that we didn't cover last time?

A. I think that's where we're going to move in to the next section.

Q. Okay.

A. So the sheriff is a steward of the taxpayer's money. Would you agree with that?

Q. Agreed.

A. When he came into office, there were two vehicles that were provided that were left by Darnell and Huckstep. They were not happy with those vehicles even though they were functioning vehicles, and they immediately purchased two black Tahoes; and they were high-end Tahoes to the tune of in the mid 70s. And then, of course, all the equipment and everything had to go in on top of that, so you're talking probably upwards of 90-plus thousand dollars just because they wanted new vehicles. That was kind of like the first thing. Everybody kind of questioned that.

And then he had the badges removed from them that say like "High Country" to make it look like it wasn't, you know, an expensive vehicle as it was, but everybody knew what time of day it was. They saw the badges on there. Everybody knew what was going on. You could see it.

So that was kind of, in my opinion, something that the fleet department should have set back and

assessed and advised the sheriff, "Hey, if we want new vehicles, this is where our budget is. This is how much money we have left. If we make this purchase, then we can't purchase these four cars instead of these two Tahoes."

That didn't happen. He immediately ordered the vehicle. I don't think they came off state contract. I think they got one at the local Chevrolet dealership. Or I don't know where they got them form; you'd have to pull that. One was 74. The other one was 77 or somewhere in there. They were both in the mid 70s. So that was one thing that kind of came up.

So there were some Nissans that were purchased, and I believe they were for the drug task force or somebody, I think, after I had left. And there was an allegation they were purchased from Gainesville Nissan, and his son is one of the sales managers at Gainesville Nissan.

Q. Those type of contract purchases would be normally not done through Gainesville Nissan? They'd be done through state contract?

A. Generally, yes, unless there is a specific reason. Like, I know Darnell, when we purchased Harleys, the state contract price was, say -- I'm just throwing a number out there -- 17,000, but Gainesville

Harley said, hey, we'll sell them to you for 15.5. The sheriff felt we should keep our money local, and she was actually saving money and was being a good steward of the taxpayers' money and purchased the Harleys there.

But as far as going outside of that, the only thing I know of going outside was that some vehicles were purchased from Southeast Car Agency, especially when it came to things like the trucks for the aviation unit, where we could get something that was used; we didn't buy them new. They weren't new vehicles. They were used vehicles.

But there was some allegations that the Nissans came purchased from his son; and I don't have any evidence to substantiate that, but you could certainly run that down.

One of the tasks that I was given fairly early on was -- the office of professional standards was housed within the main sheriff's office at 2621 Southeast Hawthorne Road. And the office of professional standards has a door that goes right into the sheriff's suite, and that was so that the captain of OPS could go in and confer with the sheriff because the captain was direct report to the sheriff. It had been set like that since I've been there. That was

always OPS. Some years prior to that, it was at the jail.

He had me -- he directed me to have OPS relocated back to the office -- the department of the jail, and he then commanded those offices for himself and had them remodeled where he made a rather large office for himself and spent a significant amount of money remodeling that office and then purchased some furniture to fill that office.

Q. Was the furniture purchased off of state contract?

A. I was told it was purchased offline. He went online and bought it because he got a better deal. To what that was, what that P.O. looked like, I have no idea.

Q. Would that be unusual?

A. That would be unusual.

Q. Outside the standard procedures of the sheriff's office to purchase furniture?

A. Correct, because every time we've purchased furniture -- like we purchased tables like these, chairs like these that sit in the squad room that I'm sure you've been to. All those were purchased through a vendor that we've got. And every time we've had to purchase something, A and B has to come to us with a

book like this and said, here's what's available. This is what we can purchase. So to purchase furniture outside that realm, to my knowledge, had never been done.

Q. Okay.

A. There was a lot of controversy surrounding expenditures plastering his name on the building.

Q. Where are those?

A. On one occasion it didn't look right, and he bought it again.

Okay. You're aware of it. We'll move on.

On the back of everybody's vest said "sheriff" just like the cars say "sheriff" on it. It doesn't mean that you are the sheriff. It just indicates like police, sheriff. All those were ordered to be removed and replaced with deputies.

Q. Was it on the cars as well as the uniforms?

A. It was not on the cars. It was just on the uniforms.

Q. Did anybody -- with regard to this, did anybody confer or look at the Florida Statutes to ensure that the officers would be properly marked for the purposes of fleeing or attempting to elude or resisting arrest with or without violence, to ensure that the standards that are set forth in the statutes

would be met?

A. I brought that specific statute that you're referring to to the attention of the undersheriff and said, "There's really no reason for this. It doesn't designate them as the sheriff, but, you know, it's for the purposes of authority."

And the response was, "There's only one sheriff, and that's the guy that signs in green ink. Everybody else is a deputy," and that was the reason for the switch.

But again, you have whatever those patches were, ten, eight, twelve dollars times how many, 300 patches. Again, it's just another tick of expenditures that didn't need to happen.

Q. Understood.

A. The sheriff and the undersheriff has continued to disregard Florida Statute 112 on numerous occasions, which obviously stemmed from the lawsuits that are out there pending.

Q. Do you have any information to indicate whether their disregard of 112 procedures and rights that are contained in Florida Statute 112 are based upon ignorance, that they don't understand them? Or is it based on an intentional act that they don't care to provide those rights and meet their

responsibilities?

A. Personally, I believe they don't care.

Q. So at the time these violations have occurred, are the rights of the officers and responsibilities of the agency being brought to the attention of the individuals who are doing this and being told we don't care?

A. My understanding was 112 violation was raised; and then when the interview was stopped, that individual was charged with insubordination. And 112 clearly says that that can't happen.

Q. Which officer was charged with insubordination because they refused to be interviewed?

A. I believe it was Frank Williams, but I would have to go back and look. I'd have to do some additional research on that.

Q. I may need you to follow up on that if you can identify any particular officer who was -- I'm saying charged, but that's probably not the right word -- was given -- an OPS investigation was instituted for insubordination or insubordination was added to the current charged violations?

A. I believe if you pull the Glen Stanley case, and you pull a recording of the Loudermill that went

along with the Glen Stanley case, the general counsel -- essentially, the argument was being made that truthfulness did not occur, that the officer actually -- it was alleged that the officer did not -- and I don't have first-hand knowledge of it, but from my understanding, is that the officer didn't do something and, in the actual packet, said that they had done it, they had sent an email.

The undersheriff indicated on his recommendation that it was truthfulness, that it didn't occur; and when the disciplinary rep went to make the argument that it was not truthfulness, the general counsel said, "Well, what charge do you think was appropriate?"

So I would encourage you to go back and listen to that audio recording of that Loudermill. In other words, you're going to get charged with something, and we're going to find something to fit.

Q. Okay. Understood.

A. I would encourage you to probably pull his calendar, Watson's calendar, and his gas receipts. On the very early part of his tenure he was there a lot. I know he was there a lot because I was there a lot, and I saw him a lot from very early in the morning, 5:00, 6:00 -- I think we discussed that last time --

until 8:00, 9:00 at night.

It got to the point where we needed the sheriff to approve something or do something, again, because we couldn't approve anything, the sheriff is not here. The sheriff is not here. The sheriff is not here. Where is he? Is he working? Is he not working? It seemed like he was never around.

So I would encourage you to probably pull his calendar for --

Q. What month and years?

A. I would say July '21 and after.

Q. Is there some incident you can point to where his attendance to the office stopped? Was it sudden, or was it gradual?

A. It was gradual. It seemed like he gradually was not there more and more, and he was unavailable, which then just stalemated --

Q. Right, because everything has to go through him.

A. Everything has to go through him, and then everything just slows to a crawl, at best a crawl.

The sheriff's son, Clovis Watson, IV, was the subject of numerous traffic stops and some criminal acts with GPD. This information was forwarded to the sheriff, but he never seemed to rectify it with his

son. It continued to happen.

He was stopped a couple of times by our deputies for traffic violations. We did a DUI checkpoint down on South 13th Street where his son was completely irate and completely out of line just coming to pick somebody up that we had dealt with. I called the sheriff and he said, okay, and that was the end of it.

It was like his son could just do whatever he wanted to because his dad was the sheriff. There was no -- it was a very poor reflection on the sheriff, very poor reflection on the sheriff.

We talked about fails to process paperwork.

I think Ed Bennett -- you might want to talk to Ed Bennett about the disapproval of secondary employment at the academy.

Q. With regard to that, are you aware that the academy became short of staff because of the sheriff disapproving secondary employment?

A. I can't swear to that.

Q. We'd have to check with the academy?

A. You'd have to check with the academy. I would imagine it severely impacted it; but to what extent, I can't speculate.

Q. Understood.

A. The sheriff seems to make decisions based on emotion quite a bit rather than, you know, actual facts. The sheriff demoted Mat Yakubsin from lieutenant back to sergeant for essentially liking a Facebook post. Let me back up.

He demoted him, but he ordered me to demote him. So I had to call him and tell him, "Hey, look, you're demoted because you liked a Facebook post."

Q. Was that formal discipline?

A. He was on probation.

Q. So he was already on disciplinarian probation?

A. No, he was on new-hire -- promotional probation.

Q. I see. So he could be demoted back to his prior rank without any discipline occurring?

A. Correct.

Q. And does that cause him to lose pay?

A. It does cause him to lose pay.

Q. How much, roughly?

A. I'd have to go back and look at the scales. I mean, you can make a request for the pay changes in HTE. A minimum of five percent; but Yakubsin was not that tenured of a sergeant, so potentially ten percent more. I don't know the exact numbers on Yakubsin.

Q. And you know the basis for that demotion was liking a Facebook post because you were instructed to tell him why he was being demoted by the sheriff?

A. I was instructed by the sheriff to demote him back to sergeant; and the sheriff had told me that, "He liked that Facebook post, and I'm going to demote him."

Now, keep in mind everybody else that also liked that Facebook post -- it surrounded a lieutenant Facebook post from the jail that was subsequently terminated. Howard, I believe, is his name, received corrective counseling for that, but Yakubsin was demoted.

BY INSPECTOR RIDDICK:

Q. Did that go through an OPS review?

A. Oh, no.

Q. So there's no documentation on any of it?

A. No.

BY INSPECTOR SNOWDEN:

Q. Did Yakubsin get corrective counseling?

A. I believe he may have, but he was hit with a demotion and the corrective counseling where everybody else was just hit with the corrective counseling. In other words, I felt as if the demotion was excessive in comparison to what had been handed out to everybody

else. That's kind of where I was going with that.

We discussed the negligent promotions last time.

BY INSPECTOR SNOWDEN:

Q. While we're on that topic --

A. Which topic?

Q. Negligent promotion. You mentioned Cleveland Cox. Talk about your knowledge about what happened when he tried out for the SWAT team?

A. He tried out for the SWAT team. He wasn't recommended, and then he was appointed by recommendation of the undersheriff.

BY MR. KRAMER:

Q. Also, what the consequence was to the person who did not want him appointed to the SWAT team.

A. Oh, he adamantly opposed it. He was -- I can't remember if it was Josh Crews or Rich Howell at the time.

Q. Josh Crews.

A. Josh Crews absolutely did not want him to the point he wanted to go meet with the undersheriff, and I think he did meet with undersheriff about it; but the decision was made that he did not get his number one and number two picks, and he got Cleveland Cox. And Cleveland Cox was almost promoted at the

recommendation of the sheriff.

Q. What happened with Josh Crews with his relationship with the SWAT team after he didn't want Cleveland Cox on there?

A. I'd have to go back and scroll and think about the timeline, but I can tell you, if you're referring to his removal from the SWAT team, his removal from the SWAT team, I do not believe, was tied to that incident.

We had a SWAT call-out in Monteoca, and the sheriff and undersheriff were there. And Josh Crews was insubordinate to me; and the sheriff found out about it, and the sheriff removed him from the SWAT team based on that incident.

Q. Were those two things occurring closely in time, the Cleveland Cox incident and Monteoca incident?

A. I believe the Cleveland Cox thing was a couple months afterwards. It could have been pretty close. It could have been pretty close.

Q. I don't know the answer, but my understanding is that the delivery of the information that Cleveland Cox would be assigned to the SWAT team and the removal of then lieutenant -- captain, sergeant, I'm not sure --

A. Lieutenant Josh Crews.

Q. -- Lieutenant Crews were delivered at the same time.

A. It may have been. It could have been in close proximity, and I can see how maybe he could correlate that if it was in close proximity, but my knowledge of the incident, it was really based on Lieutenant Crews' insubordination. Because I was ordered by the sheriff to conduct -- to basically put gas on the house with the hopes that the guy would come out, and Josh Crews came over to me and said, "I hope it's not a tactic," and he was rather nasty about it.

I'm not on the SWAT team. I've never been on the SWAT team, and I don't pretend to be on the SWAT team. So when it comes to SWAT-related matters, I would defer to Josh. Josh has got the knowledge. He's been on there a long time, along with his brother. His brother is no longer with us. He's retired. But I had a direct order from the sheriff that this is the way we're going to proceed, and Josh didn't agree with it.

Q. Let me make sure I understand the sheriff is directing a tactic to remove an individual from a home that a SWAT team is doing?

A. To put gas in there, yes.

Q. But is the sheriff qualified to make a decision about a tactic to remove a barricaded subject?

A. In my opinion, no, and that just falls on the back of what I just said. I'm a major. And even when I was a captain over those units, if I called you as my SWAT commander, and you said, "This is what we need to do," I'm going to defer to you. As long as we're not violating policy, we're not violating the law, and we're not creating some additional liability for the sheriff, I'm going to defer to you because that's your area of expertise.

Q. But doesn't it create liability if the sheriff, who is not qualified, is directing a tactic to be used in an extremely dangerous situation?

A. Oh, absolutely. The direction should not have come from the sheriff. The sheriff should have let Josh Crews run the incident, is what it comes down to.

BY INSPECTOR RIDDICK:

Q. What was the barricaded subject?

A. There was another individual in the house. I think it was domestic.

Q. So the bad guy wasn't the only one in the

house?

A. Correct.

BY MR. KRAMER:

Q. I guess you're probably the wrong person to ask, but do we put gas in the house when there's more than one person in the house?

A. Generally, no, but I would defer to Josh Crews and let him discuss that incident in greater detail.

Q. And the insubordination that Josh demonstrated during that incident, was he ever a subject of formal discipline? Or was it just we're going to discipline him by removing him from the SWAT team?

A. He got a corrective counseling from me for his insubordination, but then the sheriff removed him as the SWAT team commander.

Q. Did they put gas in the house?

A. I don't remember. That was very early on in the tenure of the administration.

BY INSPECTOR RIDDICK:

Q. Did the sheriff give a reason why he wanted the gas? Did he have some place to go?

A. Uh-uh. It was clear he was trying to direct the incident where he didn't have the experience to

direct the incident.
BY INSPECTOR SNOWDEN:
Q. Was the sheriff at the scene?
A. He was, and the undersheriff. They both showed up. And, you know, to be fair, normally the sheriff and the undersheriff, the major does not show up to SWAT teams. You know, normally we're behind the phone somewhere, and we're letting those people run those operations; but that's not the way the sheriff wanted it run.
The captain was there. I was there. Captain Bella Blizzard was there. I was there. Decoursey was there. The sheriff was there. And I think probably Josh felt like he wasn't being allowed to operate under the parameters that he normally operates because his decision-making was being impeded by us.
BY MR. KRAMER:
Q. And that's what lead to his insubordination.
A. Correct.
Q. That's also consistent with what you've previously testified to, that all the decisions are being made by the sheriff to operational and tactical decisions.
A. That is correct.
BY INSPECTOR SNOWDEN:

Q. Were you familiar or did we talk about it last time, about the Cleveland Cox investigation that went through the office of professional standards?

A. I was aware.

Q. Do you know what happened with that eventually, or why it was terminated?

A. I don't remember.

Q. Is there some connection or familial connection between the undersheriff and Cleveland Cox?

A. We speculated that there was, but we -- I don't know of one, but it seemed to be really out of character that he was placed on the SWAT team and he was promoted against the objections of essentially everyone.

Q. Was he also assigned to CID?

A. He was.

Q. Against the objections?

A. He was. It was a pattern existing with Cleveland Cox, but I don't know what the connection is.

MR. KRAMER: I want to talk about time.

We can go off the record.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. All we were discussing is how much time we

have remaining before our other witnesses to need to appear.

A. Eric Hutchison was promoted to the rank of acting lieutenant when he wasn't on the eligibility list. I would suggest you pull the employee profile and the eligibility list. When that was called to the sheriff's attention, that he wasn't eligible for promotion, the sheriff did act and rescinded that; but then here recently Scott Bonafide has been promoted to an active lieutenant, and he's been moved to civil.

As you're aware, civil is a completely different animal than any other part of the sheriff's office. You deal with evicting people and serving papers that can and cannot be served at certain times of day. To my knowledge, Scott has no knowledge of the civil process.

I did mention Rashawn Flanders. I do not have that paperwork that I thought I had.

The last one is Pat Ford Thomas. Michelle Clement was the division manager, and she was removed for seemingly no reason and moved over to the contract monitor at the jail, which she's got zero experience at. She was removed from her role as a division manager, and she was replaced with Pat Ford Thomas.

Pat Ford Thomas is the wife of Dave Thomas,

who, interestingly enough, was one of the very core group of people in Watson's campaign.

Q. We're going to speak with Michelle Clement. We just haven't gotten her scheduled yet.

A. Okay. I have for you a copy of one of the personnel orders that went out, and as you can see, the quantity of moves that were made at one time are significant; and that's not one of them, but the reason why that's significant is because I have this to go along with it, which is completely out of character, which has everybody's picture and where they're going, where you can definitely see folks --

MR. KRAMER: All right. We'll make this an exhibit to your statement.

That's all I have. I'm sure if something else comes up, I may think of something or whatever.

(Exhibit 1 was marked for identification.)

BY INSPECTOR SNOWDEN:

Q. One last question I've got. When transfers and things were made, were the positions that they went to, were they resumed made for? Or were persons just told, you're going here, and you're going here?

A. Under the Darnell administration, generally, what would happen would be, an open position

announcement would come out: Any interested deputy sheriff that wishes to apply to be a detective, please submit your name to ISIS, which is our internal system. Interviews are conducted, and then somebody would be selected from the list.

Under the Watson administration, that pretty much went out the window. He just made moves willie-nillie as he felt necessary with no rhyme or reason is really the short answer.

MR. KRAMER: Thank you. We may be talking to you further.

(The witness concluded at 11:20 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORINE, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named GEORGE CORINE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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an example. We have -- I delegate control out to supervisors because I am physically incapable of making timely decisions in 20,000 cases of prosecution per year, and that is necessary for the proper functioning of the agency.

A. That is correct. I felt as if I had less decision-making authority as a major than I did as a lieutenant under the Darnell administration, which chokes the entire operation.

Q. So the same is true at the sheriff's office, and probably on a much larger scale than my organization. I have 135 employees, and the sheriff's office has how many employees?

A. About 960.

Q. Nine hundred sixty employees, and then essentially day-to-day decision making is being made by the sheriff?

A. Essentially.

Q. And that has prevented the sheriff's office's proper functioning because decision-making is delayed, and this -- what you've been talking about, this example of additional employment, is just maybe one example of delay.

A. It is one example, yes.

Q. And there are many others?

A. Right.

Q. And I don't know if you can speak to this, but is one of those examples, would it be assisting other agencies?

A. Yes.

Q. And are you aware during the time you were at the sheriff's office of a change in the decision-making process by which the sheriff's office decided whether or not to assist other agencies?

A. Absolutely.

Q. And if you could clarify. Does the sheriff's office have obligations, contractual and grant-oriented obligations, to provide assistance to regional agencies with equipment and expertise that those agencies would not have?

A. Absolutely.

Q. And could you explain what happened while you were there? What was the change from the prior administration? How did that affect things?

A. So operationally when I was the patrol support lieutenant, which was over all the special teams, Bradford County would call and say, "Hey, we've got an incident up here. We need the SWAT team."

So we're part of a region. The SWAT team is a regional team. There's funding that comes out of --

I can't remember the abbreviation, but it is -- there's funding that comes out. They fund some equipment, and that is really meant so that when Bradford County calls, or Union County folks that don't have a SWAT team, we go up there and we handle it.

And usually the protocol was, they would call. The captain would say, "Hey, Union County has a SWAT call-out." I would notify the SWAT guys, and then they would go.

The captain would then turn around and notify the chain upwards, "Hey, this is what's happened. I'm just kind of letting you know that Bradford County has called, or Union County has called, and they need the SWAT team."

That's been the practice for years. I mean, time was of the essence when you're talking about calling out a SWAT team. If we're not calling them for some preplanned event three days from now, then we don't have time to sit around and talk and have approval. It's go.

That completely changed under the Watson administration. He simply demanded that, in order for any asset to leave this county, that that sheriff that was requesting or that chief that was requesting the

equipment called him first, which severely choked the response time.

So it was a complete spin. It was something we weren't used to, but he wanted the sheriff of Bradford County, Union County to call him and ask for the equipment before we were authorized.

Q. And what if he wasn't available?

A. (Shrugs shoulders.)

Q. You're holding up your hands and saying there's no answer for that?

A. There's no answer for that because we weren't authorized to proceed.

Q. So, for instance, just an instance that I was personally involved in was, there was an officer-involved shooting in Levy County, and they only have maybe four deputies on the road at any one time. I don't know if you're aware of this incident.

A. Correct.

Q. And when three of the officers were involved in a shooting, then they had no -- essentially, one deputy remaining on the road. They requested assistance from the Alachua County Sheriff's Office. Would that assistance request have to go through the sheriff himself?

A. It would.

Q. Would you agree that under those circumstances where a county was essentially now --

A. Vacant.

Q. -- had no law enforcement available, that time is of the essence?

A. Yeah, it is essential. And I'll follow up with another example.

The two deputies that were shot in Gilchrist County under the Darnell administration. As soon as that happened, everybody started rolling. We rolled the command -- I mean, we had the mobile command bus. We had schedules done to start covering the county, and then we just started notifying the sheriff, "Hey, this is what we're doing. This is how we're taking care of them." It was almost the information was flowing upward rather than flowing downward.

And under the Watson administration it's completely immerse. It's not allowed to happen in that manner. And the folks who may call 911 in Gilchrist County, now that there's no deputies available, they rely on our assistance. And we have the resources to provide to Gilchrist County or to Union County that Union County or Gilchrist County doesn't otherwise have.

MR. KRAMER: All right. Let's go back to

things that you may -- unless you wanted to follow up. I'm sorry.

BY INSPECTOR RIDDICK:

Q. Has he ever denied one of those requests that you know of?

A. Yes.

Q. Which one?

A. There was an incident where University of Florida had called and requested the use of the jail vans. There was something going on at the Reitz Union. I think Darren Baxley had called and requested the jail vans. Don't quote me. I think it was Darren Baxley, deputy chief. Sheriff Watson refused to let them utilize the jail vans.

All that is, is a transport function. It's not like we were sending personnel. You know, we send in a couple of people to operate the vans, but we weren't sending crowd management. We weren't getting involved with their business on campus. They were just simply asking for assistance because, again, the university, you know, they've only got 80 FTEs, you know, somewhere in there. They don't have the capacity to deal with 15 or 20 arrestees at the same time. It would impact them severely to have to deal with that, and we had the resources. I didn't

understand what the purpose of withholding a jail van was.

Q. When you say impact severely, would that mean creating an unsafe environment for the remainder of the students and faculty on campus?

A. Potentially. I mean, it depends on how the incident goes. If you got all your guys on the incident tied up with 10-15, or arrestees, if you will, and then they need to focus their attention somewhere else, next thing you know, you divert your attention to the people that need to go. Now you have an unsafe number of officers with the arrestees; or do the officers stay with the arrestees, and now you've neglected this? You have to make a decision.

You've only got so many personnel. The jail van would have been very quick, easy. You bring the jail vans over, put them in the jail vans, pat them down, get them in there, at least hold them there for a few minutes or get them out of there, whatever they decided to do. It was a relatively simple request.

There was some issues surrounding the drug task force, which I'm sure you're aware of, and the sheriff not wanting anyone to operate in the county.

Q. Were you an employee of the sheriff's office at the time that the sheriff directed the removal of

all the equipment from the drug task force?

A. No, but my understanding is it was done in the middle of the night under some covert operation, was the rumor.

Q. Correct. I just didn't know if you were personally involved.

A. I was not.

BY INSPECTOR RIDDICK:

Q. Were you there when Nassau County requested assistance on an officer-involved shooting, and it was denied?

A. Actually, yes. I believe I was.

Q. Do we know why?

A. I don't know why.

BY MR. KRAMER:

Q. But that denial would have come from the sheriff?

A. It come from the sheriff. No cop, working cop, like even coming up through the ranks, when they had something like that, would deny that type of assistance. Those are the things -- when things were choked, it chokes to the point where it doesn't -- it doesn't run efficiently.

BY INSPECTOR RIDDICK:

Q. And for the record, let me correct that. It

may have been an officer-involved shooting, but actually the deputy had been shot; and they had a subject cornered, and they were asking for assistance from SWAT teams.

A. Correct. Correct.

MR. KRAMER: Anything further on what he's said so far?

THE WITNESS: One of the things that -- you know, you talk about assets. The SWAT team is one of them, but more frequently the helicopter is something that -- you know, we have an aviation unit. And folks in Putnam County and Columbia County, you know, they rely on that air support. You know, one helicopter there, arguably, is equivalent of 15 or 20 units on the ground.

Those requests were frequently -- we ran into problems where there would be a pursuit at, say, 2:00 in the morning, and they're calling and asking for our assistance. And then you have to make the decision, do I say, okay, go ahead and go, and then get chewed out the next day because they didn't -- because that sheriff didn't call our sheriff at 2:00 in the morning?

I mean, that's the type of slow-down we're

talking about, to the point where you might as well not even send them at that point. It's almost rendering it useless.

BY MR. KRAMER:

Q. And it's 2:00 in the morning. Is Sheriff Watson available to answer another sheriff's call?

A. I don't know. I never called him at 2:00 in the morning.

BY INSPECTOR RIDDICK:

Q. You mentioned earlier about the funding. If I recall from my days with RDS --

A. RDSTF, yeah, that's it.

Q. Regional Domestic Security Task Force. That's where a lot of Alachua's money came from. Or I say a lot. That's basically --

A. A significant amount of money.

Q. They were given a lot of money to create those regional units in case of -- for the region.

A. Right.

Q. And that was the understanding, that the money is given to you, but you need to be available if the region needs you.

A. The BearCat. I believe the BearCat was portioned with RDSTF money; or a portion of it was purchased with it, and you know how expensive those

are.

The bomb team is another RDSTF, you know.

BY MR. KRAMER:

Q. Let me ask you this. Are these requests reduced in any way to writing, or would there be any evidence of the request existing at all?

A. Usually -- from my recollection, usually when something breaks off, it's a phone call saying, "We need SWAT."

Q. Let me ask you this --

A. There could be a Teletype follow-up, though. I don't know.

Q. Would there be text messaging? Like, for instance, might you send a text message to the sheriff "We've received request from Scott for SWAT in Union County"?

A. Oh, I'm sure, but I never really directly contacted the sheriff. That was the undersheriff. I would call him, the undersheriff. I mean, he would answer his phone.

Q. But if -- you would agree those communications would be records at the agency?

A. There should be records at the agency.

Q. But if those records were not being -- they may not be preserved.

A. They should be preserved. Because there was a point in time when we all got iPhones -- you get into the debate of the iPhone or the Android, right? The iPhone is a blue, which is MMS; and then you have the Android, which is an SMS message. From my understanding, the SMS messages are recorded through your carrier, but the MMS are not because they're run on data and not run on cellular.

Q. But if the sheriff didn't allow the recording devices on his phone, there would be no record of those requests being made to the sheriff, correct?

A. I know that the phone that I had had recording because that was all enabled by Scott Shelpman, if my memory serves me correctly.

Q. Understood. Let's move on to the next item that you were concerned that we had missed due to our time constraints.

A. We discussed briefly Michelle Shirfield last time. She had posted some items on Facebook that could be seen by some folks as slanted to one racial side, if you will. That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that. Nobody ever saw the corrective counseling.

And then the order was basically given, you

know, for Facebook or for violations of social media, that was -- that was the -- what should be done, give them a corrective counseling and go through progressive discipline.

And I think there's a couple open cases right now -- or I don't know if they're open or closed.

So Frank Williams and Kevin Davis are under investigation, or open at the moment, for things that I think were far less controversial, and they were placed on admin suspension and been sitting at the house for months.

Q. And let me ask you because I don't know the answer to this. This individual -- and you said her name was Michelle?

A. Shirfield.

Q. Shirfield? Is she African American?

A. She is.

Q. And the posts that you're referencing, they were -- I don't know the posts. Were they racially inappropriate?

A. It was more of a supporting a racial position, and I believe Kevin Davis could speak more on that.

Q. Is it your understanding that a formal complaint was made either to her supervisor or to the

office of professional standards so that discipline should have been initiated?

A. I told the sheriff directly about the violation, and Bobby Stafford told the sheriff directly about the violation.

Q. But as far as I understand -- and my understanding of discipline is developing -- is that the way the discipline would be initiated, it would be either through the office of professional standards or through her supervisor.

A. Correct.

Q. So you gave that information to the sheriff?

A. Correct.

Q. And your understanding is that no discipline was initiated; or if there was any discipline, it was informal in the form of a corrective counseling?

A. It was informal in the form of a corrective counseling, but nobody seen that. I'm sure if you pull her file you would either see a corrective counseling or not see a corrective counseling, but she reported directly to the sheriff.

Q. When someone receives corrective counseling, is it discipline?

A. It's considered informal discipline.

Q. But it should remain in the employee file for

one year?

A. That's correct. Oftentimes it's not removed. You have to go back in there and say, hey, that needs to come out.

BY INSPECTOR SNOWDEN:

Q. Do you know if Kevin Davis made a complaint about that to OPS or through the sheriff suite?

A. I don't think so because he had already known that it was brought to the attention of the sheriff and Bobby Stafford.

Q. Do you know about any complaint that Kevin Davis took to OPS?

A. I know he made a complaint. I don't remember what it surrounded; but I do remember him taking a complaint, and it was basically like disregarded.

Q. If somebody takes a complaint to OPS, should a case number be drawn?

A. Oh, absolutely, or they say this is really not -- there's a list of standards that OPS will investigate these certain things or as directed by the sheriff.

So they'll look at it, and they'll say we'll take and we're going to pull a case number, or they'll say we're going to defer it back to the division commander and let the employee supervisor handle it.

MR. KRAMER: Any other questions on that particular issue?

BY MR. KRAMER:

Q. Thank you for the clarification. Was there anything else?

A. Did we discuss the bargaining process with the re-openers and the unfair labor practice?

Q. You did. You informed us that one of the reasons why you left the sheriff's office was that you advised them, essentially, that what they were doing was in violation of the National Labor Standards Act.

A. Oh, that's right. I gave you the form. Okay.

So I gave the set of text messages last time between the undersheriff and I.

Q. Yes.

A. The sergeants and lieutenants ratified their contract. The deputies did not ratify their contract. And there was an extended period of time; I don't recall the exact settlement dates, maybe July, August the following year. So we're talking about ten, eleven months later that ultimately we were going to go to a hearing at the sheriff's office.

And right before that began and the sheriff was coming to sit down and testify, if my memory

serves me correctly, he wanted to have a discussion. And then that was ultimately settled, and a substantial check was written for attorney's fees. You may want to pull a copy of that.

Q. Who was the attorney that would have received the fees?

A. It would be the PBA.

Q. Would it be the PBA itself, or would it be paid directly to a particular attorney?

MS. WEBSTER: Do you want me to answer?

MR. KRAMER: No, you can tell him.

THE WITNESS: The check was written to the PBA.

BY MR. KRAMER:

Q. For the attorney's fees?

A. For the attorney's fees.

Q. Incurred because of the actions that you've already described in your previous testimony where the sheriff was essentially acting in violation of the National Labor Standards Act of essentially just refusing to negotiate in good faith.

A. That is correct. And that surrounded the take-home cars, which I believe we talked about last time.

Q. Correct.

A. All those things wrapped up.

Q. He withdrew all the articles. That's the phraseology you used.

A. Everything was TA'd. We were getting ready to go to a vote on Thursday and Friday. On Monday, October 18th, I got a call that he withdrew all the articles.

I said, "Wait a minute. We know this vote is coming. We can't do this."

I brought it to his attention, and the sheriff made the unilateral decision to pull that. I said, "You can't do that. You're going to refuse to sign a contract after it's already been agreed upon."

And in his text messages, which I presented to you last time, I was told that my interpretation was not consistent with the decision of the sheriff.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. Next.

A. We talked about the SWAT rifles.

BY INSPECTOR RIDDICK:

Q. Where are those rifles now, Major?

A. So those rifles were not given to the employee personally. They were issued to the employee that won them with the understanding that when they

retire they will be able to keep them. That was the decision that was made, if my memory serves me correctly; but that's probably not in writing anywhere, I promise you that, because nothing hardly ever gets reduced to writing.

BY MR. KRAMER:

Q. Well, they wouldn't have gone to the inventory? Doesn't every officer have an inventory?

A. Uh-huh.

Q. And if they're not on the inventory, and they're in the officer's possession --

A. No, they're issued to the officer. They're going to be on the inventory.

BY INSPECTOR RIDDICK:

Q. They were taken into the sheriff's office inventory and then issued to the officer that won it.

A. That's correct.

Did I touch on the fact that Watson will make a decision regardless whether it's against policy or procedure?

BY MR. KRAMER:

Q. I think in general that was clear, but are there specific instances that you can reference that you didn't reference last time?

A. No. I just want to make sure I hit that --

Q. You did.

A. It's so frequent, though, that --

Q. What is the effect on the agency when the sheriff doesn't follow the agency's own policy?

A. Well, what it does is, it sets the tone of the only consistency is inconsistency, right? And when the sheriff isn't following his own policies and procedures, what message is that sending down to the troops?

It sends a horrible message down saying I don't have to follow policy and procedure, but I'm going to hold you to it; and when you aren't held to it, when you violate that, I'm going to write you up.

Q. Would it also lead people to the conclusion that -- wouldn't it also lead to the natural conclusion that if you follow a policy, that the sheriff might still discipline you or you might meet criticism or demotion or job problems because you followed policy that the sheriff no longer wants to have be the policy?

A. It's almost as if you're expected to think like him. And if it is any perceived disrespect or embarrassment, you're going to be talked to about it, if not hit with some sort of discipline.

We just had a recent case, the Glen Stanley

internal investigation, which is closed -- which I suggest you pull a copy of that -- where the sheriff goes outside the disciplinary matrix.

We have a matrix that says this is Level Two, Level Three, Level Four or Five, and this is -- you know, you got a Level Two, you get this many points. This many points is from A to B, and he'll just add C in there.

Q. And in this particular investigation was it to the officer's detriment?

A. Yes.

Q. Is this recourse for the officer under those circumstances? Can the officer appeal that decision? Do they have -- do they enforce the matrix as it exists, or are they simply subject to the sheriff's rulings?

A. Only if they meet the standards set forth in the sheriff's board, which is greater than a two-day suspension. In this case it was one-day suspension, but they put the guy on 12 months of disciplinary probation. And I believe, if you go back and you look at what a Level Three violation is, 12 months of disciplinary probation is not allowed.

And then what you do when you put somebody on disciplinary probation is, the next time they wear the

wrong color socks or doing something that's in violation, then they're not eligible for a career service board.

It's almost like you're setting up them for the next violation, to render them ineffective in a career service board.

Q. And because it's a one-day suspension, it's not appealable?

A. Correct.

We touched on changing past practice without really any discussion with anyone.

Q. Correct. Yes.

A. We touched on Watson and Decoursey routinely holding paperwork and not signing it, essentially neglecting the duties of moving the institution along.

And we -- I know we discussed not reducing things to writing, and we discussed the staffing shortages. So I think that kind of cleans up what I can remember from the last one.

Q. Was there anything additional in response to the question, are you aware of anything immoral, unethical, or illegal, that occurred in the sheriff's office while you were there --

A. Well --

Q. -- that we didn't cover last time?

A. I think that's where we're going to move in to the next section.

Q. Okay.

A. So the sheriff is a steward of the taxpayer's money. Would you agree with that?

Q. Agreed.

A. When he came into office, there were two vehicles that were provided that were left by Darnell and Huckstep. They were not happy with those vehicles even though they were functioning vehicles, and they immediately purchased two black Tahoes; and they were high-end Tahoes to the tune of in the mid 70s. And then, of course, all the equipment and everything had to go in on top of that, so you're talking probably upwards of 90-plus thousand dollars just because they wanted new vehicles. That was kind of like the first thing. Everybody kind of questioned that.

And then he had the badges removed from them that say like "High Country" to make it look like it wasn't, you know, an expensive vehicle as it was, but everybody knew what time of day it was. They saw the badges on there. Everybody knew what was going on. You could see it.

So that was kind of, in my opinion, something that the fleet department should have set back and

assessed and advised the sheriff, "Hey, if we want new vehicles, this is where our budget is. This is how much money we have left. If we make this purchase, then we can't purchase these four cars instead of these two Tahoes."

That didn't happen. He immediately ordered the vehicle. I don't think they came off state contract. I think they got one at the local Chevrolet dealership. Or I don't know where they got them form; you'd have to pull that. One was 74. The other one was 77 or somewhere in there. They were both in the mid 70s. So that was one thing that kind of came up.

So there were some Nissans that were purchased, and I believe they were for the drug task force or somebody, I think, after I had left. And there was an allegation they were purchased from Gainesville Nissan, and his son is one of the sales managers at Gainesville Nissan.

Q. Those type of contract purchases would be normally not done through Gainesville Nissan? They'd be done through state contract?

A. Generally, yes, unless there is a specific reason. Like, I know Darnell, when we purchased Harleys, the state contract price was, say -- I'm just throwing a number out there -- 17,000, but Gainesville

Harley said, hey, we'll sell them to you for 15.5. The sheriff felt we should keep our money local, and she was actually saving money and was being a good steward of the taxpayers' money and purchased the Harleys there.

But as far as going outside of that, the only thing I know of going outside was that some vehicles were purchased from Southeast Car Agency, especially when it came to things like the trucks for the aviation unit, where we could get something that was used; we didn't buy them new. They weren't new vehicles. They were used vehicles.

But there was some allegations that the Nissans came purchased from his son; and I don't have any evidence to substantiate that, but you could certainly run that down.

One of the tasks that I was given fairly early on was -- the office of professional standards was housed within the main sheriff's office at 2621 Southeast Hawthorne Road. And the office of professional standards has a door that goes right into the sheriff's suite, and that was so that the captain of OPS could go in and confer with the sheriff because the captain was direct report to the sheriff. It had been set like that since I've been there. That was

always OPS. Some years prior to that, it was at the jail.

He had me -- he directed me to have OPS relocated back to the office -- the department of the jail, and he then commanded those offices for himself and had them remodeled where he made a rather large office for himself and spent a significant amount of money remodeling that office and then purchased some furniture to fill that office.

Q. Was the furniture purchased off of state contract?

A. I was told it was purchased offline. He went online and bought it because he got a better deal. To what that was, what that P.O. looked like, I have no idea.

Q. Would that be unusual?

A. That would be unusual.

Q. Outside the standard procedures of the sheriff's office to purchase furniture?

A. Correct, because every time we've purchased furniture -- like we purchased tables like these, chairs like these that sit in the squad room that I'm sure you've been to. All those were purchased through a vendor that we've got. And every time we've had to purchase something, A and B has to come to us with a

book like this and said, here's what's available. This is what we can purchase. So to purchase furniture outside that realm, to my knowledge, had never been done.

Q. Okay.

A. There was a lot of controversy surrounding expenditures plastering his name on the building.

Q. Where are those?

A. On one occasion it didn't look right, and he bought it again.

Okay. You're aware of it. We'll move on.

On the back of everybody's vest said "sheriff" just like the cars say "sheriff" on it. It doesn't mean that you are the sheriff. It just indicates like police, sheriff. All those were ordered to be removed and replaced with deputies.

Q. Was it on the cars as well as the uniforms?

A. It was not on the cars. It was just on the uniforms.

Q. Did anybody -- with regard to this, did anybody confer or look at the Florida Statutes to ensure that the officers would be properly marked for the purposes of fleeing or attempting to elude or resisting arrest with or without violence, to ensure that the standards that are set forth in the statutes

would be met?

A. I brought that specific statute that you're referring to to the attention of the undersheriff and said, "There's really no reason for this. It doesn't designate them as the sheriff, but, you know, it's for the purposes of authority."

And the response was, "There's only one sheriff, and that's the guy that signs in green ink. Everybody else is a deputy," and that was the reason for the switch.

But again, you have whatever those patches were, ten, eight, twelve dollars times how many, 300 patches. Again, it's just another tick of expenditures that didn't need to happen.

Q. Understood.

A. The sheriff and the undersheriff has continued to disregard Florida Statute 112 on numerous occasions, which obviously stemmed from the lawsuits that are out there pending.

Q. Do you have any information to indicate whether their disregard of 112 procedures and rights that are contained in Florida Statute 112 are based upon ignorance, that they don't understand them? Or is it based on an intentional act that they don't care to provide those rights and meet their

responsibilities?

A. Personally, I believe they don't care.

Q. So at the time these violations have occurred, are the rights of the officers and responsibilities of the agency being brought to the attention of the individuals who are doing this and being told we don't care?

A. My understanding was 112 violation was raised; and then when the interview was stopped, that individual was charged with insubordination. And 112 clearly says that that can't happen.

Q. Which officer was charged with insubordination because they refused to be interviewed?

A. I believe it was Frank Williams, but I would have to go back and look. I'd have to do some additional research on that.

Q. I may need you to follow up on that if you can identify any particular officer who was -- I'm saying charged, but that's probably not the right word -- was given -- an OPS investigation was instituted for insubordination or insubordination was added to the current charged violations?

A. I believe if you pull the Glen Stanley case, and you pull a recording of the Loudermill that went

along with the Glen Stanley case, the general counsel -- essentially, the argument was being made that truthfulness did not occur, that the officer actually -- it was alleged that the officer did not -- and I don't have first-hand knowledge of it, but from my understanding, is that the officer didn't do something and, in the actual packet, said that they had done it, they had sent an email.

The undersheriff indicated on his recommendation that it was truthfulness, that it didn't occur; and when the disciplinary rep went to make the argument that it was not truthfulness, the general counsel said, "Well, what charge do you think was appropriate?"

So I would encourage you to go back and listen to that audio recording of that Loudermill. In other words, you're going to get charged with something, and we're going to find something to fit.

Q. Okay. Understood.

A. I would encourage you to probably pull his calendar, Watson's calendar, and his gas receipts. On the very early part of his tenure he was there a lot. I know he was there a lot because I was there a lot, and I saw him a lot from very early in the morning, 5:00, 6:00 -- I think we discussed that last time --

until 8:00, 9:00 at night.

It got to the point where we needed the sheriff to approve something or do something, again, because we couldn't approve anything, the sheriff is not here. The sheriff is not here. The sheriff is not here. Where is he? Is he working? Is he not working? It seemed like he was never around.

So I would encourage you to probably pull his calendar for --

Q. What month and years?

A. I would say July '21 and after.

Q. Is there some incident you can point to where his attendance to the office stopped? Was it sudden, or was it gradual?

A. It was gradual. It seemed like he gradually was not there more and more, and he was unavailable, which then just stalemated --

Q. Right, because everything has to go through him.

A. Everything has to go through him, and then everything just slows to a crawl, at best a crawl.

The sheriff's son, Clovis Watson, IV, was the subject of numerous traffic stops and some criminal acts with GPD. This information was forwarded to the sheriff, but he never seemed to rectify it with his

son. It continued to happen.

He was stopped a couple of times by our deputies for traffic violations. We did a DUI checkpoint down on South 13th Street where his son was completely irate and completely out of line just coming to pick somebody up that we had dealt with. I called the sheriff and he said, okay, and that was the end of it.

It was like his son could just do whatever he wanted to because his dad was the sheriff. There was no -- it was a very poor reflection on the sheriff, very poor reflection on the sheriff.

We talked about fails to process paperwork.

I think Ed Bennett -- you might want to talk to Ed Bennett about the disapproval of secondary employment at the academy.

Q. With regard to that, are you aware that the academy became short of staff because of the sheriff disapproving secondary employment?

A. I can't swear to that.

Q. We'd have to check with the academy?

A. You'd have to check with the academy. I would imagine it severely impacted it; but to what extent, I can't speculate.

Q. Understood.

A. The sheriff seems to make decisions based on emotion quite a bit rather than, you know, actual facts. The sheriff demoted Mat Yakubsin from lieutenant back to sergeant for essentially liking a Facebook post. Let me back up.

He demoted him, but he ordered me to demote him. So I had to call him and tell him, "Hey, look, you're demoted because you liked a Facebook post."

Q. Was that formal discipline?

A. He was on probation.

Q. So he was already on disciplinarian probation?

A. No, he was on new-hire -- promotional probation.

Q. I see. So he could be demoted back to his prior rank without any discipline occurring?

A. Correct.

Q. And does that cause him to lose pay?

A. It does cause him to lose pay.

Q. How much, roughly?

A. I'd have to go back and look at the scales. I mean, you can make a request for the pay changes in HTE. A minimum of five percent; but Yakubsin was not that tenured of a sergeant, so potentially ten percent more. I don't know the exact numbers on Yakubsin.

Q. And you know the basis for that demotion was liking a Facebook post because you were instructed to tell him why he was being demoted by the sheriff?

A. I was instructed by the sheriff to demote him back to sergeant; and the sheriff had told me that, "He liked that Facebook post, and I'm going to demote him."

Now, keep in mind everybody else that also liked that Facebook post -- it surrounded a lieutenant Facebook post from the jail that was subsequently terminated. Howard, I believe, is his name, received corrective counseling for that, but Yakubsin was demoted.

BY INSPECTOR RIDDICK:

Q. Did that go through an OPS review?

A. Oh, no.

Q. So there's no documentation on any of it?

A. No.

BY INSPECTOR SNOWDEN:

Q. Did Yakubsin get corrective counseling?

A. I believe he may have, but he was hit with a demotion and the corrective counseling where everybody else was just hit with the corrective counseling. In other words, I felt as if the demotion was excessive in comparison to what had been handed out to everybody

else. That's kind of where I was going with that.

We discussed the negligent promotions last time.

BY INSPECTOR SNOWDEN:

Q. While we're on that topic --

A. Which topic?

Q. Negligent promotion. You mentioned Cleveland Cox. Talk about your knowledge about what happened when he tried out for the SWAT team?

A. He tried out for the SWAT team. He wasn't recommended, and then he was appointed by recommendation of the undersheriff.

BY MR. KRAMER:

Q. Also, what the consequence was to the person who did not want him appointed to the SWAT team.

A. Oh, he adamantly opposed it. He was -- I can't remember if it was Josh Crews or Rich Howell at the time.

Q. Josh Crews.

A. Josh Crews absolutely did not want him to the point he wanted to go meet with the undersheriff, and I think he did meet with undersheriff about it; but the decision was made that he did not get his number one and number two picks, and he got Cleveland Cox. And Cleveland Cox was almost promoted at the

recommendation of the sheriff.

Q. What happened with Josh Crews with his relationship with the SWAT team after he didn't want Cleveland Cox on there?

A. I'd have to go back and scroll and think about the timeline, but I can tell you, if you're referring to his removal from the SWAT team, his removal from the SWAT team, I do not believe, was tied to that incident.

We had a SWAT call-out in Monteoca, and the sheriff and undersheriff were there. And Josh Crews was insubordinate to me; and the sheriff found out about it, and the sheriff removed him from the SWAT team based on that incident.

Q. Were those two things occurring closely in time, the Cleveland Cox incident and Monteoca incident?

A. I believe the Cleveland Cox thing was a couple months afterwards. It could have been pretty close. It could have been pretty close.

Q. I don't know the answer, but my understanding is that the delivery of the information that Cleveland Cox would be assigned to the SWAT team and the removal of then lieutenant -- captain, sergeant, I'm not sure --

A. Lieutenant Josh Crews.

Q. -- Lieutenant Crews were delivered at the same time.

A. It may have been. It could have been in close proximity, and I can see how maybe he could correlate that if it was in close proximity, but my knowledge of the incident, it was really based on Lieutenant Crews' insubordination. Because I was ordered by the sheriff to conduct -- to basically put gas on the house with the hopes that the guy would come out, and Josh Crews came over to me and said, "I hope it's not a tactic," and he was rather nasty about it.

I'm not on the SWAT team. I've never been on the SWAT team, and I don't pretend to be on the SWAT team. So when it comes to SWAT-related matters, I would defer to Josh. Josh has got the knowledge. He's been on there a long time, along with his brother. His brother is no longer with us. He's retired. But I had a direct order from the sheriff that this is the way we're going to proceed, and Josh didn't agree with it.

Q. Let me make sure I understand the sheriff is directing a tactic to remove an individual from a home that a SWAT team is doing?

A. To put gas in there, yes.

Q. But is the sheriff qualified to make a decision about a tactic to remove a barricaded subject?

A. In my opinion, no, and that just falls on the back of what I just said. I'm a major. And even when I was a captain over those units, if I called you as my SWAT commander, and you said, "This is what we need to do," I'm going to defer to you. As long as we're not violating policy, we're not violating the law, and we're not creating some additional liability for the sheriff, I'm going to defer to you because that's your area of expertise.

Q. But doesn't it create liability if the sheriff, who is not qualified, is directing a tactic to be used in an extremely dangerous situation?

A. Oh, absolutely. The direction should not have come from the sheriff. The sheriff should have let Josh Crews run the incident, is what it comes down to.

BY INSPECTOR RIDDICK:

Q. What was the barricaded subject?

A. There was another individual in the house. I think it was domestic.

Q. So the bad guy wasn't the only one in the

house?

A. Correct.

BY MR. KRAMER:

Q. I guess you're probably the wrong person to ask, but do we put gas in the house when there's more than one person in the house?

A. Generally, no, but I would defer to Josh Crews and let him discuss that incident in greater detail.

Q. And the insubordination that Josh demonstrated during that incident, was he ever a subject of formal discipline? Or was it just we're going to discipline him by removing him from the SWAT team?

A. He got a corrective counseling from me for his insubordination, but then the sheriff removed him as the SWAT team commander.

Q. Did they put gas in the house?

A. I don't remember. That was very early on in the tenure of the administration.

BY INSPECTOR RIDDICK:

Q. Did the sheriff give a reason why he wanted the gas? Did he have some place to go?

A. Uh-uh. It was clear he was trying to direct the incident where he didn't have the experience to

direct the incident.
BY INSPECTOR SNOWDEN:
Q. Was the sheriff at the scene?
A. He was, and the undersheriff. They both showed up. And, you know, to be fair, normally the sheriff and the undersheriff, the major does not show up to SWAT teams. You know, normally we're behind the phone somewhere, and we're letting those people run those operations; but that's not the way the sheriff wanted it run.
The captain was there. I was there. Captain Bella Blizzard was there. I was there. Decoursey was there. The sheriff was there. And I think probably Josh felt like he wasn't being allowed to operate under the parameters that he normally operates because his decision-making was being impeded by us.
BY MR. KRAMER:
Q. And that's what lead to his insubordination.
A. Correct.
Q. That's also consistent with what you've previously testified to, that all the decisions are being made by the sheriff to operational and tactical decisions.
A. That is correct.
BY INSPECTOR SNOWDEN:

Q. Were you familiar or did we talk about it last time, about the Cleveland Cox investigation that went through the office of professional standards?

A. I was aware.

Q. Do you know what happened with that eventually, or why it was terminated?

A. I don't remember.

Q. Is there some connection or familial connection between the undersheriff and Cleveland Cox?

A. We speculated that there was, but we -- I don't know of one, but it seemed to be really out of character that he was placed on the SWAT team and he was promoted against the objections of essentially everyone.

Q. Was he also assigned to CID?

A. He was.

Q. Against the objections?

A. He was. It was a pattern existing with Cleveland Cox, but I don't know what the connection is.

MR. KRAMER: I want to talk about time.

We can go off the record.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. All we were discussing is how much time we

have remaining before our other witnesses to need to appear.

A. Eric Hutchison was promoted to the rank of acting lieutenant when he wasn't on the eligibility list. I would suggest you pull the employee profile and the eligibility list. When that was called to the sheriff's attention, that he wasn't eligible for promotion, the sheriff did act and rescinded that; but then here recently Scott Bonafide has been promoted to an active lieutenant, and he's been moved to civil.

As you're aware, civil is a completely different animal than any other part of the sheriff's office. You deal with evicting people and serving papers that can and cannot be served at certain times of day. To my knowledge, Scott has no knowledge of the civil process.

I did mention Rashawn Flanders. I do not have that paperwork that I thought I had.

The last one is Pat Ford Thomas. Michelle Clement was the division manager, and she was removed for seemingly no reason and moved over to the contract monitor at the jail, which she's got zero experience at. She was removed from her role as a division manager, and she was replaced with Pat Ford Thomas.

Pat Ford Thomas is the wife of Dave Thomas,

who, interestingly enough, was one of the very core group of people in Watson's campaign.

Q. We're going to speak with Michelle Clement. We just haven't gotten her scheduled yet.

A. Okay. I have for you a copy of one of the personnel orders that went out, and as you can see, the quantity of moves that were made at one time are significant; and that's not one of them, but the reason why that's significant is because I have this to go along with it, which is completely out of character, which has everybody's picture and where they're going, where you can definitely see folks --

MR. KRAMER: All right. We'll make this an exhibit to your statement.

That's all I have. I'm sure if something else comes up, I may think of something or whatever.

(Exhibit 1 was marked for identification.)

BY INSPECTOR SNOWDEN:

Q. One last question I've got. When transfers and things were made, were the positions that they went to, were they resumed made for? Or were persons just told, you're going here, and you're going here?

A. Under the Darnell administration, generally, what would happen would be, an open position

announcement would come out: Any interested deputy sheriff that wishes to apply to be a detective, please submit your name to ISIS, which is our internal system. Interviews are conducted, and then somebody would be selected from the list.

Under the Watson administration, that pretty much went out the window. He just made moves willie-nillie as he felt necessary with no rhyme or reason is really the short answer.

MR. KRAMER: Thank you. We may be talking to you further.

(The witness concluded at 11:20 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORINE, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named GEORGE CORINE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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A. Right.

Q. And I don't know if you can speak to this, but is one of those examples, would it be assisting other agencies?

A. Yes.

Q. And are you aware during the time you were at the sheriff's office of a change in the decision-making process by which the sheriff's office decided whether or not to assist other agencies?

A. Absolutely.

Q. And if you could clarify. Does the sheriff's office have obligations, contractual and grant-oriented obligations, to provide assistance to regional agencies with equipment and expertise that those agencies would not have?

A. Absolutely.

Q. And could you explain what happened while you were there? What was the change from the prior administration? How did that affect things?

A. So operationally when I was the patrol support lieutenant, which was over all the special teams, Bradford County would call and say, "Hey, we've got an incident up here. We need the SWAT team."

So we're part of a region. The SWAT team is a regional team. There's funding that comes out of --

I can't remember the abbreviation, but it is -- there's funding that comes out. They fund some equipment, and that is really meant so that when Bradford County calls, or Union County folks that don't have a SWAT team, we go up there and we handle it.

And usually the protocol was, they would call. The captain would say, "Hey, Union County has a SWAT call-out." I would notify the SWAT guys, and then they would go.

The captain would then turn around and notify the chain upwards, "Hey, this is what's happened. I'm just kind of letting you know that Bradford County has called, or Union County has called, and they need the SWAT team."

That's been the practice for years. I mean, time was of the essence when you're talking about calling out a SWAT team. If we're not calling them for some preplanned event three days from now, then we don't have time to sit around and talk and have approval. It's go.

That completely changed under the Watson administration. He simply demanded that, in order for any asset to leave this county, that that sheriff that was requesting or that chief that was requesting the

equipment called him first, which severely choked the response time.

So it was a complete spin. It was something we weren't used to, but he wanted the sheriff of Bradford County, Union County to call him and ask for the equipment before we were authorized.

Q. And what if he wasn't available?

A. (Shrugs shoulders.)

Q. You're holding up your hands and saying there's no answer for that?

A. There's no answer for that because we weren't authorized to proceed.

Q. So, for instance, just an instance that I was personally involved in was, there was an officer-involved shooting in Levy County, and they only have maybe four deputies on the road at any one time. I don't know if you're aware of this incident.

A. Correct.

Q. And when three of the officers were involved in a shooting, then they had no -- essentially, one deputy remaining on the road. They requested assistance from the Alachua County Sheriff's Office. Would that assistance request have to go through the sheriff himself?

A. It would.

Q. Would you agree that under those circumstances where a county was essentially now --

A. Vacant.

Q. -- had no law enforcement available, that time is of the essence?

A. Yeah, it is essential. And I'll follow up with another example.

The two deputies that were shot in Gilchrist County under the Darnell administration. As soon as that happened, everybody started rolling. We rolled the command -- I mean, we had the mobile command bus. We had schedules done to start covering the county, and then we just started notifying the sheriff, "Hey, this is what we're doing. This is how we're taking care of them." It was almost the information was flowing upward rather than flowing downward.

And under the Watson administration it's completely immerse. It's not allowed to happen in that manner. And the folks who may call 911 in Gilchrist County, now that there's no deputies available, they rely on our assistance. And we have the resources to provide to Gilchrist County or to Union County that Union County or Gilchrist County doesn't otherwise have.

MR. KRAMER: All right. Let's go back to

things that you may -- unless you wanted to follow up. I'm sorry.

BY INSPECTOR RIDDICK:

Q. Has he ever denied one of those requests that you know of?

A. Yes.

Q. Which one?

A. There was an incident where University of Florida had called and requested the use of the jail vans. There was something going on at the Reitz Union. I think Darren Baxley had called and requested the jail vans. Don't quote me. I think it was Darren Baxley, deputy chief. Sheriff Watson refused to let them utilize the jail vans.

All that is, is a transport function. It's not like we were sending personnel. You know, we send in a couple of people to operate the vans, but we weren't sending crowd management. We weren't getting involved with their business on campus. They were just simply asking for assistance because, again, the university, you know, they've only got 80 FTEs, you know, somewhere in there. They don't have the capacity to deal with 15 or 20 arrestees at the same time. It would impact them severely to have to deal with that, and we had the resources. I didn't

understand what the purpose of withholding a jail van was.

Q. When you say impact severely, would that mean creating an unsafe environment for the remainder of the students and faculty on campus?

A. Potentially. I mean, it depends on how the incident goes. If you got all your guys on the incident tied up with 10-15, or arrestees, if you will, and then they need to focus their attention somewhere else, next thing you know, you divert your attention to the people that need to go. Now you have an unsafe number of officers with the arrestees; or do the officers stay with the arrestees, and now you've neglected this? You have to make a decision.

You've only got so many personnel. The jail van would have been very quick, easy. You bring the jail vans over, put them in the jail vans, pat them down, get them in there, at least hold them there for a few minutes or get them out of there, whatever they decided to do. It was a relatively simple request.

There was some issues surrounding the drug task force, which I'm sure you're aware of, and the sheriff not wanting anyone to operate in the county.

Q. Were you an employee of the sheriff's office at the time that the sheriff directed the removal of

all the equipment from the drug task force?

A. No, but my understanding is it was done in the middle of the night under some covert operation, was the rumor.

Q. Correct. I just didn't know if you were personally involved.

A. I was not.

BY INSPECTOR RIDDICK:

Q. Were you there when Nassau County requested assistance on an officer-involved shooting, and it was denied?

A. Actually, yes. I believe I was.

Q. Do we know why?

A. I don't know why.

BY MR. KRAMER:

Q. But that denial would have come from the sheriff?

A. It come from the sheriff. No cop, working cop, like even coming up through the ranks, when they had something like that, would deny that type of assistance. Those are the things -- when things were choked, it chokes to the point where it doesn't -- it doesn't run efficiently.

BY INSPECTOR RIDDICK:

Q. And for the record, let me correct that. It

may have been an officer-involved shooting, but actually the deputy had been shot; and they had a subject cornered, and they were asking for assistance from SWAT teams.

A. Correct. Correct.

MR. KRAMER: Anything further on what he's said so far?

THE WITNESS: One of the things that -- you know, you talk about assets. The SWAT team is one of them, but more frequently the helicopter is something that -- you know, we have an aviation unit. And folks in Putnam County and Columbia County, you know, they rely on that air support. You know, one helicopter there, arguably, is equivalent of 15 or 20 units on the ground.

Those requests were frequently -- we ran into problems where there would be a pursuit at, say, 2:00 in the morning, and they're calling and asking for our assistance. And then you have to make the decision, do I say, okay, go ahead and go, and then get chewed out the next day because they didn't -- because that sheriff didn't call our sheriff at 2:00 in the morning?

I mean, that's the type of slow-down we're

talking about, to the point where you might as well not even send them at that point. It's almost rendering it useless.

BY MR. KRAMER:

Q. And it's 2:00 in the morning. Is Sheriff Watson available to answer another sheriff's call?

A. I don't know. I never called him at 2:00 in the morning.

BY INSPECTOR RIDDICK:

Q. You mentioned earlier about the funding. If I recall from my days with RDS --

A. RDSTF, yeah, that's it.

Q. Regional Domestic Security Task Force. That's where a lot of Alachua's money came from. Or I say a lot. That's basically --

A. A significant amount of money.

Q. They were given a lot of money to create those regional units in case of -- for the region.

A. Right.

Q. And that was the understanding, that the money is given to you, but you need to be available if the region needs you.

A. The BearCat. I believe the BearCat was portioned with RDSTF money; or a portion of it was purchased with it, and you know how expensive those

are.

The bomb team is another RDSTF, you know.

BY MR. KRAMER:

Q. Let me ask you this. Are these requests reduced in any way to writing, or would there be any evidence of the request existing at all?

A. Usually -- from my recollection, usually when something breaks off, it's a phone call saying, "We need SWAT."

Q. Let me ask you this --

A. There could be a Teletype follow-up, though. I don't know.

Q. Would there be text messaging? Like, for instance, might you send a text message to the sheriff "We've received request from Scott for SWAT in Union County"?

A. Oh, I'm sure, but I never really directly contacted the sheriff. That was the undersheriff. I would call him, the undersheriff. I mean, he would answer his phone.

Q. But if -- you would agree those communications would be records at the agency?

A. There should be records at the agency.

Q. But if those records were not being -- they may not be preserved.

A. They should be preserved. Because there was a point in time when we all got iPhones -- you get into the debate of the iPhone or the Android, right? The iPhone is a blue, which is MMS; and then you have the Android, which is an SMS message. From my understanding, the SMS messages are recorded through your carrier, but the MMS are not because they're run on data and not run on cellular.

Q. But if the sheriff didn't allow the recording devices on his phone, there would be no record of those requests being made to the sheriff, correct?

A. I know that the phone that I had had recording because that was all enabled by Scott Shelpman, if my memory serves me correctly.

Q. Understood. Let's move on to the next item that you were concerned that we had missed due to our time constraints.

A. We discussed briefly Michelle Shirfield last time. She had posted some items on Facebook that could be seen by some folks as slanted to one racial side, if you will. That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that. Nobody ever saw the corrective counseling.

And then the order was basically given, you

know, for Facebook or for violations of social media, that was -- that was the -- what should be done, give them a corrective counseling and go through progressive discipline.

And I think there's a couple open cases right now -- or I don't know if they're open or closed.

So Frank Williams and Kevin Davis are under investigation, or open at the moment, for things that I think were far less controversial, and they were placed on admin suspension and been sitting at the house for months.

Q. And let me ask you because I don't know the answer to this. This individual -- and you said her name was Michelle?

A. Shirfield.

Q. Shirfield? Is she African American?

A. She is.

Q. And the posts that you're referencing, they were -- I don't know the posts. Were they racially inappropriate?

A. It was more of a supporting a racial position, and I believe Kevin Davis could speak more on that.

Q. Is it your understanding that a formal complaint was made either to her supervisor or to the

office of professional standards so that discipline should have been initiated?

A. I told the sheriff directly about the violation, and Bobby Stafford told the sheriff directly about the violation.

Q. But as far as I understand -- and my understanding of discipline is developing -- is that the way the discipline would be initiated, it would be either through the office of professional standards or through her supervisor.

A. Correct.

Q. So you gave that information to the sheriff?

A. Correct.

Q. And your understanding is that no discipline was initiated; or if there was any discipline, it was informal in the form of a corrective counseling?

A. It was informal in the form of a corrective counseling, but nobody seen that. I'm sure if you pull her file you would either see a corrective counseling or not see a corrective counseling, but she reported directly to the sheriff.

Q. When someone receives corrective counseling, is it discipline?

A. It's considered informal discipline.

Q. But it should remain in the employee file for

one year?

A. That's correct. Oftentimes it's not removed. You have to go back in there and say, hey, that needs to come out.

BY INSPECTOR SNOWDEN:

Q. Do you know if Kevin Davis made a complaint about that to OPS or through the sheriff suite?

A. I don't think so because he had already known that it was brought to the attention of the sheriff and Bobby Stafford.

Q. Do you know about any complaint that Kevin Davis took to OPS?

A. I know he made a complaint. I don't remember what it surrounded; but I do remember him taking a complaint, and it was basically like disregarded.

Q. If somebody takes a complaint to OPS, should a case number be drawn?

A. Oh, absolutely, or they say this is really not -- there's a list of standards that OPS will investigate these certain things or as directed by the sheriff.

So they'll look at it, and they'll say we'll take and we're going to pull a case number, or they'll say we're going to defer it back to the division commander and let the employee supervisor handle it.

MR. KRAMER: Any other questions on that particular issue?

BY MR. KRAMER:

Q. Thank you for the clarification. Was there anything else?

A. Did we discuss the bargaining process with the re-openers and the unfair labor practice?

Q. You did. You informed us that one of the reasons why you left the sheriff's office was that you advised them, essentially, that what they were doing was in violation of the National Labor Standards Act.

A. Oh, that's right. I gave you the form. Okay.

So I gave the set of text messages last time between the undersheriff and I.

Q. Yes.

A. The sergeants and lieutenants ratified their contract. The deputies did not ratify their contract. And there was an extended period of time; I don't recall the exact settlement dates, maybe July, August the following year. So we're talking about ten, eleven months later that ultimately we were going to go to a hearing at the sheriff's office.

And right before that began and the sheriff was coming to sit down and testify, if my memory

serves me correctly, he wanted to have a discussion. And then that was ultimately settled, and a substantial check was written for attorney's fees. You may want to pull a copy of that.

Q. Who was the attorney that would have received the fees?

A. It would be the PBA.

Q. Would it be the PBA itself, or would it be paid directly to a particular attorney?

MS. WEBSTER: Do you want me to answer?

MR. KRAMER: No, you can tell him.

THE WITNESS: The check was written to the PBA.

BY MR. KRAMER:

Q. For the attorney's fees?

A. For the attorney's fees.

Q. Incurred because of the actions that you've already described in your previous testimony where the sheriff was essentially acting in violation of the National Labor Standards Act of essentially just refusing to negotiate in good faith.

A. That is correct. And that surrounded the take-home cars, which I believe we talked about last time.

Q. Correct.

A. All those things wrapped up.

Q. He withdrew all the articles. That's the phraseology you used.

A. Everything was TA'd. We were getting ready to go to a vote on Thursday and Friday. On Monday, October 18th, I got a call that he withdrew all the articles.

I said, "Wait a minute. We know this vote is coming. We can't do this."

I brought it to his attention, and the sheriff made the unilateral decision to pull that. I said, "You can't do that. You're going to refuse to sign a contract after it's already been agreed upon."

And in his text messages, which I presented to you last time, I was told that my interpretation was not consistent with the decision of the sheriff.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. Next.

A. We talked about the SWAT rifles.

BY INSPECTOR RIDDICK:

Q. Where are those rifles now, Major?

A. So those rifles were not given to the employee personally. They were issued to the employee that won them with the understanding that when they

retire they will be able to keep them. That was the decision that was made, if my memory serves me correctly; but that's probably not in writing anywhere, I promise you that, because nothing hardly ever gets reduced to writing.

BY MR. KRAMER:

Q. Well, they wouldn't have gone to the inventory? Doesn't every officer have an inventory?

A. Uh-huh.

Q. And if they're not on the inventory, and they're in the officer's possession --

A. No, they're issued to the officer. They're going to be on the inventory.

BY INSPECTOR RIDDICK:

Q. They were taken into the sheriff's office inventory and then issued to the officer that won it.

A. That's correct.

Did I touch on the fact that Watson will make a decision regardless whether it's against policy or procedure?

BY MR. KRAMER:

Q. I think in general that was clear, but are there specific instances that you can reference that you didn't reference last time?

A. No. I just want to make sure I hit that --

Q. You did.

A. It's so frequent, though, that --

Q. What is the effect on the agency when the sheriff doesn't follow the agency's own policy?

A. Well, what it does is, it sets the tone of the only consistency is inconsistency, right? And when the sheriff isn't following his own policies and procedures, what message is that sending down to the troops?

It sends a horrible message down saying I don't have to follow policy and procedure, but I'm going to hold you to it; and when you aren't held to it, when you violate that, I'm going to write you up.

Q. Would it also lead people to the conclusion that -- wouldn't it also lead to the natural conclusion that if you follow a policy, that the sheriff might still discipline you or you might meet criticism or demotion or job problems because you followed policy that the sheriff no longer wants to have be the policy?

A. It's almost as if you're expected to think like him. And if it is any perceived disrespect or embarrassment, you're going to be talked to about it, if not hit with some sort of discipline.

We just had a recent case, the Glen Stanley

internal investigation, which is closed -- which I suggest you pull a copy of that -- where the sheriff goes outside the disciplinary matrix.

We have a matrix that says this is Level Two, Level Three, Level Four or Five, and this is -- you know, you got a Level Two, you get this many points. This many points is from A to B, and he'll just add C in there.

Q. And in this particular investigation was it to the officer's detriment?

A. Yes.

Q. Is this recourse for the officer under those circumstances? Can the officer appeal that decision? Do they have -- do they enforce the matrix as it exists, or are they simply subject to the sheriff's rulings?

A. Only if they meet the standards set forth in the sheriff's board, which is greater than a two-day suspension. In this case it was one-day suspension, but they put the guy on 12 months of disciplinary probation. And I believe, if you go back and you look at what a Level Three violation is, 12 months of disciplinary probation is not allowed.

And then what you do when you put somebody on disciplinary probation is, the next time they wear the

wrong color socks or doing something that's in violation, then they're not eligible for a career service board.

It's almost like you're setting up them for the next violation, to render them ineffective in a career service board.

Q. And because it's a one-day suspension, it's not appealable?

A. Correct.

We touched on changing past practice without really any discussion with anyone.

Q. Correct. Yes.

A. We touched on Watson and Decoursey routinely holding paperwork and not signing it, essentially neglecting the duties of moving the institution along.

And we -- I know we discussed not reducing things to writing, and we discussed the staffing shortages. So I think that kind of cleans up what I can remember from the last one.

Q. Was there anything additional in response to the question, are you aware of anything immoral, unethical, or illegal, that occurred in the sheriff's office while you were there --

A. Well --

Q. -- that we didn't cover last time?

A. I think that's where we're going to move in to the next section.

Q. Okay.

A. So the sheriff is a steward of the taxpayer's money. Would you agree with that?

Q. Agreed.

A. When he came into office, there were two vehicles that were provided that were left by Darnell and Huckstep. They were not happy with those vehicles even though they were functioning vehicles, and they immediately purchased two black Tahoes; and they were high-end Tahoes to the tune of in the mid 70s. And then, of course, all the equipment and everything had to go in on top of that, so you're talking probably upwards of 90-plus thousand dollars just because they wanted new vehicles. That was kind of like the first thing. Everybody kind of questioned that.

And then he had the badges removed from them that say like "High Country" to make it look like it wasn't, you know, an expensive vehicle as it was, but everybody knew what time of day it was. They saw the badges on there. Everybody knew what was going on. You could see it.

So that was kind of, in my opinion, something that the fleet department should have set back and

assessed and advised the sheriff, "Hey, if we want new vehicles, this is where our budget is. This is how much money we have left. If we make this purchase, then we can't purchase these four cars instead of these two Tahoes."

That didn't happen. He immediately ordered the vehicle. I don't think they came off state contract. I think they got one at the local Chevrolet dealership. Or I don't know where they got them form; you'd have to pull that. One was 74. The other one was 77 or somewhere in there. They were both in the mid 70s. So that was one thing that kind of came up.

So there were some Nissans that were purchased, and I believe they were for the drug task force or somebody, I think, after I had left. And there was an allegation they were purchased from Gainesville Nissan, and his son is one of the sales managers at Gainesville Nissan.

Q. Those type of contract purchases would be normally not done through Gainesville Nissan? They'd be done through state contract?

A. Generally, yes, unless there is a specific reason. Like, I know Darnell, when we purchased Harleys, the state contract price was, say -- I'm just throwing a number out there -- 17,000, but Gainesville

Harley said, hey, we'll sell them to you for 15.5. The sheriff felt we should keep our money local, and she was actually saving money and was being a good steward of the taxpayers' money and purchased the Harleys there.

But as far as going outside of that, the only thing I know of going outside was that some vehicles were purchased from Southeast Car Agency, especially when it came to things like the trucks for the aviation unit, where we could get something that was used; we didn't buy them new. They weren't new vehicles. They were used vehicles.

But there was some allegations that the Nissans came purchased from his son; and I don't have any evidence to substantiate that, but you could certainly run that down.

One of the tasks that I was given fairly early on was -- the office of professional standards was housed within the main sheriff's office at 2621 Southeast Hawthorne Road. And the office of professional standards has a door that goes right into the sheriff's suite, and that was so that the captain of OPS could go in and confer with the sheriff because the captain was direct report to the sheriff. It had been set like that since I've been there. That was

always OPS. Some years prior to that, it was at the jail.

He had me -- he directed me to have OPS relocated back to the office -- the department of the jail, and he then commanded those offices for himself and had them remodeled where he made a rather large office for himself and spent a significant amount of money remodeling that office and then purchased some furniture to fill that office.

Q. Was the furniture purchased off of state contract?

A. I was told it was purchased offline. He went online and bought it because he got a better deal. To what that was, what that P.O. looked like, I have no idea.

Q. Would that be unusual?

A. That would be unusual.

Q. Outside the standard procedures of the sheriff's office to purchase furniture?

A. Correct, because every time we've purchased furniture -- like we purchased tables like these, chairs like these that sit in the squad room that I'm sure you've been to. All those were purchased through a vendor that we've got. And every time we've had to purchase something, A and B has to come to us with a

book like this and said, here's what's available. This is what we can purchase. So to purchase furniture outside that realm, to my knowledge, had never been done.

Q. Okay.

A. There was a lot of controversy surrounding expenditures plastering his name on the building.

Q. Where are those?

A. On one occasion it didn't look right, and he bought it again.

Okay. You're aware of it. We'll move on.

On the back of everybody's vest said "sheriff" just like the cars say "sheriff" on it. It doesn't mean that you are the sheriff. It just indicates like police, sheriff. All those were ordered to be removed and replaced with deputies.

Q. Was it on the cars as well as the uniforms?

A. It was not on the cars. It was just on the uniforms.

Q. Did anybody -- with regard to this, did anybody confer or look at the Florida Statutes to ensure that the officers would be properly marked for the purposes of fleeing or attempting to elude or resisting arrest with or without violence, to ensure that the standards that are set forth in the statutes

would be met?

A. I brought that specific statute that you're referring to to the attention of the undersheriff and said, "There's really no reason for this. It doesn't designate them as the sheriff, but, you know, it's for the purposes of authority."

And the response was, "There's only one sheriff, and that's the guy that signs in green ink. Everybody else is a deputy," and that was the reason for the switch.

But again, you have whatever those patches were, ten, eight, twelve dollars times how many, 300 patches. Again, it's just another tick of expenditures that didn't need to happen.

Q. Understood.

A. The sheriff and the undersheriff has continued to disregard Florida Statute 112 on numerous occasions, which obviously stemmed from the lawsuits that are out there pending.

Q. Do you have any information to indicate whether their disregard of 112 procedures and rights that are contained in Florida Statute 112 are based upon ignorance, that they don't understand them? Or is it based on an intentional act that they don't care to provide those rights and meet their

responsibilities?

A. Personally, I believe they don't care.

Q. So at the time these violations have occurred, are the rights of the officers and responsibilities of the agency being brought to the attention of the individuals who are doing this and being told we don't care?

A. My understanding was 112 violation was raised; and then when the interview was stopped, that individual was charged with insubordination. And 112 clearly says that that can't happen.

Q. Which officer was charged with insubordination because they refused to be interviewed?

A. I believe it was Frank Williams, but I would have to go back and look. I'd have to do some additional research on that.

Q. I may need you to follow up on that if you can identify any particular officer who was -- I'm saying charged, but that's probably not the right word -- was given -- an OPS investigation was instituted for insubordination or insubordination was added to the current charged violations?

A. I believe if you pull the Glen Stanley case, and you pull a recording of the Loudermill that went

along with the Glen Stanley case, the general counsel -- essentially, the argument was being made that truthfulness did not occur, that the officer actually -- it was alleged that the officer did not -- and I don't have first-hand knowledge of it, but from my understanding, is that the officer didn't do something and, in the actual packet, said that they had done it, they had sent an email.

The undersheriff indicated on his recommendation that it was truthfulness, that it didn't occur; and when the disciplinary rep went to make the argument that it was not truthfulness, the general counsel said, "Well, what charge do you think was appropriate?"

So I would encourage you to go back and listen to that audio recording of that Loudermill. In other words, you're going to get charged with something, and we're going to find something to fit.

Q. Okay. Understood.

A. I would encourage you to probably pull his calendar, Watson's calendar, and his gas receipts. On the very early part of his tenure he was there a lot. I know he was there a lot because I was there a lot, and I saw him a lot from very early in the morning, 5:00, 6:00 -- I think we discussed that last time --

until 8:00, 9:00 at night.

It got to the point where we needed the sheriff to approve something or do something, again, because we couldn't approve anything, the sheriff is not here. The sheriff is not here. The sheriff is not here. Where is he? Is he working? Is he not working? It seemed like he was never around.

So I would encourage you to probably pull his calendar for --

Q. What month and years?

A. I would say July '21 and after.

Q. Is there some incident you can point to where his attendance to the office stopped? Was it sudden, or was it gradual?

A. It was gradual. It seemed like he gradually was not there more and more, and he was unavailable, which then just stalemated --

Q. Right, because everything has to go through him.

A. Everything has to go through him, and then everything just slows to a crawl, at best a crawl.

The sheriff's son, Clovis Watson, IV, was the subject of numerous traffic stops and some criminal acts with GPD. This information was forwarded to the sheriff, but he never seemed to rectify it with his

son. It continued to happen.

He was stopped a couple of times by our deputies for traffic violations. We did a DUI checkpoint down on South 13th Street where his son was completely irate and completely out of line just coming to pick somebody up that we had dealt with. I called the sheriff and he said, okay, and that was the end of it.

It was like his son could just do whatever he wanted to because his dad was the sheriff. There was no -- it was a very poor reflection on the sheriff, very poor reflection on the sheriff.

We talked about fails to process paperwork.

I think Ed Bennett -- you might want to talk to Ed Bennett about the disapproval of secondary employment at the academy.

Q. With regard to that, are you aware that the academy became short of staff because of the sheriff disapproving secondary employment?

A. I can't swear to that.

Q. We'd have to check with the academy?

A. You'd have to check with the academy. I would imagine it severely impacted it; but to what extent, I can't speculate.

Q. Understood.

A. The sheriff seems to make decisions based on emotion quite a bit rather than, you know, actual facts. The sheriff demoted Mat Yakubsin from lieutenant back to sergeant for essentially liking a Facebook post. Let me back up.

He demoted him, but he ordered me to demote him. So I had to call him and tell him, "Hey, look, you're demoted because you liked a Facebook post."

Q. Was that formal discipline?

A. He was on probation.

Q. So he was already on disciplinarian probation?

A. No, he was on new-hire -- promotional probation.

Q. I see. So he could be demoted back to his prior rank without any discipline occurring?

A. Correct.

Q. And does that cause him to lose pay?

A. It does cause him to lose pay.

Q. How much, roughly?

A. I'd have to go back and look at the scales. I mean, you can make a request for the pay changes in HTE. A minimum of five percent; but Yakubsin was not that tenured of a sergeant, so potentially ten percent more. I don't know the exact numbers on Yakubsin.

Q. And you know the basis for that demotion was liking a Facebook post because you were instructed to tell him why he was being demoted by the sheriff?

A. I was instructed by the sheriff to demote him back to sergeant; and the sheriff had told me that, "He liked that Facebook post, and I'm going to demote him."

Now, keep in mind everybody else that also liked that Facebook post -- it surrounded a lieutenant Facebook post from the jail that was subsequently terminated. Howard, I believe, is his name, received corrective counseling for that, but Yakubsin was demoted.

BY INSPECTOR RIDDICK:

Q. Did that go through an OPS review?

A. Oh, no.

Q. So there's no documentation on any of it?

A. No.

BY INSPECTOR SNOWDEN:

Q. Did Yakubsin get corrective counseling?

A. I believe he may have, but he was hit with a demotion and the corrective counseling where everybody else was just hit with the corrective counseling. In other words, I felt as if the demotion was excessive in comparison to what had been handed out to everybody

else. That's kind of where I was going with that.

We discussed the negligent promotions last time.

BY INSPECTOR SNOWDEN:

Q. While we're on that topic --

A. Which topic?

Q. Negligent promotion. You mentioned Cleveland Cox. Talk about your knowledge about what happened when he tried out for the SWAT team?

A. He tried out for the SWAT team. He wasn't recommended, and then he was appointed by recommendation of the undersheriff.

BY MR. KRAMER:

Q. Also, what the consequence was to the person who did not want him appointed to the SWAT team.

A. Oh, he adamantly opposed it. He was -- I can't remember if it was Josh Crews or Rich Howell at the time.

Q. Josh Crews.

A. Josh Crews absolutely did not want him to the point he wanted to go meet with the undersheriff, and I think he did meet with undersheriff about it; but the decision was made that he did not get his number one and number two picks, and he got Cleveland Cox. And Cleveland Cox was almost promoted at the

recommendation of the sheriff.

Q. What happened with Josh Crews with his relationship with the SWAT team after he didn't want Cleveland Cox on there?

A. I'd have to go back and scroll and think about the timeline, but I can tell you, if you're referring to his removal from the SWAT team, his removal from the SWAT team, I do not believe, was tied to that incident.

We had a SWAT call-out in Monteoca, and the sheriff and undersheriff were there. And Josh Crews was insubordinate to me; and the sheriff found out about it, and the sheriff removed him from the SWAT team based on that incident.

Q. Were those two things occurring closely in time, the Cleveland Cox incident and Monteoca incident?

A. I believe the Cleveland Cox thing was a couple months afterwards. It could have been pretty close. It could have been pretty close.

Q. I don't know the answer, but my understanding is that the delivery of the information that Cleveland Cox would be assigned to the SWAT team and the removal of then lieutenant -- captain, sergeant, I'm not sure --

A. Lieutenant Josh Crews.

Q. -- Lieutenant Crews were delivered at the same time.

A. It may have been. It could have been in close proximity, and I can see how maybe he could correlate that if it was in close proximity, but my knowledge of the incident, it was really based on Lieutenant Crews' insubordination. Because I was ordered by the sheriff to conduct -- to basically put gas on the house with the hopes that the guy would come out, and Josh Crews came over to me and said, "I hope it's not a tactic," and he was rather nasty about it.

I'm not on the SWAT team. I've never been on the SWAT team, and I don't pretend to be on the SWAT team. So when it comes to SWAT-related matters, I would defer to Josh. Josh has got the knowledge. He's been on there a long time, along with his brother. His brother is no longer with us. He's retired. But I had a direct order from the sheriff that this is the way we're going to proceed, and Josh didn't agree with it.

Q. Let me make sure I understand the sheriff is directing a tactic to remove an individual from a home that a SWAT team is doing?

A. To put gas in there, yes.

Q. But is the sheriff qualified to make a decision about a tactic to remove a barricaded subject?

A. In my opinion, no, and that just falls on the back of what I just said. I'm a major. And even when I was a captain over those units, if I called you as my SWAT commander, and you said, "This is what we need to do," I'm going to defer to you. As long as we're not violating policy, we're not violating the law, and we're not creating some additional liability for the sheriff, I'm going to defer to you because that's your area of expertise.

Q. But doesn't it create liability if the sheriff, who is not qualified, is directing a tactic to be used in an extremely dangerous situation?

A. Oh, absolutely. The direction should not have come from the sheriff. The sheriff should have let Josh Crews run the incident, is what it comes down to.

BY INSPECTOR RIDDICK:

Q. What was the barricaded subject?

A. There was another individual in the house. I think it was domestic.

Q. So the bad guy wasn't the only one in the

house?

A. Correct.

BY MR. KRAMER:

Q. I guess you're probably the wrong person to ask, but do we put gas in the house when there's more than one person in the house?

A. Generally, no, but I would defer to Josh Crews and let him discuss that incident in greater detail.

Q. And the insubordination that Josh demonstrated during that incident, was he ever a subject of formal discipline? Or was it just we're going to discipline him by removing him from the SWAT team?

A. He got a corrective counseling from me for his insubordination, but then the sheriff removed him as the SWAT team commander.

Q. Did they put gas in the house?

A. I don't remember. That was very early on in the tenure of the administration.

BY INSPECTOR RIDDICK:

Q. Did the sheriff give a reason why he wanted the gas? Did he have some place to go?

A. Uh-uh. It was clear he was trying to direct the incident where he didn't have the experience to

direct the incident.
BY INSPECTOR SNOWDEN:
Q. Was the sheriff at the scene?
A. He was, and the undersheriff. They both showed up. And, you know, to be fair, normally the sheriff and the undersheriff, the major does not show up to SWAT teams. You know, normally we're behind the phone somewhere, and we're letting those people run those operations; but that's not the way the sheriff wanted it run.
The captain was there. I was there. Captain Bella Blizzard was there. I was there. Decoursey was there. The sheriff was there. And I think probably Josh felt like he wasn't being allowed to operate under the parameters that he normally operates because his decision-making was being impeded by us.
BY MR. KRAMER:
Q. And that's what lead to his insubordination.
A. Correct.
Q. That's also consistent with what you've previously testified to, that all the decisions are being made by the sheriff to operational and tactical decisions.
A. That is correct.
BY INSPECTOR SNOWDEN:

Q. Were you familiar or did we talk about it last time, about the Cleveland Cox investigation that went through the office of professional standards?

A. I was aware.

Q. Do you know what happened with that eventually, or why it was terminated?

A. I don't remember.

Q. Is there some connection or familial connection between the undersheriff and Cleveland Cox?

A. We speculated that there was, but we -- I don't know of one, but it seemed to be really out of character that he was placed on the SWAT team and he was promoted against the objections of essentially everyone.

Q. Was he also assigned to CID?

A. He was.

Q. Against the objections?

A. He was. It was a pattern existing with Cleveland Cox, but I don't know what the connection is.

MR. KRAMER: I want to talk about time.

We can go off the record.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. All we were discussing is how much time we

have remaining before our other witnesses to need to appear.

A. Eric Hutchison was promoted to the rank of acting lieutenant when he wasn't on the eligibility list. I would suggest you pull the employee profile and the eligibility list. When that was called to the sheriff's attention, that he wasn't eligible for promotion, the sheriff did act and rescinded that; but then here recently Scott Bonafide has been promoted to an active lieutenant, and he's been moved to civil.

As you're aware, civil is a completely different animal than any other part of the sheriff's office. You deal with evicting people and serving papers that can and cannot be served at certain times of day. To my knowledge, Scott has no knowledge of the civil process.

I did mention Rashawn Flanders. I do not have that paperwork that I thought I had.

The last one is Pat Ford Thomas. Michelle Clement was the division manager, and she was removed for seemingly no reason and moved over to the contract monitor at the jail, which she's got zero experience at. She was removed from her role as a division manager, and she was replaced with Pat Ford Thomas.

Pat Ford Thomas is the wife of Dave Thomas,

who, interestingly enough, was one of the very core group of people in Watson's campaign.

Q. We're going to speak with Michelle Clement. We just haven't gotten her scheduled yet.

A. Okay. I have for you a copy of one of the personnel orders that went out, and as you can see, the quantity of moves that were made at one time are significant; and that's not one of them, but the reason why that's significant is because I have this to go along with it, which is completely out of character, which has everybody's picture and where they're going, where you can definitely see folks --

MR. KRAMER: All right. We'll make this an exhibit to your statement.

That's all I have. I'm sure if something else comes up, I may think of something or whatever.

(Exhibit 1 was marked for identification.)

BY INSPECTOR SNOWDEN:

Q. One last question I've got. When transfers and things were made, were the positions that they went to, were they resumed made for? Or were persons just told, you're going here, and you're going here?

A. Under the Darnell administration, generally, what would happen would be, an open position

announcement would come out: Any interested deputy sheriff that wishes to apply to be a detective, please submit your name to ISIS, which is our internal system. Interviews are conducted, and then somebody would be selected from the list.

Under the Watson administration, that pretty much went out the window. He just made moves willie-nillie as he felt necessary with no rhyme or reason is really the short answer.

MR. KRAMER: Thank you. We may be talking to you further.

(The witness concluded at 11:20 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORINE, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named GEORGE CORINE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

REQUESTED (12:21)(14:9)(14:11)(16:9)
REQUESTING (11:25)
REQUESTS (14:4)(17:17)(19:4)(20:11)
RESCINDED (50:8)
RESEARCH (37:17)
RESISTING (35:24)
RESOURCES (13:22)(14:25)
RESPONSE (8:13)(12:2)(30:20)(36:7)
RESPONSES (4:13)
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RESUBMIT (8:10)
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I can't remember the abbreviation, but it is -- there's funding that comes out. They fund some equipment, and that is really meant so that when Bradford County calls, or Union County folks that don't have a SWAT team, we go up there and we handle it.

And usually the protocol was, they would call. The captain would say, "Hey, Union County has a SWAT call-out." I would notify the SWAT guys, and then they would go.

The captain would then turn around and notify the chain upwards, "Hey, this is what's happened. I'm just kind of letting you know that Bradford County has called, or Union County has called, and they need the SWAT team."

That's been the practice for years. I mean, time was of the essence when you're talking about calling out a SWAT team. If we're not calling them for some preplanned event three days from now, then we don't have time to sit around and talk and have approval. It's go.

That completely changed under the Watson administration. He simply demanded that, in order for any asset to leave this county, that that sheriff that was requesting or that chief that was requesting the

equipment called him first, which severely choked the response time.

So it was a complete spin. It was something we weren't used to, but he wanted the sheriff of Bradford County, Union County to call him and ask for the equipment before we were authorized.

Q. And what if he wasn't available?

A. (Shrugs shoulders.)

Q. You're holding up your hands and saying there's no answer for that?

A. There's no answer for that because we weren't authorized to proceed.

Q. So, for instance, just an instance that I was personally involved in was, there was an officer-involved shooting in Levy County, and they only have maybe four deputies on the road at any one time. I don't know if you're aware of this incident.

A. Correct.

Q. And when three of the officers were involved in a shooting, then they had no -- essentially, one deputy remaining on the road. They requested assistance from the Alachua County Sheriff's Office. Would that assistance request have to go through the sheriff himself?

A. It would.

Q. Would you agree that under those circumstances where a county was essentially now --

A. Vacant.

Q. -- had no law enforcement available, that time is of the essence?

A. Yeah, it is essential. And I'll follow up with another example.

The two deputies that were shot in Gilchrist County under the Darnell administration. As soon as that happened, everybody started rolling. We rolled the command -- I mean, we had the mobile command bus. We had schedules done to start covering the county, and then we just started notifying the sheriff, "Hey, this is what we're doing. This is how we're taking care of them." It was almost the information was flowing upward rather than flowing downward.

And under the Watson administration it's completely immerse. It's not allowed to happen in that manner. And the folks who may call 911 in Gilchrist County, now that there's no deputies available, they rely on our assistance. And we have the resources to provide to Gilchrist County or to Union County that Union County or Gilchrist County doesn't otherwise have.

MR. KRAMER: All right. Let's go back to

things that you may -- unless you wanted to follow up. I'm sorry.

BY INSPECTOR RIDDICK:

Q. Has he ever denied one of those requests that you know of?

A. Yes.

Q. Which one?

A. There was an incident where University of Florida had called and requested the use of the jail vans. There was something going on at the Reitz Union. I think Darren Baxley had called and requested the jail vans. Don't quote me. I think it was Darren Baxley, deputy chief. Sheriff Watson refused to let them utilize the jail vans.

All that is, is a transport function. It's not like we were sending personnel. You know, we send in a couple of people to operate the vans, but we weren't sending crowd management. We weren't getting involved with their business on campus. They were just simply asking for assistance because, again, the university, you know, they've only got 80 FTEs, you know, somewhere in there. They don't have the capacity to deal with 15 or 20 arrestees at the same time. It would impact them severely to have to deal with that, and we had the resources. I didn't

understand what the purpose of withholding a jail van was.

Q. When you say impact severely, would that mean creating an unsafe environment for the remainder of the students and faculty on campus?

A. Potentially. I mean, it depends on how the incident goes. If you got all your guys on the incident tied up with 10-15, or arrestees, if you will, and then they need to focus their attention somewhere else, next thing you know, you divert your attention to the people that need to go. Now you have an unsafe number of officers with the arrestees; or do the officers stay with the arrestees, and now you've neglected this? You have to make a decision.

You've only got so many personnel. The jail van would have been very quick, easy. You bring the jail vans over, put them in the jail vans, pat them down, get them in there, at least hold them there for a few minutes or get them out of there, whatever they decided to do. It was a relatively simple request.

There was some issues surrounding the drug task force, which I'm sure you're aware of, and the sheriff not wanting anyone to operate in the county.

Q. Were you an employee of the sheriff's office at the time that the sheriff directed the removal of

all the equipment from the drug task force?

A. No, but my understanding is it was done in the middle of the night under some covert operation, was the rumor.

Q. Correct. I just didn't know if you were personally involved.

A. I was not.

BY INSPECTOR RIDDICK:

Q. Were you there when Nassau County requested assistance on an officer-involved shooting, and it was denied?

A. Actually, yes. I believe I was.

Q. Do we know why?

A. I don't know why.

BY MR. KRAMER:

Q. But that denial would have come from the sheriff?

A. It come from the sheriff. No cop, working cop, like even coming up through the ranks, when they had something like that, would deny that type of assistance. Those are the things -- when things were choked, it chokes to the point where it doesn't -- it doesn't run efficiently.

BY INSPECTOR RIDDICK:

Q. And for the record, let me correct that. It

may have been an officer-involved shooting, but actually the deputy had been shot; and they had a subject cornered, and they were asking for assistance from SWAT teams.

A. Correct. Correct.

MR. KRAMER: Anything further on what he's said so far?

THE WITNESS: One of the things that -- you know, you talk about assets. The SWAT team is one of them, but more frequently the helicopter is something that -- you know, we have an aviation unit. And folks in Putnam County and Columbia County, you know, they rely on that air support. You know, one helicopter there, arguably, is equivalent of 15 or 20 units on the ground.

Those requests were frequently -- we ran into problems where there would be a pursuit at, say, 2:00 in the morning, and they're calling and asking for our assistance. And then you have to make the decision, do I say, okay, go ahead and go, and then get chewed out the next day because they didn't -- because that sheriff didn't call our sheriff at 2:00 in the morning?

I mean, that's the type of slow-down we're

talking about, to the point where you might as well not even send them at that point. It's almost rendering it useless.

BY MR. KRAMER:

Q. And it's 2:00 in the morning. Is Sheriff Watson available to answer another sheriff's call?

A. I don't know. I never called him at 2:00 in the morning.

BY INSPECTOR RIDDICK:

Q. You mentioned earlier about the funding. If I recall from my days with RDS --

A. RDSTF, yeah, that's it.

Q. Regional Domestic Security Task Force. That's where a lot of Alachua's money came from. Or I say a lot. That's basically --

A. A significant amount of money.

Q. They were given a lot of money to create those regional units in case of -- for the region.

A. Right.

Q. And that was the understanding, that the money is given to you, but you need to be available if the region needs you.

A. The BearCat. I believe the BearCat was portioned with RDSTF money; or a portion of it was purchased with it, and you know how expensive those

are.

The bomb team is another RDSTF, you know.

BY MR. KRAMER:

Q. Let me ask you this. Are these requests reduced in any way to writing, or would there be any evidence of the request existing at all?

A. Usually -- from my recollection, usually when something breaks off, it's a phone call saying, "We need SWAT."

Q. Let me ask you this --

A. There could be a Teletype follow-up, though. I don't know.

Q. Would there be text messaging? Like, for instance, might you send a text message to the sheriff "We've received request from Scott for SWAT in Union County"?

A. Oh, I'm sure, but I never really directly contacted the sheriff. That was the undersheriff. I would call him, the undersheriff. I mean, he would answer his phone.

Q. But if -- you would agree those communications would be records at the agency?

A. There should be records at the agency.

Q. But if those records were not being -- they may not be preserved.

A. They should be preserved. Because there was a point in time when we all got iPhones -- you get into the debate of the iPhone or the Android, right? The iPhone is a blue, which is MMS; and then you have the Android, which is an SMS message. From my understanding, the SMS messages are recorded through your carrier, but the MMS are not because they're run on data and not run on cellular.

Q. But if the sheriff didn't allow the recording devices on his phone, there would be no record of those requests being made to the sheriff, correct?

A. I know that the phone that I had had recording because that was all enabled by Scott Shelpman, if my memory serves me correctly.

Q. Understood. Let's move on to the next item that you were concerned that we had missed due to our time constraints.

A. We discussed briefly Michelle Shirfield last time. She had posted some items on Facebook that could be seen by some folks as slanted to one racial side, if you will. That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that. Nobody ever saw the corrective counseling.

And then the order was basically given, you

know, for Facebook or for violations of social media, that was -- that was the -- what should be done, give them a corrective counseling and go through progressive discipline.

And I think there's a couple open cases right now -- or I don't know if they're open or closed.

So Frank Williams and Kevin Davis are under investigation, or open at the moment, for things that I think were far less controversial, and they were placed on admin suspension and been sitting at the house for months.

Q. And let me ask you because I don't know the answer to this. This individual -- and you said her name was Michelle?

A. Shirfield.

Q. Shirfield? Is she African American?

A. She is.

Q. And the posts that you're referencing, they were -- I don't know the posts. Were they racially inappropriate?

A. It was more of a supporting a racial position, and I believe Kevin Davis could speak more on that.

Q. Is it your understanding that a formal complaint was made either to her supervisor or to the

office of professional standards so that discipline should have been initiated?

A. I told the sheriff directly about the violation, and Bobby Stafford told the sheriff directly about the violation.

Q. But as far as I understand -- and my understanding of discipline is developing -- is that the way the discipline would be initiated, it would be either through the office of professional standards or through her supervisor.

A. Correct.

Q. So you gave that information to the sheriff?

A. Correct.

Q. And your understanding is that no discipline was initiated; or if there was any discipline, it was informal in the form of a corrective counseling?

A. It was informal in the form of a corrective counseling, but nobody seen that. I'm sure if you pull her file you would either see a corrective counseling or not see a corrective counseling, but she reported directly to the sheriff.

Q. When someone receives corrective counseling, is it discipline?

A. It's considered informal discipline.

Q. But it should remain in the employee file for

one year?

A. That's correct. Oftentimes it's not removed. You have to go back in there and say, hey, that needs to come out.

BY INSPECTOR SNOWDEN:

Q. Do you know if Kevin Davis made a complaint about that to OPS or through the sheriff suite?

A. I don't think so because he had already known that it was brought to the attention of the sheriff and Bobby Stafford.

Q. Do you know about any complaint that Kevin Davis took to OPS?

A. I know he made a complaint. I don't remember what it surrounded; but I do remember him taking a complaint, and it was basically like disregarded.

Q. If somebody takes a complaint to OPS, should a case number be drawn?

A. Oh, absolutely, or they say this is really not -- there's a list of standards that OPS will investigate these certain things or as directed by the sheriff.

So they'll look at it, and they'll say we'll take and we're going to pull a case number, or they'll say we're going to defer it back to the division commander and let the employee supervisor handle it.

MR. KRAMER: Any other questions on that particular issue?

BY MR. KRAMER:

Q. Thank you for the clarification. Was there anything else?

A. Did we discuss the bargaining process with the re-openers and the unfair labor practice?

Q. You did. You informed us that one of the reasons why you left the sheriff's office was that you advised them, essentially, that what they were doing was in violation of the National Labor Standards Act.

A. Oh, that's right. I gave you the form. Okay.

So I gave the set of text messages last time between the undersheriff and I.

Q. Yes.

A. The sergeants and lieutenants ratified their contract. The deputies did not ratify their contract. And there was an extended period of time; I don't recall the exact settlement dates, maybe July, August the following year. So we're talking about ten, eleven months later that ultimately we were going to go to a hearing at the sheriff's office.

And right before that began and the sheriff was coming to sit down and testify, if my memory

serves me correctly, he wanted to have a discussion. And then that was ultimately settled, and a substantial check was written for attorney's fees. You may want to pull a copy of that.

Q. Who was the attorney that would have received the fees?

A. It would be the PBA.

Q. Would it be the PBA itself, or would it be paid directly to a particular attorney?

MS. WEBSTER: Do you want me to answer?

MR. KRAMER: No, you can tell him.

THE WITNESS: The check was written to the PBA.

BY MR. KRAMER:

Q. For the attorney's fees?

A. For the attorney's fees.

Q. Incurred because of the actions that you've already described in your previous testimony where the sheriff was essentially acting in violation of the National Labor Standards Act of essentially just refusing to negotiate in good faith.

A. That is correct. And that surrounded the take-home cars, which I believe we talked about last time.

Q. Correct.

A. All those things wrapped up.

Q. He withdrew all the articles. That's the phraseology you used.

A. Everything was TA'd. We were getting ready to go to a vote on Thursday and Friday. On Monday, October 18th, I got a call that he withdrew all the articles.

I said, "Wait a minute. We know this vote is coming. We can't do this."

I brought it to his attention, and the sheriff made the unilateral decision to pull that. I said, "You can't do that. You're going to refuse to sign a contract after it's already been agreed upon."

And in his text messages, which I presented to you last time, I was told that my interpretation was not consistent with the decision of the sheriff.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. Next.

A. We talked about the SWAT rifles.

BY INSPECTOR RIDDICK:

Q. Where are those rifles now, Major?

A. So those rifles were not given to the employee personally. They were issued to the employee that won them with the understanding that when they

retire they will be able to keep them. That was the decision that was made, if my memory serves me correctly; but that's probably not in writing anywhere, I promise you that, because nothing hardly ever gets reduced to writing.

BY MR. KRAMER:

Q. Well, they wouldn't have gone to the inventory? Doesn't every officer have an inventory?

A. Uh-huh.

Q. And if they're not on the inventory, and they're in the officer's possession --

A. No, they're issued to the officer. They're going to be on the inventory.

BY INSPECTOR RIDDICK:

Q. They were taken into the sheriff's office inventory and then issued to the officer that won it.

A. That's correct.

Did I touch on the fact that Watson will make a decision regardless whether it's against policy or procedure?

BY MR. KRAMER:

Q. I think in general that was clear, but are there specific instances that you can reference that you didn't reference last time?

A. No. I just want to make sure I hit that --

Q. You did.

A. It's so frequent, though, that --

Q. What is the effect on the agency when the sheriff doesn't follow the agency's own policy?

A. Well, what it does is, it sets the tone of the only consistency is inconsistency, right? And when the sheriff isn't following his own policies and procedures, what message is that sending down to the troops?

It sends a horrible message down saying I don't have to follow policy and procedure, but I'm going to hold you to it; and when you aren't held to it, when you violate that, I'm going to write you up.

Q. Would it also lead people to the conclusion that -- wouldn't it also lead to the natural conclusion that if you follow a policy, that the sheriff might still discipline you or you might meet criticism or demotion or job problems because you followed policy that the sheriff no longer wants to have be the policy?

A. It's almost as if you're expected to think like him. And if it is any perceived disrespect or embarrassment, you're going to be talked to about it, if not hit with some sort of discipline.

We just had a recent case, the Glen Stanley

internal investigation, which is closed -- which I suggest you pull a copy of that -- where the sheriff goes outside the disciplinary matrix.

We have a matrix that says this is Level Two, Level Three, Level Four or Five, and this is -- you know, you got a Level Two, you get this many points. This many points is from A to B, and he'll just add C in there.

Q. And in this particular investigation was it to the officer's detriment?

A. Yes.

Q. Is this recourse for the officer under those circumstances? Can the officer appeal that decision? Do they have -- do they enforce the matrix as it exists, or are they simply subject to the sheriff's rulings?

A. Only if they meet the standards set forth in the sheriff's board, which is greater than a two-day suspension. In this case it was one-day suspension, but they put the guy on 12 months of disciplinary probation. And I believe, if you go back and you look at what a Level Three violation is, 12 months of disciplinary probation is not allowed.

And then what you do when you put somebody on disciplinary probation is, the next time they wear the

wrong color socks or doing something that's in violation, then they're not eligible for a career service board.

It's almost like you're setting up them for the next violation, to render them ineffective in a career service board.

Q. And because it's a one-day suspension, it's not appealable?

A. Correct.

We touched on changing past practice without really any discussion with anyone.

Q. Correct. Yes.

A. We touched on Watson and Decoursey routinely holding paperwork and not signing it, essentially neglecting the duties of moving the institution along.

And we -- I know we discussed not reducing things to writing, and we discussed the staffing shortages. So I think that kind of cleans up what I can remember from the last one.

Q. Was there anything additional in response to the question, are you aware of anything immoral, unethical, or illegal, that occurred in the sheriff's office while you were there --

A. Well --

Q. -- that we didn't cover last time?

A. I think that's where we're going to move in to the next section.

Q. Okay.

A. So the sheriff is a steward of the taxpayer's money. Would you agree with that?

Q. Agreed.

A. When he came into office, there were two vehicles that were provided that were left by Darnell and Huckstep. They were not happy with those vehicles even though they were functioning vehicles, and they immediately purchased two black Tahoes; and they were high-end Tahoes to the tune of in the mid 70s. And then, of course, all the equipment and everything had to go in on top of that, so you're talking probably upwards of 90-plus thousand dollars just because they wanted new vehicles. That was kind of like the first thing. Everybody kind of questioned that.

And then he had the badges removed from them that say like "High Country" to make it look like it wasn't, you know, an expensive vehicle as it was, but everybody knew what time of day it was. They saw the badges on there. Everybody knew what was going on. You could see it.

So that was kind of, in my opinion, something that the fleet department should have set back and

assessed and advised the sheriff, "Hey, if we want new vehicles, this is where our budget is. This is how much money we have left. If we make this purchase, then we can't purchase these four cars instead of these two Tahoes."

That didn't happen. He immediately ordered the vehicle. I don't think they came off state contract. I think they got one at the local Chevrolet dealership. Or I don't know where they got them form; you'd have to pull that. One was 74. The other one was 77 or somewhere in there. They were both in the mid 70s. So that was one thing that kind of came up.

So there were some Nissans that were purchased, and I believe they were for the drug task force or somebody, I think, after I had left. And there was an allegation they were purchased from Gainesville Nissan, and his son is one of the sales managers at Gainesville Nissan.

Q. Those type of contract purchases would be normally not done through Gainesville Nissan? They'd be done through state contract?

A. Generally, yes, unless there is a specific reason. Like, I know Darnell, when we purchased Harleys, the state contract price was, say -- I'm just throwing a number out there -- 17,000, but Gainesville

Harley said, hey, we'll sell them to you for 15.5. The sheriff felt we should keep our money local, and she was actually saving money and was being a good steward of the taxpayers' money and purchased the Harleys there.

But as far as going outside of that, the only thing I know of going outside was that some vehicles were purchased from Southeast Car Agency, especially when it came to things like the trucks for the aviation unit, where we could get something that was used; we didn't buy them new. They weren't new vehicles. They were used vehicles.

But there was some allegations that the Nissans came purchased from his son; and I don't have any evidence to substantiate that, but you could certainly run that down.

One of the tasks that I was given fairly early on was -- the office of professional standards was housed within the main sheriff's office at 2621 Southeast Hawthorne Road. And the office of professional standards has a door that goes right into the sheriff's suite, and that was so that the captain of OPS could go in and confer with the sheriff because the captain was direct report to the sheriff. It had been set like that since I've been there. That was

always OPS. Some years prior to that, it was at the jail.

He had me -- he directed me to have OPS relocated back to the office -- the department of the jail, and he then commanded those offices for himself and had them remodeled where he made a rather large office for himself and spent a significant amount of money remodeling that office and then purchased some furniture to fill that office.

Q. Was the furniture purchased off of state contract?

A. I was told it was purchased offline. He went online and bought it because he got a better deal. To what that was, what that P.O. looked like, I have no idea.

Q. Would that be unusual?

A. That would be unusual.

Q. Outside the standard procedures of the sheriff's office to purchase furniture?

A. Correct, because every time we've purchased furniture -- like we purchased tables like these, chairs like these that sit in the squad room that I'm sure you've been to. All those were purchased through a vendor that we've got. And every time we've had to purchase something, A and B has to come to us with a

book like this and said, here's what's available. This is what we can purchase. So to purchase furniture outside that realm, to my knowledge, had never been done.

Q. Okay.

A. There was a lot of controversy surrounding expenditures plastering his name on the building.

Q. Where are those?

A. On one occasion it didn't look right, and he bought it again.

Okay. You're aware of it. We'll move on.

On the back of everybody's vest said "sheriff" just like the cars say "sheriff" on it. It doesn't mean that you are the sheriff. It just indicates like police, sheriff. All those were ordered to be removed and replaced with deputies.

Q. Was it on the cars as well as the uniforms?

A. It was not on the cars. It was just on the uniforms.

Q. Did anybody -- with regard to this, did anybody confer or look at the Florida Statutes to ensure that the officers would be properly marked for the purposes of fleeing or attempting to elude or resisting arrest with or without violence, to ensure that the standards that are set forth in the statutes

would be met?

A. I brought that specific statute that you're referring to to the attention of the undersheriff and said, "There's really no reason for this. It doesn't designate them as the sheriff, but, you know, it's for the purposes of authority."

And the response was, "There's only one sheriff, and that's the guy that signs in green ink. Everybody else is a deputy," and that was the reason for the switch.

But again, you have whatever those patches were, ten, eight, twelve dollars times how many, 300 patches. Again, it's just another tick of expenditures that didn't need to happen.

Q. Understood.

A. The sheriff and the undersheriff has continued to disregard Florida Statute 112 on numerous occasions, which obviously stemmed from the lawsuits that are out there pending.

Q. Do you have any information to indicate whether their disregard of 112 procedures and rights that are contained in Florida Statute 112 are based upon ignorance, that they don't understand them? Or is it based on an intentional act that they don't care to provide those rights and meet their

responsibilities?

A. Personally, I believe they don't care.

Q. So at the time these violations have occurred, are the rights of the officers and responsibilities of the agency being brought to the attention of the individuals who are doing this and being told we don't care?

A. My understanding was 112 violation was raised; and then when the interview was stopped, that individual was charged with insubordination. And 112 clearly says that that can't happen.

Q. Which officer was charged with insubordination because they refused to be interviewed?

A. I believe it was Frank Williams, but I would have to go back and look. I'd have to do some additional research on that.

Q. I may need you to follow up on that if you can identify any particular officer who was -- I'm saying charged, but that's probably not the right word -- was given -- an OPS investigation was instituted for insubordination or insubordination was added to the current charged violations?

A. I believe if you pull the Glen Stanley case, and you pull a recording of the Loudermill that went

along with the Glen Stanley case, the general counsel -- essentially, the argument was being made that truthfulness did not occur, that the officer actually -- it was alleged that the officer did not -- and I don't have first-hand knowledge of it, but from my understanding, is that the officer didn't do something and, in the actual packet, said that they had done it, they had sent an email.

The undersheriff indicated on his recommendation that it was truthfulness, that it didn't occur; and when the disciplinary rep went to make the argument that it was not truthfulness, the general counsel said, "Well, what charge do you think was appropriate?"

So I would encourage you to go back and listen to that audio recording of that Loudermill. In other words, you're going to get charged with something, and we're going to find something to fit.

Q. Okay. Understood.

A. I would encourage you to probably pull his calendar, Watson's calendar, and his gas receipts. On the very early part of his tenure he was there a lot. I know he was there a lot because I was there a lot, and I saw him a lot from very early in the morning, 5:00, 6:00 -- I think we discussed that last time --

until 8:00, 9:00 at night.

It got to the point where we needed the sheriff to approve something or do something, again, because we couldn't approve anything, the sheriff is not here. The sheriff is not here. The sheriff is not here. Where is he? Is he working? Is he not working? It seemed like he was never around.

So I would encourage you to probably pull his calendar for --

Q. What month and years?

A. I would say July '21 and after.

Q. Is there some incident you can point to where his attendance to the office stopped? Was it sudden, or was it gradual?

A. It was gradual. It seemed like he gradually was not there more and more, and he was unavailable, which then just stalemated --

Q. Right, because everything has to go through him.

A. Everything has to go through him, and then everything just slows to a crawl, at best a crawl.

The sheriff's son, Clovis Watson, IV, was the subject of numerous traffic stops and some criminal acts with GPD. This information was forwarded to the sheriff, but he never seemed to rectify it with his

son. It continued to happen.

He was stopped a couple of times by our deputies for traffic violations. We did a DUI checkpoint down on South 13th Street where his son was completely irate and completely out of line just coming to pick somebody up that we had dealt with. I called the sheriff and he said, okay, and that was the end of it.

It was like his son could just do whatever he wanted to because his dad was the sheriff. There was no -- it was a very poor reflection on the sheriff, very poor reflection on the sheriff.

We talked about fails to process paperwork.

I think Ed Bennett -- you might want to talk to Ed Bennett about the disapproval of secondary employment at the academy.

Q. With regard to that, are you aware that the academy became short of staff because of the sheriff disapproving secondary employment?

A. I can't swear to that.

Q. We'd have to check with the academy?

A. You'd have to check with the academy. I would imagine it severely impacted it; but to what extent, I can't speculate.

Q. Understood.

A. The sheriff seems to make decisions based on emotion quite a bit rather than, you know, actual facts. The sheriff demoted Mat Yakubsin from lieutenant back to sergeant for essentially liking a Facebook post. Let me back up.

He demoted him, but he ordered me to demote him. So I had to call him and tell him, "Hey, look, you're demoted because you liked a Facebook post."

Q. Was that formal discipline?

A. He was on probation.

Q. So he was already on disciplinarian probation?

A. No, he was on new-hire -- promotional probation.

Q. I see. So he could be demoted back to his prior rank without any discipline occurring?

A. Correct.

Q. And does that cause him to lose pay?

A. It does cause him to lose pay.

Q. How much, roughly?

A. I'd have to go back and look at the scales. I mean, you can make a request for the pay changes in HTE. A minimum of five percent; but Yakubsin was not that tenured of a sergeant, so potentially ten percent more. I don't know the exact numbers on Yakubsin.

Q. And you know the basis for that demotion was liking a Facebook post because you were instructed to tell him why he was being demoted by the sheriff?

A. I was instructed by the sheriff to demote him back to sergeant; and the sheriff had told me that, "He liked that Facebook post, and I'm going to demote him."

Now, keep in mind everybody else that also liked that Facebook post -- it surrounded a lieutenant Facebook post from the jail that was subsequently terminated. Howard, I believe, is his name, received corrective counseling for that, but Yakubsin was demoted.

BY INSPECTOR RIDDICK:

Q. Did that go through an OPS review?

A. Oh, no.

Q. So there's no documentation on any of it?

A. No.

BY INSPECTOR SNOWDEN:

Q. Did Yakubsin get corrective counseling?

A. I believe he may have, but he was hit with a demotion and the corrective counseling where everybody else was just hit with the corrective counseling. In other words, I felt as if the demotion was excessive in comparison to what had been handed out to everybody

else. That's kind of where I was going with that.

We discussed the negligent promotions last time.

BY INSPECTOR SNOWDEN:

Q. While we're on that topic --

A. Which topic?

Q. Negligent promotion. You mentioned Cleveland Cox. Talk about your knowledge about what happened when he tried out for the SWAT team?

A. He tried out for the SWAT team. He wasn't recommended, and then he was appointed by recommendation of the undersheriff.

BY MR. KRAMER:

Q. Also, what the consequence was to the person who did not want him appointed to the SWAT team.

A. Oh, he adamantly opposed it. He was -- I can't remember if it was Josh Crews or Rich Howell at the time.

Q. Josh Crews.

A. Josh Crews absolutely did not want him to the point he wanted to go meet with the undersheriff, and I think he did meet with undersheriff about it; but the decision was made that he did not get his number one and number two picks, and he got Cleveland Cox. And Cleveland Cox was almost promoted at the

recommendation of the sheriff.

Q. What happened with Josh Crews with his relationship with the SWAT team after he didn't want Cleveland Cox on there?

A. I'd have to go back and scroll and think about the timeline, but I can tell you, if you're referring to his removal from the SWAT team, his removal from the SWAT team, I do not believe, was tied to that incident.

We had a SWAT call-out in Monteoca, and the sheriff and undersheriff were there. And Josh Crews was insubordinate to me; and the sheriff found out about it, and the sheriff removed him from the SWAT team based on that incident.

Q. Were those two things occurring closely in time, the Cleveland Cox incident and Monteoca incident?

A. I believe the Cleveland Cox thing was a couple months afterwards. It could have been pretty close. It could have been pretty close.

Q. I don't know the answer, but my understanding is that the delivery of the information that Cleveland Cox would be assigned to the SWAT team and the removal of then lieutenant -- captain, sergeant, I'm not sure --

A. Lieutenant Josh Crews.

Q. -- Lieutenant Crews were delivered at the same time.

A. It may have been. It could have been in close proximity, and I can see how maybe he could correlate that if it was in close proximity, but my knowledge of the incident, it was really based on Lieutenant Crews' insubordination. Because I was ordered by the sheriff to conduct -- to basically put gas on the house with the hopes that the guy would come out, and Josh Crews came over to me and said, "I hope it's not a tactic," and he was rather nasty about it.

I'm not on the SWAT team. I've never been on the SWAT team, and I don't pretend to be on the SWAT team. So when it comes to SWAT-related matters, I would defer to Josh. Josh has got the knowledge. He's been on there a long time, along with his brother. His brother is no longer with us. He's retired. But I had a direct order from the sheriff that this is the way we're going to proceed, and Josh didn't agree with it.

Q. Let me make sure I understand the sheriff is directing a tactic to remove an individual from a home that a SWAT team is doing?

A. To put gas in there, yes.

Q. But is the sheriff qualified to make a decision about a tactic to remove a barricaded subject?

A. In my opinion, no, and that just falls on the back of what I just said. I'm a major. And even when I was a captain over those units, if I called you as my SWAT commander, and you said, "This is what we need to do," I'm going to defer to you. As long as we're not violating policy, we're not violating the law, and we're not creating some additional liability for the sheriff, I'm going to defer to you because that's your area of expertise.

Q. But doesn't it create liability if the sheriff, who is not qualified, is directing a tactic to be used in an extremely dangerous situation?

A. Oh, absolutely. The direction should not have come from the sheriff. The sheriff should have let Josh Crews run the incident, is what it comes down to.

BY INSPECTOR RIDDICK:

Q. What was the barricaded subject?

A. There was another individual in the house. I think it was domestic.

Q. So the bad guy wasn't the only one in the

house?

A. Correct.

BY MR. KRAMER:

Q. I guess you're probably the wrong person to ask, but do we put gas in the house when there's more than one person in the house?

A. Generally, no, but I would defer to Josh Crews and let him discuss that incident in greater detail.

Q. And the insubordination that Josh demonstrated during that incident, was he ever a subject of formal discipline? Or was it just we're going to discipline him by removing him from the SWAT team?

A. He got a corrective counseling from me for his insubordination, but then the sheriff removed him as the SWAT team commander.

Q. Did they put gas in the house?

A. I don't remember. That was very early on in the tenure of the administration.

BY INSPECTOR RIDDICK:

Q. Did the sheriff give a reason why he wanted the gas? Did he have some place to go?

A. Uh-uh. It was clear he was trying to direct the incident where he didn't have the experience to

direct the incident.
BY INSPECTOR SNOWDEN:
Q. Was the sheriff at the scene?
A. He was, and the undersheriff. They both showed up. And, you know, to be fair, normally the sheriff and the undersheriff, the major does not show up to SWAT teams. You know, normally we're behind the phone somewhere, and we're letting those people run those operations; but that's not the way the sheriff wanted it run.
The captain was there. I was there. Captain Bella Blizzard was there. I was there. Decoursey was there. The sheriff was there. And I think probably Josh felt like he wasn't being allowed to operate under the parameters that he normally operates because his decision-making was being impeded by us.
BY MR. KRAMER:
Q. And that's what lead to his insubordination.
A. Correct.
Q. That's also consistent with what you've previously testified to, that all the decisions are being made by the sheriff to operational and tactical decisions.
A. That is correct.
BY INSPECTOR SNOWDEN:

Q. Were you familiar or did we talk about it last time, about the Cleveland Cox investigation that went through the office of professional standards?

A. I was aware.

Q. Do you know what happened with that eventually, or why it was terminated?

A. I don't remember.

Q. Is there some connection or familial connection between the undersheriff and Cleveland Cox?

A. We speculated that there was, but we -- I don't know of one, but it seemed to be really out of character that he was placed on the SWAT team and he was promoted against the objections of essentially everyone.

Q. Was he also assigned to CID?

A. He was.

Q. Against the objections?

A. He was. It was a pattern existing with Cleveland Cox, but I don't know what the connection is.

MR. KRAMER: I want to talk about time.

We can go off the record.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. All we were discussing is how much time we

have remaining before our other witnesses to need to appear.

A. Eric Hutchison was promoted to the rank of acting lieutenant when he wasn't on the eligibility list. I would suggest you pull the employee profile and the eligibility list. When that was called to the sheriff's attention, that he wasn't eligible for promotion, the sheriff did act and rescinded that; but then here recently Scott Bonafide has been promoted to an active lieutenant, and he's been moved to civil.

As you're aware, civil is a completely different animal than any other part of the sheriff's office. You deal with evicting people and serving papers that can and cannot be served at certain times of day. To my knowledge, Scott has no knowledge of the civil process.

I did mention Rashawn Flanders. I do not have that paperwork that I thought I had.

The last one is Pat Ford Thomas. Michelle Clement was the division manager, and she was removed for seemingly no reason and moved over to the contract monitor at the jail, which she's got zero experience at. She was removed from her role as a division manager, and she was replaced with Pat Ford Thomas.

Pat Ford Thomas is the wife of Dave Thomas,

who, interestingly enough, was one of the very core group of people in Watson's campaign.

Q. We're going to speak with Michelle Clement. We just haven't gotten her scheduled yet.

A. Okay. I have for you a copy of one of the personnel orders that went out, and as you can see, the quantity of moves that were made at one time are significant; and that's not one of them, but the reason why that's significant is because I have this to go along with it, which is completely out of character, which has everybody's picture and where they're going, where you can definitely see folks --

MR. KRAMER: All right. We'll make this an exhibit to your statement.

That's all I have. I'm sure if something else comes up, I may think of something or whatever.

(Exhibit 1 was marked for identification.)

BY INSPECTOR SNOWDEN:

Q. One last question I've got. When transfers and things were made, were the positions that they went to, were they resumed made for? Or were persons just told, you're going here, and you're going here?

A. Under the Darnell administration, generally, what would happen would be, an open position

announcement would come out: Any interested deputy sheriff that wishes to apply to be a detective, please submit your name to ISIS, which is our internal system. Interviews are conducted, and then somebody would be selected from the list.

Under the Watson administration, that pretty much went out the window. He just made moves willie-nillie as he felt necessary with no rhyme or reason is really the short answer.

MR. KRAMER: Thank you. We may be talking to you further.

(The witness concluded at 11:20 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORINE, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named GEORGE CORINE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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equipment called him first, which severely choked the response time.

So it was a complete spin. It was something we weren't used to, but he wanted the sheriff of Bradford County, Union County to call him and ask for the equipment before we were authorized.

Q. And what if he wasn't available?

A. (Shrugs shoulders.)

Q. You're holding up your hands and saying there's no answer for that?

A. There's no answer for that because we weren't authorized to proceed.

Q. So, for instance, just an instance that I was personally involved in was, there was an officer-involved shooting in Levy County, and they only have maybe four deputies on the road at any one time. I don't know if you're aware of this incident.

A. Correct.

Q. And when three of the officers were involved in a shooting, then they had no -- essentially, one deputy remaining on the road. They requested assistance from the Alachua County Sheriff's Office. Would that assistance request have to go through the sheriff himself?

A. It would.

Q. Would you agree that under those circumstances where a county was essentially now --

A. Vacant.

Q. -- had no law enforcement available, that time is of the essence?

A. Yeah, it is essential. And I'll follow up with another example.

The two deputies that were shot in Gilchrist County under the Darnell administration. As soon as that happened, everybody started rolling. We rolled the command -- I mean, we had the mobile command bus. We had schedules done to start covering the county, and then we just started notifying the sheriff, "Hey, this is what we're doing. This is how we're taking care of them." It was almost the information was flowing upward rather than flowing downward.

And under the Watson administration it's completely immerse. It's not allowed to happen in that manner. And the folks who may call 911 in Gilchrist County, now that there's no deputies available, they rely on our assistance. And we have the resources to provide to Gilchrist County or to Union County that Union County or Gilchrist County doesn't otherwise have.

MR. KRAMER: All right. Let's go back to

things that you may -- unless you wanted to follow up. I'm sorry.

BY INSPECTOR RIDDICK:

Q. Has he ever denied one of those requests that you know of?

A. Yes.

Q. Which one?

A. There was an incident where University of Florida had called and requested the use of the jail vans. There was something going on at the Reitz Union. I think Darren Baxley had called and requested the jail vans. Don't quote me. I think it was Darren Baxley, deputy chief. Sheriff Watson refused to let them utilize the jail vans.

All that is, is a transport function. It's not like we were sending personnel. You know, we send in a couple of people to operate the vans, but we weren't sending crowd management. We weren't getting involved with their business on campus. They were just simply asking for assistance because, again, the university, you know, they've only got 80 FTEs, you know, somewhere in there. They don't have the capacity to deal with 15 or 20 arrestees at the same time. It would impact them severely to have to deal with that, and we had the resources. I didn't

understand what the purpose of withholding a jail van was.

Q. When you say impact severely, would that mean creating an unsafe environment for the remainder of the students and faculty on campus?

A. Potentially. I mean, it depends on how the incident goes. If you got all your guys on the incident tied up with 10-15, or arrestees, if you will, and then they need to focus their attention somewhere else, next thing you know, you divert your attention to the people that need to go. Now you have an unsafe number of officers with the arrestees; or do the officers stay with the arrestees, and now you've neglected this? You have to make a decision.

You've only got so many personnel. The jail van would have been very quick, easy. You bring the jail vans over, put them in the jail vans, pat them down, get them in there, at least hold them there for a few minutes or get them out of there, whatever they decided to do. It was a relatively simple request.

There was some issues surrounding the drug task force, which I'm sure you're aware of, and the sheriff not wanting anyone to operate in the county.

Q. Were you an employee of the sheriff's office at the time that the sheriff directed the removal of

all the equipment from the drug task force?

A. No, but my understanding is it was done in the middle of the night under some covert operation, was the rumor.

Q. Correct. I just didn't know if you were personally involved.

A. I was not.

BY INSPECTOR RIDDICK:

Q. Were you there when Nassau County requested assistance on an officer-involved shooting, and it was denied?

A. Actually, yes. I believe I was.

Q. Do we know why?

A. I don't know why.

BY MR. KRAMER:

Q. But that denial would have come from the sheriff?

A. It come from the sheriff. No cop, working cop, like even coming up through the ranks, when they had something like that, would deny that type of assistance. Those are the things -- when things were choked, it chokes to the point where it doesn't -- it doesn't run efficiently.

BY INSPECTOR RIDDICK:

Q. And for the record, let me correct that. It

may have been an officer-involved shooting, but actually the deputy had been shot; and they had a subject cornered, and they were asking for assistance from SWAT teams.

A. Correct. Correct.

MR. KRAMER: Anything further on what he's said so far?

THE WITNESS: One of the things that -- you know, you talk about assets. The SWAT team is one of them, but more frequently the helicopter is something that -- you know, we have an aviation unit. And folks in Putnam County and Columbia County, you know, they rely on that air support. You know, one helicopter there, arguably, is equivalent of 15 or 20 units on the ground.

Those requests were frequently -- we ran into problems where there would be a pursuit at, say, 2:00 in the morning, and they're calling and asking for our assistance. And then you have to make the decision, do I say, okay, go ahead and go, and then get chewed out the next day because they didn't -- because that sheriff didn't call our sheriff at 2:00 in the morning?

I mean, that's the type of slow-down we're

talking about, to the point where you might as well not even send them at that point. It's almost rendering it useless.

BY MR. KRAMER:

Q. And it's 2:00 in the morning. Is Sheriff Watson available to answer another sheriff's call?

A. I don't know. I never called him at 2:00 in the morning.

BY INSPECTOR RIDDICK:

Q. You mentioned earlier about the funding. If I recall from my days with RDS --

A. RDSTF, yeah, that's it.

Q. Regional Domestic Security Task Force. That's where a lot of Alachua's money came from. Or I say a lot. That's basically --

A. A significant amount of money.

Q. They were given a lot of money to create those regional units in case of -- for the region.

A. Right.

Q. And that was the understanding, that the money is given to you, but you need to be available if the region needs you.

A. The BearCat. I believe the BearCat was portioned with RDSTF money; or a portion of it was purchased with it, and you know how expensive those

are.

The bomb team is another RDSTF, you know.

BY MR. KRAMER:

Q. Let me ask you this. Are these requests reduced in any way to writing, or would there be any evidence of the request existing at all?

A. Usually -- from my recollection, usually when something breaks off, it's a phone call saying, "We need SWAT."

Q. Let me ask you this --

A. There could be a Teletype follow-up, though. I don't know.

Q. Would there be text messaging? Like, for instance, might you send a text message to the sheriff "We've received request from Scott for SWAT in Union County"?

A. Oh, I'm sure, but I never really directly contacted the sheriff. That was the undersheriff. I would call him, the undersheriff. I mean, he would answer his phone.

Q. But if -- you would agree those communications would be records at the agency?

A. There should be records at the agency.

Q. But if those records were not being -- they may not be preserved.

A. They should be preserved. Because there was a point in time when we all got iPhones -- you get into the debate of the iPhone or the Android, right? The iPhone is a blue, which is MMS; and then you have the Android, which is an SMS message. From my understanding, the SMS messages are recorded through your carrier, but the MMS are not because they're run on data and not run on cellular.

Q. But if the sheriff didn't allow the recording devices on his phone, there would be no record of those requests being made to the sheriff, correct?

A. I know that the phone that I had had recording because that was all enabled by Scott Shelpman, if my memory serves me correctly.

Q. Understood. Let's move on to the next item that you were concerned that we had missed due to our time constraints.

A. We discussed briefly Michelle Shirfield last time. She had posted some items on Facebook that could be seen by some folks as slanted to one racial side, if you will. That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that. Nobody ever saw the corrective counseling.

And then the order was basically given, you

know, for Facebook or for violations of social media, that was -- that was the -- what should be done, give them a corrective counseling and go through progressive discipline.

And I think there's a couple open cases right now -- or I don't know if they're open or closed.

So Frank Williams and Kevin Davis are under investigation, or open at the moment, for things that I think were far less controversial, and they were placed on admin suspension and been sitting at the house for months.

Q. And let me ask you because I don't know the answer to this. This individual -- and you said her name was Michelle?

A. Shirfield.

Q. Shirfield? Is she African American?

A. She is.

Q. And the posts that you're referencing, they were -- I don't know the posts. Were they racially inappropriate?

A. It was more of a supporting a racial position, and I believe Kevin Davis could speak more on that.

Q. Is it your understanding that a formal complaint was made either to her supervisor or to the

office of professional standards so that discipline should have been initiated?

A. I told the sheriff directly about the violation, and Bobby Stafford told the sheriff directly about the violation.

Q. But as far as I understand -- and my understanding of discipline is developing -- is that the way the discipline would be initiated, it would be either through the office of professional standards or through her supervisor.

A. Correct.

Q. So you gave that information to the sheriff?

A. Correct.

Q. And your understanding is that no discipline was initiated; or if there was any discipline, it was informal in the form of a corrective counseling?

A. It was informal in the form of a corrective counseling, but nobody seen that. I'm sure if you pull her file you would either see a corrective counseling or not see a corrective counseling, but she reported directly to the sheriff.

Q. When someone receives corrective counseling, is it discipline?

A. It's considered informal discipline.

Q. But it should remain in the employee file for

one year?

A. That's correct. Oftentimes it's not removed. You have to go back in there and say, hey, that needs to come out.

BY INSPECTOR SNOWDEN:

Q. Do you know if Kevin Davis made a complaint about that to OPS or through the sheriff suite?

A. I don't think so because he had already known that it was brought to the attention of the sheriff and Bobby Stafford.

Q. Do you know about any complaint that Kevin Davis took to OPS?

A. I know he made a complaint. I don't remember what it surrounded; but I do remember him taking a complaint, and it was basically like disregarded.

Q. If somebody takes a complaint to OPS, should a case number be drawn?

A. Oh, absolutely, or they say this is really not -- there's a list of standards that OPS will investigate these certain things or as directed by the sheriff.

So they'll look at it, and they'll say we'll take and we're going to pull a case number, or they'll say we're going to defer it back to the division commander and let the employee supervisor handle it.

MR. KRAMER: Any other questions on that particular issue?

BY MR. KRAMER:

Q. Thank you for the clarification. Was there anything else?

A. Did we discuss the bargaining process with the re-openers and the unfair labor practice?

Q. You did. You informed us that one of the reasons why you left the sheriff's office was that you advised them, essentially, that what they were doing was in violation of the National Labor Standards Act.

A. Oh, that's right. I gave you the form. Okay.

So I gave the set of text messages last time between the undersheriff and I.

Q. Yes.

A. The sergeants and lieutenants ratified their contract. The deputies did not ratify their contract. And there was an extended period of time; I don't recall the exact settlement dates, maybe July, August the following year. So we're talking about ten, eleven months later that ultimately we were going to go to a hearing at the sheriff's office.

And right before that began and the sheriff was coming to sit down and testify, if my memory

serves me correctly, he wanted to have a discussion. And then that was ultimately settled, and a substantial check was written for attorney's fees. You may want to pull a copy of that.

Q. Who was the attorney that would have received the fees?

A. It would be the PBA.

Q. Would it be the PBA itself, or would it be paid directly to a particular attorney?

MS. WEBSTER: Do you want me to answer?

MR. KRAMER: No, you can tell him.

THE WITNESS: The check was written to the PBA.

BY MR. KRAMER:

Q. For the attorney's fees?

A. For the attorney's fees.

Q. Incurred because of the actions that you've already described in your previous testimony where the sheriff was essentially acting in violation of the National Labor Standards Act of essentially just refusing to negotiate in good faith.

A. That is correct. And that surrounded the take-home cars, which I believe we talked about last time.

Q. Correct.

A. All those things wrapped up.

Q. He withdrew all the articles. That's the phraseology you used.

A. Everything was TA'd. We were getting ready to go to a vote on Thursday and Friday. On Monday, October 18th, I got a call that he withdrew all the articles.

I said, "Wait a minute. We know this vote is coming. We can't do this."

I brought it to his attention, and the sheriff made the unilateral decision to pull that. I said, "You can't do that. You're going to refuse to sign a contract after it's already been agreed upon."

And in his text messages, which I presented to you last time, I was told that my interpretation was not consistent with the decision of the sheriff.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. Next.

A. We talked about the SWAT rifles.

BY INSPECTOR RIDDICK:

Q. Where are those rifles now, Major?

A. So those rifles were not given to the employee personally. They were issued to the employee that won them with the understanding that when they

retire they will be able to keep them. That was the decision that was made, if my memory serves me correctly; but that's probably not in writing anywhere, I promise you that, because nothing hardly ever gets reduced to writing.

BY MR. KRAMER:

Q. Well, they wouldn't have gone to the inventory? Doesn't every officer have an inventory?

A. Uh-huh.

Q. And if they're not on the inventory, and they're in the officer's possession --

A. No, they're issued to the officer. They're going to be on the inventory.

BY INSPECTOR RIDDICK:

Q. They were taken into the sheriff's office inventory and then issued to the officer that won it.

A. That's correct.

Did I touch on the fact that Watson will make a decision regardless whether it's against policy or procedure?

BY MR. KRAMER:

Q. I think in general that was clear, but are there specific instances that you can reference that you didn't reference last time?

A. No. I just want to make sure I hit that --

Q. You did.

A. It's so frequent, though, that --

Q. What is the effect on the agency when the sheriff doesn't follow the agency's own policy?

A. Well, what it does is, it sets the tone of the only consistency is inconsistency, right? And when the sheriff isn't following his own policies and procedures, what message is that sending down to the troops?

It sends a horrible message down saying I don't have to follow policy and procedure, but I'm going to hold you to it; and when you aren't held to it, when you violate that, I'm going to write you up.

Q. Would it also lead people to the conclusion that -- wouldn't it also lead to the natural conclusion that if you follow a policy, that the sheriff might still discipline you or you might meet criticism or demotion or job problems because you followed policy that the sheriff no longer wants to have be the policy?

A. It's almost as if you're expected to think like him. And if it is any perceived disrespect or embarrassment, you're going to be talked to about it, if not hit with some sort of discipline.

We just had a recent case, the Glen Stanley

internal investigation, which is closed -- which I suggest you pull a copy of that -- where the sheriff goes outside the disciplinary matrix.

We have a matrix that says this is Level Two, Level Three, Level Four or Five, and this is -- you know, you got a Level Two, you get this many points. This many points is from A to B, and he'll just add C in there.

Q. And in this particular investigation was it to the officer's detriment?

A. Yes.

Q. Is this recourse for the officer under those circumstances? Can the officer appeal that decision? Do they have -- do they enforce the matrix as it exists, or are they simply subject to the sheriff's rulings?

A. Only if they meet the standards set forth in the sheriff's board, which is greater than a two-day suspension. In this case it was one-day suspension, but they put the guy on 12 months of disciplinary probation. And I believe, if you go back and you look at what a Level Three violation is, 12 months of disciplinary probation is not allowed.

And then what you do when you put somebody on disciplinary probation is, the next time they wear the

wrong color socks or doing something that's in violation, then they're not eligible for a career service board.

It's almost like you're setting up them for the next violation, to render them ineffective in a career service board.

Q. And because it's a one-day suspension, it's not appealable?

A. Correct.

We touched on changing past practice without really any discussion with anyone.

Q. Correct. Yes.

A. We touched on Watson and Decoursey routinely holding paperwork and not signing it, essentially neglecting the duties of moving the institution along.

And we -- I know we discussed not reducing things to writing, and we discussed the staffing shortages. So I think that kind of cleans up what I can remember from the last one.

Q. Was there anything additional in response to the question, are you aware of anything immoral, unethical, or illegal, that occurred in the sheriff's office while you were there --

A. Well --

Q. -- that we didn't cover last time?

A. I think that's where we're going to move in to the next section.

Q. Okay.

A. So the sheriff is a steward of the taxpayer's money. Would you agree with that?

Q. Agreed.

A. When he came into office, there were two vehicles that were provided that were left by Darnell and Huckstep. They were not happy with those vehicles even though they were functioning vehicles, and they immediately purchased two black Tahoes; and they were high-end Tahoes to the tune of in the mid 70s. And then, of course, all the equipment and everything had to go in on top of that, so you're talking probably upwards of 90-plus thousand dollars just because they wanted new vehicles. That was kind of like the first thing. Everybody kind of questioned that.

And then he had the badges removed from them that say like "High Country" to make it look like it wasn't, you know, an expensive vehicle as it was, but everybody knew what time of day it was. They saw the badges on there. Everybody knew what was going on. You could see it.

So that was kind of, in my opinion, something that the fleet department should have set back and

assessed and advised the sheriff, "Hey, if we want new vehicles, this is where our budget is. This is how much money we have left. If we make this purchase, then we can't purchase these four cars instead of these two Tahoes."

That didn't happen. He immediately ordered the vehicle. I don't think they came off state contract. I think they got one at the local Chevrolet dealership. Or I don't know where they got them form; you'd have to pull that. One was 74. The other one was 77 or somewhere in there. They were both in the mid 70s. So that was one thing that kind of came up.

So there were some Nissans that were purchased, and I believe they were for the drug task force or somebody, I think, after I had left. And there was an allegation they were purchased from Gainesville Nissan, and his son is one of the sales managers at Gainesville Nissan.

Q. Those type of contract purchases would be normally not done through Gainesville Nissan? They'd be done through state contract?

A. Generally, yes, unless there is a specific reason. Like, I know Darnell, when we purchased Harleys, the state contract price was, say -- I'm just throwing a number out there -- 17,000, but Gainesville

Harley said, hey, we'll sell them to you for 15.5. The sheriff felt we should keep our money local, and she was actually saving money and was being a good steward of the taxpayers' money and purchased the Harleys there.

But as far as going outside of that, the only thing I know of going outside was that some vehicles were purchased from Southeast Car Agency, especially when it came to things like the trucks for the aviation unit, where we could get something that was used; we didn't buy them new. They weren't new vehicles. They were used vehicles.

But there was some allegations that the Nissans came purchased from his son; and I don't have any evidence to substantiate that, but you could certainly run that down.

One of the tasks that I was given fairly early on was -- the office of professional standards was housed within the main sheriff's office at 2621 Southeast Hawthorne Road. And the office of professional standards has a door that goes right into the sheriff's suite, and that was so that the captain of OPS could go in and confer with the sheriff because the captain was direct report to the sheriff. It had been set like that since I've been there. That was

always OPS. Some years prior to that, it was at the jail.

He had me -- he directed me to have OPS relocated back to the office -- the department of the jail, and he then commanded those offices for himself and had them remodeled where he made a rather large office for himself and spent a significant amount of money remodeling that office and then purchased some furniture to fill that office.

Q. Was the furniture purchased off of state contract?

A. I was told it was purchased offline. He went online and bought it because he got a better deal. To what that was, what that P.O. looked like, I have no idea.

Q. Would that be unusual?

A. That would be unusual.

Q. Outside the standard procedures of the sheriff's office to purchase furniture?

A. Correct, because every time we've purchased furniture -- like we purchased tables like these, chairs like these that sit in the squad room that I'm sure you've been to. All those were purchased through a vendor that we've got. And every time we've had to purchase something, A and B has to come to us with a

book like this and said, here's what's available. This is what we can purchase. So to purchase furniture outside that realm, to my knowledge, had never been done.

Q. Okay.

A. There was a lot of controversy surrounding expenditures plastering his name on the building.

Q. Where are those?

A. On one occasion it didn't look right, and he bought it again.

Okay. You're aware of it. We'll move on.

On the back of everybody's vest said "sheriff" just like the cars say "sheriff" on it. It doesn't mean that you are the sheriff. It just indicates like police, sheriff. All those were ordered to be removed and replaced with deputies.

Q. Was it on the cars as well as the uniforms?

A. It was not on the cars. It was just on the uniforms.

Q. Did anybody -- with regard to this, did anybody confer or look at the Florida Statutes to ensure that the officers would be properly marked for the purposes of fleeing or attempting to elude or resisting arrest with or without violence, to ensure that the standards that are set forth in the statutes

would be met?

A. I brought that specific statute that you're referring to to the attention of the undersheriff and said, "There's really no reason for this. It doesn't designate them as the sheriff, but, you know, it's for the purposes of authority."

And the response was, "There's only one sheriff, and that's the guy that signs in green ink. Everybody else is a deputy," and that was the reason for the switch.

But again, you have whatever those patches were, ten, eight, twelve dollars times how many, 300 patches. Again, it's just another tick of expenditures that didn't need to happen.

Q. Understood.

A. The sheriff and the undersheriff has continued to disregard Florida Statute 112 on numerous occasions, which obviously stemmed from the lawsuits that are out there pending.

Q. Do you have any information to indicate whether their disregard of 112 procedures and rights that are contained in Florida Statute 112 are based upon ignorance, that they don't understand them? Or is it based on an intentional act that they don't care to provide those rights and meet their

responsibilities?

A. Personally, I believe they don't care.

Q. So at the time these violations have occurred, are the rights of the officers and responsibilities of the agency being brought to the attention of the individuals who are doing this and being told we don't care?

A. My understanding was 112 violation was raised; and then when the interview was stopped, that individual was charged with insubordination. And 112 clearly says that that can't happen.

Q. Which officer was charged with insubordination because they refused to be interviewed?

A. I believe it was Frank Williams, but I would have to go back and look. I'd have to do some additional research on that.

Q. I may need you to follow up on that if you can identify any particular officer who was -- I'm saying charged, but that's probably not the right word -- was given -- an OPS investigation was instituted for insubordination or insubordination was added to the current charged violations?

A. I believe if you pull the Glen Stanley case, and you pull a recording of the Loudermill that went

along with the Glen Stanley case, the general counsel -- essentially, the argument was being made that truthfulness did not occur, that the officer actually -- it was alleged that the officer did not -- and I don't have first-hand knowledge of it, but from my understanding, is that the officer didn't do something and, in the actual packet, said that they had done it, they had sent an email.

The undersheriff indicated on his recommendation that it was truthfulness, that it didn't occur; and when the disciplinary rep went to make the argument that it was not truthfulness, the general counsel said, "Well, what charge do you think was appropriate?"

So I would encourage you to go back and listen to that audio recording of that Loudermill. In other words, you're going to get charged with something, and we're going to find something to fit.

Q. Okay. Understood.

A. I would encourage you to probably pull his calendar, Watson's calendar, and his gas receipts. On the very early part of his tenure he was there a lot. I know he was there a lot because I was there a lot, and I saw him a lot from very early in the morning, 5:00, 6:00 -- I think we discussed that last time --

until 8:00, 9:00 at night.

It got to the point where we needed the sheriff to approve something or do something, again, because we couldn't approve anything, the sheriff is not here. The sheriff is not here. The sheriff is not here. Where is he? Is he working? Is he not working? It seemed like he was never around.

So I would encourage you to probably pull his calendar for --

Q. What month and years?

A. I would say July '21 and after.

Q. Is there some incident you can point to where his attendance to the office stopped? Was it sudden, or was it gradual?

A. It was gradual. It seemed like he gradually was not there more and more, and he was unavailable, which then just stalemated --

Q. Right, because everything has to go through him.

A. Everything has to go through him, and then everything just slows to a crawl, at best a crawl.

The sheriff's son, Clovis Watson, IV, was the subject of numerous traffic stops and some criminal acts with GPD. This information was forwarded to the sheriff, but he never seemed to rectify it with his

son. It continued to happen.

He was stopped a couple of times by our deputies for traffic violations. We did a DUI checkpoint down on South 13th Street where his son was completely irate and completely out of line just coming to pick somebody up that we had dealt with. I called the sheriff and he said, okay, and that was the end of it.

It was like his son could just do whatever he wanted to because his dad was the sheriff. There was no -- it was a very poor reflection on the sheriff, very poor reflection on the sheriff.

We talked about fails to process paperwork.

I think Ed Bennett -- you might want to talk to Ed Bennett about the disapproval of secondary employment at the academy.

Q. With regard to that, are you aware that the academy became short of staff because of the sheriff disapproving secondary employment?

A. I can't swear to that.

Q. We'd have to check with the academy?

A. You'd have to check with the academy. I would imagine it severely impacted it; but to what extent, I can't speculate.

Q. Understood.

A. The sheriff seems to make decisions based on emotion quite a bit rather than, you know, actual facts. The sheriff demoted Mat Yakubsin from lieutenant back to sergeant for essentially liking a Facebook post. Let me back up.

He demoted him, but he ordered me to demote him. So I had to call him and tell him, "Hey, look, you're demoted because you liked a Facebook post."

Q. Was that formal discipline?

A. He was on probation.

Q. So he was already on disciplinarian probation?

A. No, he was on new-hire -- promotional probation.

Q. I see. So he could be demoted back to his prior rank without any discipline occurring?

A. Correct.

Q. And does that cause him to lose pay?

A. It does cause him to lose pay.

Q. How much, roughly?

A. I'd have to go back and look at the scales. I mean, you can make a request for the pay changes in HTE. A minimum of five percent; but Yakubsin was not that tenured of a sergeant, so potentially ten percent more. I don't know the exact numbers on Yakubsin.

Q. And you know the basis for that demotion was liking a Facebook post because you were instructed to tell him why he was being demoted by the sheriff?

A. I was instructed by the sheriff to demote him back to sergeant; and the sheriff had told me that, "He liked that Facebook post, and I'm going to demote him."

Now, keep in mind everybody else that also liked that Facebook post -- it surrounded a lieutenant Facebook post from the jail that was subsequently terminated. Howard, I believe, is his name, received corrective counseling for that, but Yakubsin was demoted.

BY INSPECTOR RIDDICK:

Q. Did that go through an OPS review?

A. Oh, no.

Q. So there's no documentation on any of it?

A. No.

BY INSPECTOR SNOWDEN:

Q. Did Yakubsin get corrective counseling?

A. I believe he may have, but he was hit with a demotion and the corrective counseling where everybody else was just hit with the corrective counseling. In other words, I felt as if the demotion was excessive in comparison to what had been handed out to everybody

else. That's kind of where I was going with that.

We discussed the negligent promotions last time.

BY INSPECTOR SNOWDEN:

Q. While we're on that topic --

A. Which topic?

Q. Negligent promotion. You mentioned Cleveland Cox. Talk about your knowledge about what happened when he tried out for the SWAT team?

A. He tried out for the SWAT team. He wasn't recommended, and then he was appointed by recommendation of the undersheriff.

BY MR. KRAMER:

Q. Also, what the consequence was to the person who did not want him appointed to the SWAT team.

A. Oh, he adamantly opposed it. He was -- I can't remember if it was Josh Crews or Rich Howell at the time.

Q. Josh Crews.

A. Josh Crews absolutely did not want him to the point he wanted to go meet with the undersheriff, and I think he did meet with undersheriff about it; but the decision was made that he did not get his number one and number two picks, and he got Cleveland Cox. And Cleveland Cox was almost promoted at the

recommendation of the sheriff.

Q. What happened with Josh Crews with his relationship with the SWAT team after he didn't want Cleveland Cox on there?

A. I'd have to go back and scroll and think about the timeline, but I can tell you, if you're referring to his removal from the SWAT team, his removal from the SWAT team, I do not believe, was tied to that incident.

We had a SWAT call-out in Monteoca, and the sheriff and undersheriff were there. And Josh Crews was insubordinate to me; and the sheriff found out about it, and the sheriff removed him from the SWAT team based on that incident.

Q. Were those two things occurring closely in time, the Cleveland Cox incident and Monteoca incident?

A. I believe the Cleveland Cox thing was a couple months afterwards. It could have been pretty close. It could have been pretty close.

Q. I don't know the answer, but my understanding is that the delivery of the information that Cleveland Cox would be assigned to the SWAT team and the removal of then lieutenant -- captain, sergeant, I'm not sure --

A. Lieutenant Josh Crews.

Q. -- Lieutenant Crews were delivered at the same time.

A. It may have been. It could have been in close proximity, and I can see how maybe he could correlate that if it was in close proximity, but my knowledge of the incident, it was really based on Lieutenant Crews' insubordination. Because I was ordered by the sheriff to conduct -- to basically put gas on the house with the hopes that the guy would come out, and Josh Crews came over to me and said, "I hope it's not a tactic," and he was rather nasty about it.

I'm not on the SWAT team. I've never been on the SWAT team, and I don't pretend to be on the SWAT team. So when it comes to SWAT-related matters, I would defer to Josh. Josh has got the knowledge. He's been on there a long time, along with his brother. His brother is no longer with us. He's retired. But I had a direct order from the sheriff that this is the way we're going to proceed, and Josh didn't agree with it.

Q. Let me make sure I understand the sheriff is directing a tactic to remove an individual from a home that a SWAT team is doing?

A. To put gas in there, yes.

Q. But is the sheriff qualified to make a decision about a tactic to remove a barricaded subject?

A. In my opinion, no, and that just falls on the back of what I just said. I'm a major. And even when I was a captain over those units, if I called you as my SWAT commander, and you said, "This is what we need to do," I'm going to defer to you. As long as we're not violating policy, we're not violating the law, and we're not creating some additional liability for the sheriff, I'm going to defer to you because that's your area of expertise.

Q. But doesn't it create liability if the sheriff, who is not qualified, is directing a tactic to be used in an extremely dangerous situation?

A. Oh, absolutely. The direction should not have come from the sheriff. The sheriff should have let Josh Crews run the incident, is what it comes down to.

BY INSPECTOR RIDDICK:

Q. What was the barricaded subject?

A. There was another individual in the house. I think it was domestic.

Q. So the bad guy wasn't the only one in the

house?

A. Correct.

BY MR. KRAMER:

Q. I guess you're probably the wrong person to ask, but do we put gas in the house when there's more than one person in the house?

A. Generally, no, but I would defer to Josh Crews and let him discuss that incident in greater detail.

Q. And the insubordination that Josh demonstrated during that incident, was he ever a subject of formal discipline? Or was it just we're going to discipline him by removing him from the SWAT team?

A. He got a corrective counseling from me for his insubordination, but then the sheriff removed him as the SWAT team commander.

Q. Did they put gas in the house?

A. I don't remember. That was very early on in the tenure of the administration.

BY INSPECTOR RIDDICK:

Q. Did the sheriff give a reason why he wanted the gas? Did he have some place to go?

A. Uh-uh. It was clear he was trying to direct the incident where he didn't have the experience to

direct the incident.
BY INSPECTOR SNOWDEN:
Q. Was the sheriff at the scene?
A. He was, and the undersheriff. They both showed up. And, you know, to be fair, normally the sheriff and the undersheriff, the major does not show up to SWAT teams. You know, normally we're behind the phone somewhere, and we're letting those people run those operations; but that's not the way the sheriff wanted it run.
The captain was there. I was there. Captain Bella Blizzard was there. I was there. Decoursey was there. The sheriff was there. And I think probably Josh felt like he wasn't being allowed to operate under the parameters that he normally operates because his decision-making was being impeded by us.
BY MR. KRAMER:
Q. And that's what lead to his insubordination.
A. Correct.
Q. That's also consistent with what you've previously testified to, that all the decisions are being made by the sheriff to operational and tactical decisions.
A. That is correct.
BY INSPECTOR SNOWDEN:

Q. Were you familiar or did we talk about it last time, about the Cleveland Cox investigation that went through the office of professional standards?

A. I was aware.

Q. Do you know what happened with that eventually, or why it was terminated?

A. I don't remember.

Q. Is there some connection or familial connection between the undersheriff and Cleveland Cox?

A. We speculated that there was, but we -- I don't know of one, but it seemed to be really out of character that he was placed on the SWAT team and he was promoted against the objections of essentially everyone.

Q. Was he also assigned to CID?

A. He was.

Q. Against the objections?

A. He was. It was a pattern existing with Cleveland Cox, but I don't know what the connection is.

MR. KRAMER: I want to talk about time.

We can go off the record.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. All we were discussing is how much time we

have remaining before our other witnesses to need to appear.

A. Eric Hutchison was promoted to the rank of acting lieutenant when he wasn't on the eligibility list. I would suggest you pull the employee profile and the eligibility list. When that was called to the sheriff's attention, that he wasn't eligible for promotion, the sheriff did act and rescinded that; but then here recently Scott Bonafide has been promoted to an active lieutenant, and he's been moved to civil.

As you're aware, civil is a completely different animal than any other part of the sheriff's office. You deal with evicting people and serving papers that can and cannot be served at certain times of day. To my knowledge, Scott has no knowledge of the civil process.

I did mention Rashawn Flanders. I do not have that paperwork that I thought I had.

The last one is Pat Ford Thomas. Michelle Clement was the division manager, and she was removed for seemingly no reason and moved over to the contract monitor at the jail, which she's got zero experience at. She was removed from her role as a division manager, and she was replaced with Pat Ford Thomas.

Pat Ford Thomas is the wife of Dave Thomas,

who, interestingly enough, was one of the very core group of people in Watson's campaign.

Q. We're going to speak with Michelle Clement. We just haven't gotten her scheduled yet.

A. Okay. I have for you a copy of one of the personnel orders that went out, and as you can see, the quantity of moves that were made at one time are significant; and that's not one of them, but the reason why that's significant is because I have this to go along with it, which is completely out of character, which has everybody's picture and where they're going, where you can definitely see folks --

MR. KRAMER: All right. We'll make this an exhibit to your statement.

That's all I have. I'm sure if something else comes up, I may think of something or whatever.

(Exhibit 1 was marked for identification.)

BY INSPECTOR SNOWDEN:

Q. One last question I've got. When transfers and things were made, were the positions that they went to, were they resumed made for? Or were persons just told, you're going here, and you're going here?

A. Under the Darnell administration, generally, what would happen would be, an open position

announcement would come out: Any interested deputy sheriff that wishes to apply to be a detective, please submit your name to ISIS, which is our internal system. Interviews are conducted, and then somebody would be selected from the list.

Under the Watson administration, that pretty much went out the window. He just made moves willie-nillie as he felt necessary with no rhyme or reason is really the short answer.

MR. KRAMER: Thank you. We may be talking to you further.

(The witness concluded at 11:20 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORINE, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named GEORGE CORINE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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TICK (36:13)

TIED (15:8) (44:8)

TIME (1:5) (3:12) (4:1) (4:19) (10:6) (11:17) (11:20) (12:2) (12:17) (13:5) (14:24) (15:25) (20:2) (20:17) (20:19) (24:14) (24:19) (25:24) (26:15) (27:24) (29:25) (30:25) (31:21) (34:20) (34:24) (37:3) (38:25) (43:3) (43:18) (44:16) (45:3) (45:18) (49:2) (49:21) (49:25) (51:7) (54:8)

TIMELINE (44:6)

TIMELY (9:3)

TIMES (8:12) (36:12) (40:2) (50:14)

TODAY (7:23)

TOLD (22:3) (22:4) (26:15) (34:12) (37:7) (42:5) (51:23)

TONE (28:5)

TOO (7:2) (7:8)

TOOK (23:12)

TOP (31:14)

TOPIC (43:5) (43:6)

TOUCH (27:18)

TOUCHED (30:10) (30:13)

TRAFFIC (39:23) (40:3)

TRANSCRIPT (54:7) (54:12)

TRANSFERS (51:20)

TRANSPORT (14:15)

TREATED (7:3)

TRIED (43:9) (43:10)

TROOPS (28:9)

TRUCKS (33:9)

TRUE (9:10) (54:7)

TRUTH (3:3) (53:7)

TRUTHFULNESS (38:3) (38:10) (38:12)

TRYING (47:24)

TUNE (31:12)

TURN (11:11)

TWELVE (36:12)

TWO (13:8) (29:4) (29:6) (31:7) (31:11) (32:5) (43:24) (44:15)

TWO-DAY (29:18)

TYPE (6:2) (16:20) (17:25) (32:19)

TYPES (4:24)

U

UH-HUH (27:9)

UH-UH (47:24)

ULTIMATELY (24:22) (25:2)

Q. Would you agree that under those circumstances where a county was essentially now --

A. Vacant.

Q. -- had no law enforcement available, that time is of the essence?

A. Yeah, it is essential. And I'll follow up with another example.

The two deputies that were shot in Gilchrist County under the Darnell administration. As soon as that happened, everybody started rolling. We rolled the command -- I mean, we had the mobile command bus. We had schedules done to start covering the county, and then we just started notifying the sheriff, "Hey, this is what we're doing. This is how we're taking care of them." It was almost the information was flowing upward rather than flowing downward.

And under the Watson administration it's completely immerse. It's not allowed to happen in that manner. And the folks who may call 911 in Gilchrist County, now that there's no deputies available, they rely on our assistance. And we have the resources to provide to Gilchrist County or to Union County that Union County or Gilchrist County doesn't otherwise have.

MR. KRAMER: All right. Let's go back to

things that you may -- unless you wanted to follow up. I'm sorry.

BY INSPECTOR RIDDICK:

Q. Has he ever denied one of those requests that you know of?

A. Yes.

Q. Which one?

A. There was an incident where University of Florida had called and requested the use of the jail vans. There was something going on at the Reitz Union. I think Darren Baxley had called and requested the jail vans. Don't quote me. I think it was Darren Baxley, deputy chief. Sheriff Watson refused to let them utilize the jail vans.

All that is, is a transport function. It's not like we were sending personnel. You know, we send in a couple of people to operate the vans, but we weren't sending crowd management. We weren't getting involved with their business on campus. They were just simply asking for assistance because, again, the university, you know, they've only got 80 FTEs, you know, somewhere in there. They don't have the capacity to deal with 15 or 20 arrestees at the same time. It would impact them severely to have to deal with that, and we had the resources. I didn't

understand what the purpose of withholding a jail van was.

Q. When you say impact severely, would that mean creating an unsafe environment for the remainder of the students and faculty on campus?

A. Potentially. I mean, it depends on how the incident goes. If you got all your guys on the incident tied up with 10-15, or arrestees, if you will, and then they need to focus their attention somewhere else, next thing you know, you divert your attention to the people that need to go. Now you have an unsafe number of officers with the arrestees; or do the officers stay with the arrestees, and now you've neglected this? You have to make a decision.

You've only got so many personnel. The jail van would have been very quick, easy. You bring the jail vans over, put them in the jail vans, pat them down, get them in there, at least hold them there for a few minutes or get them out of there, whatever they decided to do. It was a relatively simple request.

There was some issues surrounding the drug task force, which I'm sure you're aware of, and the sheriff not wanting anyone to operate in the county.

Q. Were you an employee of the sheriff's office at the time that the sheriff directed the removal of

all the equipment from the drug task force?

A. No, but my understanding is it was done in the middle of the night under some covert operation, was the rumor.

Q. Correct. I just didn't know if you were personally involved.

A. I was not.

BY INSPECTOR RIDDICK:

Q. Were you there when Nassau County requested assistance on an officer-involved shooting, and it was denied?

A. Actually, yes. I believe I was.

Q. Do we know why?

A. I don't know why.

BY MR. KRAMER:

Q. But that denial would have come from the sheriff?

A. It come from the sheriff. No cop, working cop, like even coming up through the ranks, when they had something like that, would deny that type of assistance. Those are the things -- when things were choked, it chokes to the point where it doesn't -- it doesn't run efficiently.

BY INSPECTOR RIDDICK:

Q. And for the record, let me correct that. It

may have been an officer-involved shooting, but actually the deputy had been shot; and they had a subject cornered, and they were asking for assistance from SWAT teams.

A. Correct. Correct.

MR. KRAMER: Anything further on what he's said so far?

THE WITNESS: One of the things that -- you know, you talk about assets. The SWAT team is one of them, but more frequently the helicopter is something that -- you know, we have an aviation unit. And folks in Putnam County and Columbia County, you know, they rely on that air support. You know, one helicopter there, arguably, is equivalent of 15 or 20 units on the ground.

Those requests were frequently -- we ran into problems where there would be a pursuit at, say, 2:00 in the morning, and they're calling and asking for our assistance. And then you have to make the decision, do I say, okay, go ahead and go, and then get chewed out the next day because they didn't -- because that sheriff didn't call our sheriff at 2:00 in the morning?

I mean, that's the type of slow-down we're

talking about, to the point where you might as well not even send them at that point. It's almost rendering it useless.

BY MR. KRAMER:

Q. And it's 2:00 in the morning. Is Sheriff Watson available to answer another sheriff's call?

A. I don't know. I never called him at 2:00 in the morning.

BY INSPECTOR RIDDICK:

Q. You mentioned earlier about the funding. If I recall from my days with RDS --

A. RDSTF, yeah, that's it.

Q. Regional Domestic Security Task Force. That's where a lot of Alachua's money came from. Or I say a lot. That's basically --

A. A significant amount of money.

Q. They were given a lot of money to create those regional units in case of -- for the region.

A. Right.

Q. And that was the understanding, that the money is given to you, but you need to be available if the region needs you.

A. The BearCat. I believe the BearCat was portioned with RDSTF money; or a portion of it was purchased with it, and you know how expensive those

are.

The bomb team is another RDSTF, you know.

BY MR. KRAMER:

Q. Let me ask you this. Are these requests reduced in any way to writing, or would there be any evidence of the request existing at all?

A. Usually -- from my recollection, usually when something breaks off, it's a phone call saying, "We need SWAT."

Q. Let me ask you this --

A. There could be a Teletype follow-up, though. I don't know.

Q. Would there be text messaging? Like, for instance, might you send a text message to the sheriff "We've received request from Scott for SWAT in Union County"?

A. Oh, I'm sure, but I never really directly contacted the sheriff. That was the undersheriff. I would call him, the undersheriff. I mean, he would answer his phone.

Q. But if -- you would agree those communications would be records at the agency?

A. There should be records at the agency.

Q. But if those records were not being -- they may not be preserved.

A. They should be preserved. Because there was a point in time when we all got iPhones -- you get into the debate of the iPhone or the Android, right? The iPhone is a blue, which is MMS; and then you have the Android, which is an SMS message. From my understanding, the SMS messages are recorded through your carrier, but the MMS are not because they're run on data and not run on cellular.

Q. But if the sheriff didn't allow the recording devices on his phone, there would be no record of those requests being made to the sheriff, correct?

A. I know that the phone that I had had recording because that was all enabled by Scott Shelpman, if my memory serves me correctly.

Q. Understood. Let's move on to the next item that you were concerned that we had missed due to our time constraints.

A. We discussed briefly Michelle Shirfield last time. She had posted some items on Facebook that could be seen by some folks as slanted to one racial side, if you will. That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that. Nobody ever saw the corrective counseling.

And then the order was basically given, you

know, for Facebook or for violations of social media, that was -- that was the -- what should be done, give them a corrective counseling and go through progressive discipline.

And I think there's a couple open cases right now -- or I don't know if they're open or closed.

So Frank Williams and Kevin Davis are under investigation, or open at the moment, for things that I think were far less controversial, and they were placed on admin suspension and been sitting at the house for months.

Q. And let me ask you because I don't know the answer to this. This individual -- and you said her name was Michelle?

A. Shirfield.

Q. Shirfield? Is she African American?

A. She is.

Q. And the posts that you're referencing, they were -- I don't know the posts. Were they racially inappropriate?

A. It was more of a supporting a racial position, and I believe Kevin Davis could speak more on that.

Q. Is it your understanding that a formal complaint was made either to her supervisor or to the

office of professional standards so that discipline should have been initiated?

A. I told the sheriff directly about the violation, and Bobby Stafford told the sheriff directly about the violation.

Q. But as far as I understand -- and my understanding of discipline is developing -- is that the way the discipline would be initiated, it would be either through the office of professional standards or through her supervisor.

A. Correct.

Q. So you gave that information to the sheriff?

A. Correct.

Q. And your understanding is that no discipline was initiated; or if there was any discipline, it was informal in the form of a corrective counseling?

A. It was informal in the form of a corrective counseling, but nobody seen that. I'm sure if you pull her file you would either see a corrective counseling or not see a corrective counseling, but she reported directly to the sheriff.

Q. When someone receives corrective counseling, is it discipline?

A. It's considered informal discipline.

Q. But it should remain in the employee file for

one year?

A. That's correct. Oftentimes it's not removed. You have to go back in there and say, hey, that needs to come out.

BY INSPECTOR SNOWDEN:

Q. Do you know if Kevin Davis made a complaint about that to OPS or through the sheriff suite?

A. I don't think so because he had already known that it was brought to the attention of the sheriff and Bobby Stafford.

Q. Do you know about any complaint that Kevin Davis took to OPS?

A. I know he made a complaint. I don't remember what it surrounded; but I do remember him taking a complaint, and it was basically like disregarded.

Q. If somebody takes a complaint to OPS, should a case number be drawn?

A. Oh, absolutely, or they say this is really not -- there's a list of standards that OPS will investigate these certain things or as directed by the sheriff.

So they'll look at it, and they'll say we'll take and we're going to pull a case number, or they'll say we're going to defer it back to the division commander and let the employee supervisor handle it.

MR. KRAMER: Any other questions on that particular issue?

BY MR. KRAMER:

Q. Thank you for the clarification. Was there anything else?

A. Did we discuss the bargaining process with the re-openers and the unfair labor practice?

Q. You did. You informed us that one of the reasons why you left the sheriff's office was that you advised them, essentially, that what they were doing was in violation of the National Labor Standards Act.

A. Oh, that's right. I gave you the form. Okay.

So I gave the set of text messages last time between the undersheriff and I.

Q. Yes.

A. The sergeants and lieutenants ratified their contract. The deputies did not ratify their contract. And there was an extended period of time; I don't recall the exact settlement dates, maybe July, August the following year. So we're talking about ten, eleven months later that ultimately we were going to go to a hearing at the sheriff's office.

And right before that began and the sheriff was coming to sit down and testify, if my memory

serves me correctly, he wanted to have a discussion. And then that was ultimately settled, and a substantial check was written for attorney's fees. You may want to pull a copy of that.

Q. Who was the attorney that would have received the fees?

A. It would be the PBA.

Q. Would it be the PBA itself, or would it be paid directly to a particular attorney?

MS. WEBSTER: Do you want me to answer?

MR. KRAMER: No, you can tell him.

THE WITNESS: The check was written to the PBA.

BY MR. KRAMER:

Q. For the attorney's fees?

A. For the attorney's fees.

Q. Incurred because of the actions that you've already described in your previous testimony where the sheriff was essentially acting in violation of the National Labor Standards Act of essentially just refusing to negotiate in good faith.

A. That is correct. And that surrounded the take-home cars, which I believe we talked about last time.

Q. Correct.

A. All those things wrapped up.

Q. He withdrew all the articles. That's the phraseology you used.

A. Everything was TA'd. We were getting ready to go to a vote on Thursday and Friday. On Monday, October 18th, I got a call that he withdrew all the articles.

I said, "Wait a minute. We know this vote is coming. We can't do this."

I brought it to his attention, and the sheriff made the unilateral decision to pull that. I said, "You can't do that. You're going to refuse to sign a contract after it's already been agreed upon."

And in his text messages, which I presented to you last time, I was told that my interpretation was not consistent with the decision of the sheriff.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. Next.

A. We talked about the SWAT rifles.

BY INSPECTOR RIDDICK:

Q. Where are those rifles now, Major?

A. So those rifles were not given to the employee personally. They were issued to the employee that won them with the understanding that when they

retire they will be able to keep them. That was the decision that was made, if my memory serves me correctly; but that's probably not in writing anywhere, I promise you that, because nothing hardly ever gets reduced to writing.

BY MR. KRAMER:

Q. Well, they wouldn't have gone to the inventory? Doesn't every officer have an inventory?

A. Uh-huh.

Q. And if they're not on the inventory, and they're in the officer's possession --

A. No, they're issued to the officer. They're going to be on the inventory.

BY INSPECTOR RIDDICK:

Q. They were taken into the sheriff's office inventory and then issued to the officer that won it.

A. That's correct.

Did I touch on the fact that Watson will make a decision regardless whether it's against policy or procedure?

BY MR. KRAMER:

Q. I think in general that was clear, but are there specific instances that you can reference that you didn't reference last time?

A. No. I just want to make sure I hit that --

Q. You did.

A. It's so frequent, though, that --

Q. What is the effect on the agency when the sheriff doesn't follow the agency's own policy?

A. Well, what it does is, it sets the tone of the only consistency is inconsistency, right? And when the sheriff isn't following his own policies and procedures, what message is that sending down to the troops?

It sends a horrible message down saying I don't have to follow policy and procedure, but I'm going to hold you to it; and when you aren't held to it, when you violate that, I'm going to write you up.

Q. Would it also lead people to the conclusion that -- wouldn't it also lead to the natural conclusion that if you follow a policy, that the sheriff might still discipline you or you might meet criticism or demotion or job problems because you followed policy that the sheriff no longer wants to have be the policy?

A. It's almost as if you're expected to think like him. And if it is any perceived disrespect or embarrassment, you're going to be talked to about it, if not hit with some sort of discipline.

We just had a recent case, the Glen Stanley

internal investigation, which is closed -- which I suggest you pull a copy of that -- where the sheriff goes outside the disciplinary matrix.

We have a matrix that says this is Level Two, Level Three, Level Four or Five, and this is -- you know, you got a Level Two, you get this many points. This many points is from A to B, and he'll just add C in there.

Q. And in this particular investigation was it to the officer's detriment?

A. Yes.

Q. Is this recourse for the officer under those circumstances? Can the officer appeal that decision? Do they have -- do they enforce the matrix as it exists, or are they simply subject to the sheriff's rulings?

A. Only if they meet the standards set forth in the sheriff's board, which is greater than a two-day suspension. In this case it was one-day suspension, but they put the guy on 12 months of disciplinary probation. And I believe, if you go back and you look at what a Level Three violation is, 12 months of disciplinary probation is not allowed.

And then what you do when you put somebody on disciplinary probation is, the next time they wear the

wrong color socks or doing something that's in violation, then they're not eligible for a career service board.

It's almost like you're setting up them for the next violation, to render them ineffective in a career service board.

Q. And because it's a one-day suspension, it's not appealable?

A. Correct.

We touched on changing past practice without really any discussion with anyone.

Q. Correct. Yes.

A. We touched on Watson and Decoursey routinely holding paperwork and not signing it, essentially neglecting the duties of moving the institution along.

And we -- I know we discussed not reducing things to writing, and we discussed the staffing shortages. So I think that kind of cleans up what I can remember from the last one.

Q. Was there anything additional in response to the question, are you aware of anything immoral, unethical, or illegal, that occurred in the sheriff's office while you were there --

A. Well --

Q. -- that we didn't cover last time?

A. I think that's where we're going to move in to the next section.

Q. Okay.

A. So the sheriff is a steward of the taxpayer's money. Would you agree with that?

Q. Agreed.

A. When he came into office, there were two vehicles that were provided that were left by Darnell and Huckstep. They were not happy with those vehicles even though they were functioning vehicles, and they immediately purchased two black Tahoes; and they were high-end Tahoes to the tune of in the mid 70s. And then, of course, all the equipment and everything had to go in on top of that, so you're talking probably upwards of 90-plus thousand dollars just because they wanted new vehicles. That was kind of like the first thing. Everybody kind of questioned that.

And then he had the badges removed from them that say like "High Country" to make it look like it wasn't, you know, an expensive vehicle as it was, but everybody knew what time of day it was. They saw the badges on there. Everybody knew what was going on. You could see it.

So that was kind of, in my opinion, something that the fleet department should have set back and

assessed and advised the sheriff, "Hey, if we want new vehicles, this is where our budget is. This is how much money we have left. If we make this purchase, then we can't purchase these four cars instead of these two Tahoes."

That didn't happen. He immediately ordered the vehicle. I don't think they came off state contract. I think they got one at the local Chevrolet dealership. Or I don't know where they got them form; you'd have to pull that. One was 74. The other one was 77 or somewhere in there. They were both in the mid 70s. So that was one thing that kind of came up.

So there were some Nissans that were purchased, and I believe they were for the drug task force or somebody, I think, after I had left. And there was an allegation they were purchased from Gainesville Nissan, and his son is one of the sales managers at Gainesville Nissan.

Q. Those type of contract purchases would be normally not done through Gainesville Nissan? They'd be done through state contract?

A. Generally, yes, unless there is a specific reason. Like, I know Darnell, when we purchased Harleys, the state contract price was, say -- I'm just throwing a number out there -- 17,000, but Gainesville

Harley said, hey, we'll sell them to you for 15.5. The sheriff felt we should keep our money local, and she was actually saving money and was being a good steward of the taxpayers' money and purchased the Harleys there.

But as far as going outside of that, the only thing I know of going outside was that some vehicles were purchased from Southeast Car Agency, especially when it came to things like the trucks for the aviation unit, where we could get something that was used; we didn't buy them new. They weren't new vehicles. They were used vehicles.

But there was some allegations that the Nissans came purchased from his son; and I don't have any evidence to substantiate that, but you could certainly run that down.

One of the tasks that I was given fairly early on was -- the office of professional standards was housed within the main sheriff's office at 2621 Southeast Hawthorne Road. And the office of professional standards has a door that goes right into the sheriff's suite, and that was so that the captain of OPS could go in and confer with the sheriff because the captain was direct report to the sheriff. It had been set like that since I've been there. That was

always OPS. Some years prior to that, it was at the jail.

He had me -- he directed me to have OPS relocated back to the office -- the department of the jail, and he then commanded those offices for himself and had them remodeled where he made a rather large office for himself and spent a significant amount of money remodeling that office and then purchased some furniture to fill that office.

Q. Was the furniture purchased off of state contract?

A. I was told it was purchased offline. He went online and bought it because he got a better deal. To what that was, what that P.O. looked like, I have no idea.

Q. Would that be unusual?

A. That would be unusual.

Q. Outside the standard procedures of the sheriff's office to purchase furniture?

A. Correct, because every time we've purchased furniture -- like we purchased tables like these, chairs like these that sit in the squad room that I'm sure you've been to. All those were purchased through a vendor that we've got. And every time we've had to purchase something, A and B has to come to us with a

book like this and said, here's what's available. This is what we can purchase. So to purchase furniture outside that realm, to my knowledge, had never been done.

Q. Okay.

A. There was a lot of controversy surrounding expenditures plastering his name on the building.

Q. Where are those?

A. On one occasion it didn't look right, and he bought it again.

Okay. You're aware of it. We'll move on.

On the back of everybody's vest said "sheriff" just like the cars say "sheriff" on it. It doesn't mean that you are the sheriff. It just indicates like police, sheriff. All those were ordered to be removed and replaced with deputies.

Q. Was it on the cars as well as the uniforms?

A. It was not on the cars. It was just on the uniforms.

Q. Did anybody -- with regard to this, did anybody confer or look at the Florida Statutes to ensure that the officers would be properly marked for the purposes of fleeing or attempting to elude or resisting arrest with or without violence, to ensure that the standards that are set forth in the statutes

would be met?

A. I brought that specific statute that you're referring to to the attention of the undersheriff and said, "There's really no reason for this. It doesn't designate them as the sheriff, but, you know, it's for the purposes of authority."

And the response was, "There's only one sheriff, and that's the guy that signs in green ink. Everybody else is a deputy," and that was the reason for the switch.

But again, you have whatever those patches were, ten, eight, twelve dollars times how many, 300 patches. Again, it's just another tick of expenditures that didn't need to happen.

Q. Understood.

A. The sheriff and the undersheriff has continued to disregard Florida Statute 112 on numerous occasions, which obviously stemmed from the lawsuits that are out there pending.

Q. Do you have any information to indicate whether their disregard of 112 procedures and rights that are contained in Florida Statute 112 are based upon ignorance, that they don't understand them? Or is it based on an intentional act that they don't care to provide those rights and meet their

responsibilities?

A. Personally, I believe they don't care.

Q. So at the time these violations have occurred, are the rights of the officers and responsibilities of the agency being brought to the attention of the individuals who are doing this and being told we don't care?

A. My understanding was 112 violation was raised; and then when the interview was stopped, that individual was charged with insubordination. And 112 clearly says that that can't happen.

Q. Which officer was charged with insubordination because they refused to be interviewed?

A. I believe it was Frank Williams, but I would have to go back and look. I'd have to do some additional research on that.

Q. I may need you to follow up on that if you can identify any particular officer who was -- I'm saying charged, but that's probably not the right word -- was given -- an OPS investigation was instituted for insubordination or insubordination was added to the current charged violations?

A. I believe if you pull the Glen Stanley case, and you pull a recording of the Loudermill that went

along with the Glen Stanley case, the general counsel -- essentially, the argument was being made that truthfulness did not occur, that the officer actually -- it was alleged that the officer did not -- and I don't have first-hand knowledge of it, but from my understanding, is that the officer didn't do something and, in the actual packet, said that they had done it, they had sent an email.

The undersheriff indicated on his recommendation that it was truthfulness, that it didn't occur; and when the disciplinary rep went to make the argument that it was not truthfulness, the general counsel said, "Well, what charge do you think was appropriate?"

So I would encourage you to go back and listen to that audio recording of that Loudermill. In other words, you're going to get charged with something, and we're going to find something to fit.

Q. Okay. Understood.

A. I would encourage you to probably pull his calendar, Watson's calendar, and his gas receipts. On the very early part of his tenure he was there a lot. I know he was there a lot because I was there a lot, and I saw him a lot from very early in the morning, 5:00, 6:00 -- I think we discussed that last time --

until 8:00, 9:00 at night.

It got to the point where we needed the sheriff to approve something or do something, again, because we couldn't approve anything, the sheriff is not here. The sheriff is not here. The sheriff is not here. Where is he? Is he working? Is he not working? It seemed like he was never around.

So I would encourage you to probably pull his calendar for --

Q. What month and years?

A. I would say July '21 and after.

Q. Is there some incident you can point to where his attendance to the office stopped? Was it sudden, or was it gradual?

A. It was gradual. It seemed like he gradually was not there more and more, and he was unavailable, which then just stalemated --

Q. Right, because everything has to go through him.

A. Everything has to go through him, and then everything just slows to a crawl, at best a crawl.

The sheriff's son, Clovis Watson, IV, was the subject of numerous traffic stops and some criminal acts with GPD. This information was forwarded to the sheriff, but he never seemed to rectify it with his

son. It continued to happen.

He was stopped a couple of times by our deputies for traffic violations. We did a DUI checkpoint down on South 13th Street where his son was completely irate and completely out of line just coming to pick somebody up that we had dealt with. I called the sheriff and he said, okay, and that was the end of it.

It was like his son could just do whatever he wanted to because his dad was the sheriff. There was no -- it was a very poor reflection on the sheriff, very poor reflection on the sheriff.

We talked about fails to process paperwork.

I think Ed Bennett -- you might want to talk to Ed Bennett about the disapproval of secondary employment at the academy.

Q. With regard to that, are you aware that the academy became short of staff because of the sheriff disapproving secondary employment?

A. I can't swear to that.

Q. We'd have to check with the academy?

A. You'd have to check with the academy. I would imagine it severely impacted it; but to what extent, I can't speculate.

Q. Understood.

A. The sheriff seems to make decisions based on emotion quite a bit rather than, you know, actual facts. The sheriff demoted Mat Yakubsin from lieutenant back to sergeant for essentially liking a Facebook post. Let me back up.

He demoted him, but he ordered me to demote him. So I had to call him and tell him, "Hey, look, you're demoted because you liked a Facebook post."

Q. Was that formal discipline?

A. He was on probation.

Q. So he was already on disciplinarian probation?

A. No, he was on new-hire -- promotional probation.

Q. I see. So he could be demoted back to his prior rank without any discipline occurring?

A. Correct.

Q. And does that cause him to lose pay?

A. It does cause him to lose pay.

Q. How much, roughly?

A. I'd have to go back and look at the scales. I mean, you can make a request for the pay changes in HTE. A minimum of five percent; but Yakubsin was not that tenured of a sergeant, so potentially ten percent more. I don't know the exact numbers on Yakubsin.

Q. And you know the basis for that demotion was liking a Facebook post because you were instructed to tell him why he was being demoted by the sheriff?

A. I was instructed by the sheriff to demote him back to sergeant; and the sheriff had told me that, "He liked that Facebook post, and I'm going to demote him."

Now, keep in mind everybody else that also liked that Facebook post -- it surrounded a lieutenant Facebook post from the jail that was subsequently terminated. Howard, I believe, is his name, received corrective counseling for that, but Yakubsin was demoted.

BY INSPECTOR RIDDICK:

Q. Did that go through an OPS review?

A. Oh, no.

Q. So there's no documentation on any of it?

A. No.

BY INSPECTOR SNOWDEN:

Q. Did Yakubsin get corrective counseling?

A. I believe he may have, but he was hit with a demotion and the corrective counseling where everybody else was just hit with the corrective counseling. In other words, I felt as if the demotion was excessive in comparison to what had been handed out to everybody

else. That's kind of where I was going with that.

We discussed the negligent promotions last time.

BY INSPECTOR SNOWDEN:

Q. While we're on that topic --

A. Which topic?

Q. Negligent promotion. You mentioned Cleveland Cox. Talk about your knowledge about what happened when he tried out for the SWAT team?

A. He tried out for the SWAT team. He wasn't recommended, and then he was appointed by recommendation of the undersheriff.

BY MR. KRAMER:

Q. Also, what the consequence was to the person who did not want him appointed to the SWAT team.

A. Oh, he adamantly opposed it. He was -- I can't remember if it was Josh Crews or Rich Howell at the time.

Q. Josh Crews.

A. Josh Crews absolutely did not want him to the point he wanted to go meet with the undersheriff, and I think he did meet with undersheriff about it; but the decision was made that he did not get his number one and number two picks, and he got Cleveland Cox. And Cleveland Cox was almost promoted at the

recommendation of the sheriff.

Q. What happened with Josh Crews with his relationship with the SWAT team after he didn't want Cleveland Cox on there?

A. I'd have to go back and scroll and think about the timeline, but I can tell you, if you're referring to his removal from the SWAT team, his removal from the SWAT team, I do not believe, was tied to that incident.

We had a SWAT call-out in Monteoca, and the sheriff and undersheriff were there. And Josh Crews was insubordinate to me; and the sheriff found out about it, and the sheriff removed him from the SWAT team based on that incident.

Q. Were those two things occurring closely in time, the Cleveland Cox incident and Monteoca incident?

A. I believe the Cleveland Cox thing was a couple months afterwards. It could have been pretty close. It could have been pretty close.

Q. I don't know the answer, but my understanding is that the delivery of the information that Cleveland Cox would be assigned to the SWAT team and the removal of then lieutenant -- captain, sergeant, I'm not sure --

A. Lieutenant Josh Crews.

Q. -- Lieutenant Crews were delivered at the same time.

A. It may have been. It could have been in close proximity, and I can see how maybe he could correlate that if it was in close proximity, but my knowledge of the incident, it was really based on Lieutenant Crews' insubordination. Because I was ordered by the sheriff to conduct -- to basically put gas on the house with the hopes that the guy would come out, and Josh Crews came over to me and said, "I hope it's not a tactic," and he was rather nasty about it.

I'm not on the SWAT team. I've never been on the SWAT team, and I don't pretend to be on the SWAT team. So when it comes to SWAT-related matters, I would defer to Josh. Josh has got the knowledge. He's been on there a long time, along with his brother. His brother is no longer with us. He's retired. But I had a direct order from the sheriff that this is the way we're going to proceed, and Josh didn't agree with it.

Q. Let me make sure I understand the sheriff is directing a tactic to remove an individual from a home that a SWAT team is doing?

A. To put gas in there, yes.

Q. But is the sheriff qualified to make a decision about a tactic to remove a barricaded subject?

A. In my opinion, no, and that just falls on the back of what I just said. I'm a major. And even when I was a captain over those units, if I called you as my SWAT commander, and you said, "This is what we need to do," I'm going to defer to you. As long as we're not violating policy, we're not violating the law, and we're not creating some additional liability for the sheriff, I'm going to defer to you because that's your area of expertise.

Q. But doesn't it create liability if the sheriff, who is not qualified, is directing a tactic to be used in an extremely dangerous situation?

A. Oh, absolutely. The direction should not have come from the sheriff. The sheriff should have let Josh Crews run the incident, is what it comes down to.

BY INSPECTOR RIDDICK:

Q. What was the barricaded subject?

A. There was another individual in the house. I think it was domestic.

Q. So the bad guy wasn't the only one in the

house?

A. Correct.

BY MR. KRAMER:

Q. I guess you're probably the wrong person to ask, but do we put gas in the house when there's more than one person in the house?

A. Generally, no, but I would defer to Josh Crews and let him discuss that incident in greater detail.

Q. And the insubordination that Josh demonstrated during that incident, was he ever a subject of formal discipline? Or was it just we're going to discipline him by removing him from the SWAT team?

A. He got a corrective counseling from me for his insubordination, but then the sheriff removed him as the SWAT team commander.

Q. Did they put gas in the house?

A. I don't remember. That was very early on in the tenure of the administration.

BY INSPECTOR RIDDICK:

Q. Did the sheriff give a reason why he wanted the gas? Did he have some place to go?

A. Uh-uh. It was clear he was trying to direct the incident where he didn't have the experience to

direct the incident.
BY INSPECTOR SNOWDEN:
Q. Was the sheriff at the scene?
A. He was, and the undersheriff. They both showed up. And, you know, to be fair, normally the sheriff and the undersheriff, the major does not show up to SWAT teams. You know, normally we're behind the phone somewhere, and we're letting those people run those operations; but that's not the way the sheriff wanted it run.
The captain was there. I was there. Captain Bella Blizzard was there. I was there. Decoursey was there. The sheriff was there. And I think probably Josh felt like he wasn't being allowed to operate under the parameters that he normally operates because his decision-making was being impeded by us.
BY MR. KRAMER:
Q. And that's what lead to his insubordination.
A. Correct.
Q. That's also consistent with what you've previously testified to, that all the decisions are being made by the sheriff to operational and tactical decisions.
A. That is correct.
BY INSPECTOR SNOWDEN:

Q. Were you familiar or did we talk about it last time, about the Cleveland Cox investigation that went through the office of professional standards?

A. I was aware.

Q. Do you know what happened with that eventually, or why it was terminated?

A. I don't remember.

Q. Is there some connection or familial connection between the undersheriff and Cleveland Cox?

A. We speculated that there was, but we -- I don't know of one, but it seemed to be really out of character that he was placed on the SWAT team and he was promoted against the objections of essentially everyone.

Q. Was he also assigned to CID?

A. He was.

Q. Against the objections?

A. He was. It was a pattern existing with Cleveland Cox, but I don't know what the connection is.

MR. KRAMER: I want to talk about time.

We can go off the record.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. All we were discussing is how much time we

have remaining before our other witnesses to need to appear.

A. Eric Hutchison was promoted to the rank of acting lieutenant when he wasn't on the eligibility list. I would suggest you pull the employee profile and the eligibility list. When that was called to the sheriff's attention, that he wasn't eligible for promotion, the sheriff did act and rescinded that; but then here recently Scott Bonafide has been promoted to an active lieutenant, and he's been moved to civil.

As you're aware, civil is a completely different animal than any other part of the sheriff's office. You deal with evicting people and serving papers that can and cannot be served at certain times of day. To my knowledge, Scott has no knowledge of the civil process.

I did mention Rashawn Flanders. I do not have that paperwork that I thought I had.

The last one is Pat Ford Thomas. Michelle Clement was the division manager, and she was removed for seemingly no reason and moved over to the contract monitor at the jail, which she's got zero experience at. She was removed from her role as a division manager, and she was replaced with Pat Ford Thomas.

Pat Ford Thomas is the wife of Dave Thomas,

who, interestingly enough, was one of the very core group of people in Watson's campaign.

Q. We're going to speak with Michelle Clement. We just haven't gotten her scheduled yet.

A. Okay. I have for you a copy of one of the personnel orders that went out, and as you can see, the quantity of moves that were made at one time are significant; and that's not one of them, but the reason why that's significant is because I have this to go along with it, which is completely out of character, which has everybody's picture and where they're going, where you can definitely see folks --

MR. KRAMER: All right. We'll make this an exhibit to your statement.

That's all I have. I'm sure if something else comes up, I may think of something or whatever.

(Exhibit 1 was marked for identification.)

BY INSPECTOR SNOWDEN:

Q. One last question I've got. When transfers and things were made, were the positions that they went to, were they resumed made for? Or were persons just told, you're going here, and you're going here?

A. Under the Darnell administration, generally, what would happen would be, an open position

announcement would come out: Any interested deputy sheriff that wishes to apply to be a detective, please submit your name to ISIS, which is our internal system. Interviews are conducted, and then somebody would be selected from the list.

Under the Watson administration, that pretty much went out the window. He just made moves willie-nillie as he felt necessary with no rhyme or reason is really the short answer.

MR. KRAMER: Thank you. We may be talking to you further.

(The witness concluded at 11:20 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORINE, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named GEORGE CORINE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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things that you may -- unless you wanted to follow up. I'm sorry.

BY INSPECTOR RIDDICK:

Q. Has he ever denied one of those requests that you know of?

A. Yes.

Q. Which one?

A. There was an incident where University of Florida had called and requested the use of the jail vans. There was something going on at the Reitz Union. I think Darren Baxley had called and requested the jail vans. Don't quote me. I think it was Darren Baxley, deputy chief. Sheriff Watson refused to let them utilize the jail vans.

All that is, is a transport function. It's not like we were sending personnel. You know, we send in a couple of people to operate the vans, but we weren't sending crowd management. We weren't getting involved with their business on campus. They were just simply asking for assistance because, again, the university, you know, they've only got 80 FTEs, you know, somewhere in there. They don't have the capacity to deal with 15 or 20 arrestees at the same time. It would impact them severely to have to deal with that, and we had the resources. I didn't

understand what the purpose of withholding a jail van was.

Q. When you say impact severely, would that mean creating an unsafe environment for the remainder of the students and faculty on campus?

A. Potentially. I mean, it depends on how the incident goes. If you got all your guys on the incident tied up with 10-15, or arrestees, if you will, and then they need to focus their attention somewhere else, next thing you know, you divert your attention to the people that need to go. Now you have an unsafe number of officers with the arrestees; or do the officers stay with the arrestees, and now you've neglected this? You have to make a decision.

You've only got so many personnel. The jail van would have been very quick, easy. You bring the jail vans over, put them in the jail vans, pat them down, get them in there, at least hold them there for a few minutes or get them out of there, whatever they decided to do. It was a relatively simple request.

There was some issues surrounding the drug task force, which I'm sure you're aware of, and the sheriff not wanting anyone to operate in the county.

Q. Were you an employee of the sheriff's office at the time that the sheriff directed the removal of

all the equipment from the drug task force?

A. No, but my understanding is it was done in the middle of the night under some covert operation, was the rumor.

Q. Correct. I just didn't know if you were personally involved.

A. I was not.

BY INSPECTOR RIDDICK:

Q. Were you there when Nassau County requested assistance on an officer-involved shooting, and it was denied?

A. Actually, yes. I believe I was.

Q. Do we know why?

A. I don't know why.

BY MR. KRAMER:

Q. But that denial would have come from the sheriff?

A. It come from the sheriff. No cop, working cop, like even coming up through the ranks, when they had something like that, would deny that type of assistance. Those are the things -- when things were choked, it chokes to the point where it doesn't -- it doesn't run efficiently.

BY INSPECTOR RIDDICK:

Q. And for the record, let me correct that. It

may have been an officer-involved shooting, but actually the deputy had been shot; and they had a subject cornered, and they were asking for assistance from SWAT teams.

A. Correct. Correct.

MR. KRAMER: Anything further on what he's said so far?

THE WITNESS: One of the things that -- you know, you talk about assets. The SWAT team is one of them, but more frequently the helicopter is something that -- you know, we have an aviation unit. And folks in Putnam County and Columbia County, you know, they rely on that air support. You know, one helicopter there, arguably, is equivalent of 15 or 20 units on the ground.

Those requests were frequently -- we ran into problems where there would be a pursuit at, say, 2:00 in the morning, and they're calling and asking for our assistance. And then you have to make the decision, do I say, okay, go ahead and go, and then get chewed out the next day because they didn't -- because that sheriff didn't call our sheriff at 2:00 in the morning?

I mean, that's the type of slow-down we're

talking about, to the point where you might as well not even send them at that point. It's almost rendering it useless.

BY MR. KRAMER:

Q. And it's 2:00 in the morning. Is Sheriff Watson available to answer another sheriff's call?

A. I don't know. I never called him at 2:00 in the morning.

BY INSPECTOR RIDDICK:

Q. You mentioned earlier about the funding. If I recall from my days with RDS --

A. RDSTF, yeah, that's it.

Q. Regional Domestic Security Task Force. That's where a lot of Alachua's money came from. Or I say a lot. That's basically --

A. A significant amount of money.

Q. They were given a lot of money to create those regional units in case of -- for the region.

A. Right.

Q. And that was the understanding, that the money is given to you, but you need to be available if the region needs you.

A. The BearCat. I believe the BearCat was portioned with RDSTF money; or a portion of it was purchased with it, and you know how expensive those

are.

The bomb team is another RDSTF, you know.

BY MR. KRAMER:

Q. Let me ask you this. Are these requests reduced in any way to writing, or would there be any evidence of the request existing at all?

A. Usually -- from my recollection, usually when something breaks off, it's a phone call saying, "We need SWAT."

Q. Let me ask you this --

A. There could be a Teletype follow-up, though. I don't know.

Q. Would there be text messaging? Like, for instance, might you send a text message to the sheriff "We've received request from Scott for SWAT in Union County"?

A. Oh, I'm sure, but I never really directly contacted the sheriff. That was the undersheriff. I would call him, the undersheriff. I mean, he would answer his phone.

Q. But if -- you would agree those communications would be records at the agency?

A. There should be records at the agency.

Q. But if those records were not being -- they may not be preserved.

A. They should be preserved. Because there was a point in time when we all got iPhones -- you get into the debate of the iPhone or the Android, right? The iPhone is a blue, which is MMS; and then you have the Android, which is an SMS message. From my understanding, the SMS messages are recorded through your carrier, but the MMS are not because they're run on data and not run on cellular.

Q. But if the sheriff didn't allow the recording devices on his phone, there would be no record of those requests being made to the sheriff, correct?

A. I know that the phone that I had had recording because that was all enabled by Scott Shelpman, if my memory serves me correctly.

Q. Understood. Let's move on to the next item that you were concerned that we had missed due to our time constraints.

A. We discussed briefly Michelle Shirfield last time. She had posted some items on Facebook that could be seen by some folks as slanted to one racial side, if you will. That was brought to Watson's attention, and our understanding is that she was given a corrective counseling for that. Nobody ever saw the corrective counseling.

And then the order was basically given, you

know, for Facebook or for violations of social media, that was -- that was the -- what should be done, give them a corrective counseling and go through progressive discipline.

And I think there's a couple open cases right now -- or I don't know if they're open or closed.

So Frank Williams and Kevin Davis are under investigation, or open at the moment, for things that I think were far less controversial, and they were placed on admin suspension and been sitting at the house for months.

Q. And let me ask you because I don't know the answer to this. This individual -- and you said her name was Michelle?

A. Shirfield.

Q. Shirfield? Is she African American?

A. She is.

Q. And the posts that you're referencing, they were -- I don't know the posts. Were they racially inappropriate?

A. It was more of a supporting a racial position, and I believe Kevin Davis could speak more on that.

Q. Is it your understanding that a formal complaint was made either to her supervisor or to the

office of professional standards so that discipline should have been initiated?

A. I told the sheriff directly about the violation, and Bobby Stafford told the sheriff directly about the violation.

Q. But as far as I understand -- and my understanding of discipline is developing -- is that the way the discipline would be initiated, it would be either through the office of professional standards or through her supervisor.

A. Correct.

Q. So you gave that information to the sheriff?

A. Correct.

Q. And your understanding is that no discipline was initiated; or if there was any discipline, it was informal in the form of a corrective counseling?

A. It was informal in the form of a corrective counseling, but nobody seen that. I'm sure if you pull her file you would either see a corrective counseling or not see a corrective counseling, but she reported directly to the sheriff.

Q. When someone receives corrective counseling, is it discipline?

A. It's considered informal discipline.

Q. But it should remain in the employee file for

one year?

A. That's correct. Oftentimes it's not removed. You have to go back in there and say, hey, that needs to come out.

BY INSPECTOR SNOWDEN:

Q. Do you know if Kevin Davis made a complaint about that to OPS or through the sheriff suite?

A. I don't think so because he had already known that it was brought to the attention of the sheriff and Bobby Stafford.

Q. Do you know about any complaint that Kevin Davis took to OPS?

A. I know he made a complaint. I don't remember what it surrounded; but I do remember him taking a complaint, and it was basically like disregarded.

Q. If somebody takes a complaint to OPS, should a case number be drawn?

A. Oh, absolutely, or they say this is really not -- there's a list of standards that OPS will investigate these certain things or as directed by the sheriff.

So they'll look at it, and they'll say we'll take and we're going to pull a case number, or they'll say we're going to defer it back to the division commander and let the employee supervisor handle it.

MR. KRAMER: Any other questions on that particular issue?

BY MR. KRAMER:

Q. Thank you for the clarification. Was there anything else?

A. Did we discuss the bargaining process with the re-openers and the unfair labor practice?

Q. You did. You informed us that one of the reasons why you left the sheriff's office was that you advised them, essentially, that what they were doing was in violation of the National Labor Standards Act.

A. Oh, that's right. I gave you the form. Okay.

So I gave the set of text messages last time between the undersheriff and I.

Q. Yes.

A. The sergeants and lieutenants ratified their contract. The deputies did not ratify their contract. And there was an extended period of time; I don't recall the exact settlement dates, maybe July, August the following year. So we're talking about ten, eleven months later that ultimately we were going to go to a hearing at the sheriff's office.

And right before that began and the sheriff was coming to sit down and testify, if my memory

serves me correctly, he wanted to have a discussion. And then that was ultimately settled, and a substantial check was written for attorney's fees. You may want to pull a copy of that.

Q. Who was the attorney that would have received the fees?

A. It would be the PBA.

Q. Would it be the PBA itself, or would it be paid directly to a particular attorney?

MS. WEBSTER: Do you want me to answer?

MR. KRAMER: No, you can tell him.

THE WITNESS: The check was written to the PBA.

BY MR. KRAMER:

Q. For the attorney's fees?

A. For the attorney's fees.

Q. Incurred because of the actions that you've already described in your previous testimony where the sheriff was essentially acting in violation of the National Labor Standards Act of essentially just refusing to negotiate in good faith.

A. That is correct. And that surrounded the take-home cars, which I believe we talked about last time.

Q. Correct.

A. All those things wrapped up.

Q. He withdrew all the articles. That's the phraseology you used.

A. Everything was TA'd. We were getting ready to go to a vote on Thursday and Friday. On Monday, October 18th, I got a call that he withdrew all the articles.

I said, "Wait a minute. We know this vote is coming. We can't do this."

I brought it to his attention, and the sheriff made the unilateral decision to pull that. I said, "You can't do that. You're going to refuse to sign a contract after it's already been agreed upon."

And in his text messages, which I presented to you last time, I was told that my interpretation was not consistent with the decision of the sheriff.

MR. KRAMER: Anything else?

BY MR. KRAMER:

Q. Next.

A. We talked about the SWAT rifles.

BY INSPECTOR RIDDICK:

Q. Where are those rifles now, Major?

A. So those rifles were not given to the employee personally. They were issued to the employee that won them with the understanding that when they

retire they will be able to keep them. That was the decision that was made, if my memory serves me correctly; but that's probably not in writing anywhere, I promise you that, because nothing hardly ever gets reduced to writing.

BY MR. KRAMER:

Q. Well, they wouldn't have gone to the inventory? Doesn't every officer have an inventory?

A. Uh-huh.

Q. And if they're not on the inventory, and they're in the officer's possession --

A. No, they're issued to the officer. They're going to be on the inventory.

BY INSPECTOR RIDDICK:

Q. They were taken into the sheriff's office inventory and then issued to the officer that won it.

A. That's correct.

Did I touch on the fact that Watson will make a decision regardless whether it's against policy or procedure?

BY MR. KRAMER:

Q. I think in general that was clear, but are there specific instances that you can reference that you didn't reference last time?

A. No. I just want to make sure I hit that --

Q. You did.

A. It's so frequent, though, that --

Q. What is the effect on the agency when the sheriff doesn't follow the agency's own policy?

A. Well, what it does is, it sets the tone of the only consistency is inconsistency, right? And when the sheriff isn't following his own policies and procedures, what message is that sending down to the troops?

It sends a horrible message down saying I don't have to follow policy and procedure, but I'm going to hold you to it; and when you aren't held to it, when you violate that, I'm going to write you up.

Q. Would it also lead people to the conclusion that -- wouldn't it also lead to the natural conclusion that if you follow a policy, that the sheriff might still discipline you or you might meet criticism or demotion or job problems because you followed policy that the sheriff no longer wants to have be the policy?

A. It's almost as if you're expected to think like him. And if it is any perceived disrespect or embarrassment, you're going to be talked to about it, if not hit with some sort of discipline.

We just had a recent case, the Glen Stanley

internal investigation, which is closed -- which I suggest you pull a copy of that -- where the sheriff goes outside the disciplinary matrix.

We have a matrix that says this is Level Two, Level Three, Level Four or Five, and this is -- you know, you got a Level Two, you get this many points. This many points is from A to B, and he'll just add C in there.

Q. And in this particular investigation was it to the officer's detriment?

A. Yes.

Q. Is this recourse for the officer under those circumstances? Can the officer appeal that decision? Do they have -- do they enforce the matrix as it exists, or are they simply subject to the sheriff's rulings?

A. Only if they meet the standards set forth in the sheriff's board, which is greater than a two-day suspension. In this case it was one-day suspension, but they put the guy on 12 months of disciplinary probation. And I believe, if you go back and you look at what a Level Three violation is, 12 months of disciplinary probation is not allowed.

And then what you do when you put somebody on disciplinary probation is, the next time they wear the

wrong color socks or doing something that's in violation, then they're not eligible for a career service board.

It's almost like you're setting up them for the next violation, to render them ineffective in a career service board.

Q. And because it's a one-day suspension, it's not appealable?

A. Correct.

We touched on changing past practice without really any discussion with anyone.

Q. Correct. Yes.

A. We touched on Watson and Decoursey routinely holding paperwork and not signing it, essentially neglecting the duties of moving the institution along.

And we -- I know we discussed not reducing things to writing, and we discussed the staffing shortages. So I think that kind of cleans up what I can remember from the last one.

Q. Was there anything additional in response to the question, are you aware of anything immoral, unethical, or illegal, that occurred in the sheriff's office while you were there --

A. Well --

Q. -- that we didn't cover last time?

A. I think that's where we're going to move in to the next section.

Q. Okay.

A. So the sheriff is a steward of the taxpayer's money. Would you agree with that?

Q. Agreed.

A. When he came into office, there were two vehicles that were provided that were left by Darnell and Huckstep. They were not happy with those vehicles even though they were functioning vehicles, and they immediately purchased two black Tahoes; and they were high-end Tahoes to the tune of in the mid 70s. And then, of course, all the equipment and everything had to go in on top of that, so you're talking probably upwards of 90-plus thousand dollars just because they wanted new vehicles. That was kind of like the first thing. Everybody kind of questioned that.

And then he had the badges removed from them that say like "High Country" to make it look like it wasn't, you know, an expensive vehicle as it was, but everybody knew what time of day it was. They saw the badges on there. Everybody knew what was going on. You could see it.

So that was kind of, in my opinion, something that the fleet department should have set back and

assessed and advised the sheriff, "Hey, if we want new vehicles, this is where our budget is. This is how much money we have left. If we make this purchase, then we can't purchase these four cars instead of these two Tahoes."

That didn't happen. He immediately ordered the vehicle. I don't think they came off state contract. I think they got one at the local Chevrolet dealership. Or I don't know where they got them form; you'd have to pull that. One was 74. The other one was 77 or somewhere in there. They were both in the mid 70s. So that was one thing that kind of came up.

So there were some Nissans that were purchased, and I believe they were for the drug task force or somebody, I think, after I had left. And there was an allegation they were purchased from Gainesville Nissan, and his son is one of the sales managers at Gainesville Nissan.

Q. Those type of contract purchases would be normally not done through Gainesville Nissan? They'd be done through state contract?

A. Generally, yes, unless there is a specific reason. Like, I know Darnell, when we purchased Harleys, the state contract price was, say -- I'm just throwing a number out there -- 17,000, but Gainesville

Harley said, hey, we'll sell them to you for 15.5. The sheriff felt we should keep our money local, and she was actually saving money and was being a good steward of the taxpayers' money and purchased the Harleys there.

But as far as going outside of that, the only thing I know of going outside was that some vehicles were purchased from Southeast Car Agency, especially when it came to things like the trucks for the aviation unit, where we could get something that was used; we didn't buy them new. They weren't new vehicles. They were used vehicles.

But there was some allegations that the Nissans came purchased from his son; and I don't have any evidence to substantiate that, but you could certainly run that down.

One of the tasks that I was given fairly early on was -- the office of professional standards was housed within the main sheriff's office at 2621 Southeast Hawthorne Road. And the office of professional standards has a door that goes right into the sheriff's suite, and that was so that the captain of OPS could go in and confer with the sheriff because the captain was direct report to the sheriff. It had been set like that since I've been there. That was

always OPS. Some years prior to that, it was at the jail.

He had me -- he directed me to have OPS relocated back to the office -- the department of the jail, and he then commanded those offices for himself and had them remodeled where he made a rather large office for himself and spent a significant amount of money remodeling that office and then purchased some furniture to fill that office.

Q. Was the furniture purchased off of state contract?

A. I was told it was purchased offline. He went online and bought it because he got a better deal. To what that was, what that P.O. looked like, I have no idea.

Q. Would that be unusual?

A. That would be unusual.

Q. Outside the standard procedures of the sheriff's office to purchase furniture?

A. Correct, because every time we've purchased furniture -- like we purchased tables like these, chairs like these that sit in the squad room that I'm sure you've been to. All those were purchased through a vendor that we've got. And every time we've had to purchase something, A and B has to come to us with a

book like this and said, here's what's available. This is what we can purchase. So to purchase furniture outside that realm, to my knowledge, had never been done.

Q. Okay.

A. There was a lot of controversy surrounding expenditures plastering his name on the building.

Q. Where are those?

A. On one occasion it didn't look right, and he bought it again.

Okay. You're aware of it. We'll move on.

On the back of everybody's vest said "sheriff" just like the cars say "sheriff" on it. It doesn't mean that you are the sheriff. It just indicates like police, sheriff. All those were ordered to be removed and replaced with deputies.

Q. Was it on the cars as well as the uniforms?

A. It was not on the cars. It was just on the uniforms.

Q. Did anybody -- with regard to this, did anybody confer or look at the Florida Statutes to ensure that the officers would be properly marked for the purposes of fleeing or attempting to elude or resisting arrest with or without violence, to ensure that the standards that are set forth in the statutes

would be met?

A. I brought that specific statute that you're referring to to the attention of the undersheriff and said, "There's really no reason for this. It doesn't designate them as the sheriff, but, you know, it's for the purposes of authority."

And the response was, "There's only one sheriff, and that's the guy that signs in green ink. Everybody else is a deputy," and that was the reason for the switch.

But again, you have whatever those patches were, ten, eight, twelve dollars times how many, 300 patches. Again, it's just another tick of expenditures that didn't need to happen.

Q. Understood.

A. The sheriff and the undersheriff has continued to disregard Florida Statute 112 on numerous occasions, which obviously stemmed from the lawsuits that are out there pending.

Q. Do you have any information to indicate whether their disregard of 112 procedures and rights that are contained in Florida Statute 112 are based upon ignorance, that they don't understand them? Or is it based on an intentional act that they don't care to provide those rights and meet their

responsibilities?

A. Personally, I believe they don't care.

Q. So at the time these violations have occurred, are the rights of the officers and responsibilities of the agency being brought to the attention of the individuals who are doing this and being told we don't care?

A. My understanding was 112 violation was raised; and then when the interview was stopped, that individual was charged with insubordination. And 112 clearly says that that can't happen.

Q. Which officer was charged with insubordination because they refused to be interviewed?

A. I believe it was Frank Williams, but I would have to go back and look. I'd have to do some additional research on that.

Q. I may need you to follow up on that if you can identify any particular officer who was -- I'm saying charged, but that's probably not the right word -- was given -- an OPS investigation was instituted for insubordination or insubordination was added to the current charged violations?

A. I believe if you pull the Glen Stanley case, and you pull a recording of the Loudermill that went

along with the Glen Stanley case, the general counsel -- essentially, the argument was being made that truthfulness did not occur, that the officer actually -- it was alleged that the officer did not -- and I don't have first-hand knowledge of it, but from my understanding, is that the officer didn't do something and, in the actual packet, said that they had done it, they had sent an email.

The undersheriff indicated on his recommendation that it was truthfulness, that it didn't occur; and when the disciplinary rep went to make the argument that it was not truthfulness, the general counsel said, "Well, what charge do you think was appropriate?"

So I would encourage you to go back and listen to that audio recording of that Loudermill. In other words, you're going to get charged with something, and we're going to find something to fit.

Q. Okay. Understood.

A. I would encourage you to probably pull his calendar, Watson's calendar, and his gas receipts. On the very early part of his tenure he was there a lot. I know he was there a lot because I was there a lot, and I saw him a lot from very early in the morning, 5:00, 6:00 -- I think we discussed that last time --

until 8:00, 9:00 at night.

It got to the point where we needed the sheriff to approve something or do something, again, because we couldn't approve anything, the sheriff is not here. The sheriff is not here. The sheriff is not here. Where is he? Is he working? Is he not working? It seemed like he was never around.

So I would encourage you to probably pull his calendar for --

Q. What month and years?

A. I would say July '21 and after.

Q. Is there some incident you can point to where his attendance to the office stopped? Was it sudden, or was it gradual?

A. It was gradual. It seemed like he gradually was not there more and more, and he was unavailable, which then just stalemated --

Q. Right, because everything has to go through him.

A. Everything has to go through him, and then everything just slows to a crawl, at best a crawl.

The sheriff's son, Clovis Watson, IV, was the subject of numerous traffic stops and some criminal acts with GPD. This information was forwarded to the sheriff, but he never seemed to rectify it with his

son. It continued to happen.

He was stopped a couple of times by our deputies for traffic violations. We did a DUI checkpoint down on South 13th Street where his son was completely irate and completely out of line just coming to pick somebody up that we had dealt with. I called the sheriff and he said, okay, and that was the end of it.

It was like his son could just do whatever he wanted to because his dad was the sheriff. There was no -- it was a very poor reflection on the sheriff, very poor reflection on the sheriff.

We talked about fails to process paperwork.

I think Ed Bennett -- you might want to talk to Ed Bennett about the disapproval of secondary employment at the academy.

Q. With regard to that, are you aware that the academy became short of staff because of the sheriff disapproving secondary employment?

A. I can't swear to that.

Q. We'd have to check with the academy?

A. You'd have to check with the academy. I would imagine it severely impacted it; but to what extent, I can't speculate.

Q. Understood.

A. The sheriff seems to make decisions based on emotion quite a bit rather than, you know, actual facts. The sheriff demoted Mat Yakubsin from lieutenant back to sergeant for essentially liking a Facebook post. Let me back up.

He demoted him, but he ordered me to demote him. So I had to call him and tell him, "Hey, look, you're demoted because you liked a Facebook post."

Q. Was that formal discipline?

A. He was on probation.

Q. So he was already on disciplinarian probation?

A. No, he was on new-hire -- promotional probation.

Q. I see. So he could be demoted back to his prior rank without any discipline occurring?

A. Correct.

Q. And does that cause him to lose pay?

A. It does cause him to lose pay.

Q. How much, roughly?

A. I'd have to go back and look at the scales. I mean, you can make a request for the pay changes in HTE. A minimum of five percent; but Yakubsin was not that tenured of a sergeant, so potentially ten percent more. I don't know the exact numbers on Yakubsin.

Q. And you know the basis for that demotion was liking a Facebook post because you were instructed to tell him why he was being demoted by the sheriff?

A. I was instructed by the sheriff to demote him back to sergeant; and the sheriff had told me that, "He liked that Facebook post, and I'm going to demote him."

Now, keep in mind everybody else that also liked that Facebook post -- it surrounded a lieutenant Facebook post from the jail that was subsequently terminated. Howard, I believe, is his name, received corrective counseling for that, but Yakubsin was demoted.

BY INSPECTOR RIDDICK:

Q. Did that go through an OPS review?

A. Oh, no.

Q. So there's no documentation on any of it?

A. No.

BY INSPECTOR SNOWDEN:

Q. Did Yakubsin get corrective counseling?

A. I believe he may have, but he was hit with a demotion and the corrective counseling where everybody else was just hit with the corrective counseling. In other words, I felt as if the demotion was excessive in comparison to what had been handed out to everybody

else. That's kind of where I was going with that.

We discussed the negligent promotions last time.

BY INSPECTOR SNOWDEN:

Q. While we're on that topic --

A. Which topic?

Q. Negligent promotion. You mentioned Cleveland Cox. Talk about your knowledge about what happened when he tried out for the SWAT team?

A. He tried out for the SWAT team. He wasn't recommended, and then he was appointed by recommendation of the undersheriff.

BY MR. KRAMER:

Q. Also, what the consequence was to the person who did not want him appointed to the SWAT team.

A. Oh, he adamantly opposed it. He was -- I can't remember if it was Josh Crews or Rich Howell at the time.

Q. Josh Crews.

A. Josh Crews absolutely did not want him to the point he wanted to go meet with the undersheriff, and I think he did meet with undersheriff about it; but the decision was made that he did not get his number one and number two picks, and he got Cleveland Cox. And Cleveland Cox was almost promoted at the

recommendation of the sheriff.

Q. What happened with Josh Crews with his relationship with the SWAT team after he didn't want Cleveland Cox on there?

A. I'd have to go back and scroll and think about the timeline, but I can tell you, if you're referring to his removal from the SWAT team, his removal from the SWAT team, I do not believe, was tied to that incident.

We had a SWAT call-out in Monteoca, and the sheriff and undersheriff were there. And Josh Crews was insubordinate to me; and the sheriff found out about it, and the sheriff removed him from the SWAT team based on that incident.

Q. Were those two things occurring closely in time, the Cleveland Cox incident and Monteoca incident?

A. I believe the Cleveland Cox thing was a couple months afterwards. It could have been pretty close. It could have been pretty close.

Q. I don't know the answer, but my understanding is that the delivery of the information that Cleveland Cox would be assigned to the SWAT team and the removal of then lieutenant -- captain, sergeant, I'm not sure --

A. Lieutenant Josh Crews.

Q. -- Lieutenant Crews were delivered at the same time.

A. It may have been. It could have been in close proximity, and I can see how maybe he could correlate that if it was in close proximity, but my knowledge of the incident, it was really based on Lieutenant Crews' insubordination. Because I was ordered by the sheriff to conduct -- to basically put gas on the house with the hopes that the guy would come out, and Josh Crews came over to me and said, "I hope it's not a tactic," and he was rather nasty about it.

I'm not on the SWAT team. I've never been on the SWAT team, and I don't pretend to be on the SWAT team. So when it comes to SWAT-related matters, I would defer to Josh. Josh has got the knowledge. He's been on there a long time, along with his brother. His brother is no longer with us. He's retired. But I had a direct order from the sheriff that this is the way we're going to proceed, and Josh didn't agree with it.

Q. Let me make sure I understand the sheriff is directing a tactic to remove an individual from a home that a SWAT team is doing?

A. To put gas in there, yes.

Q. But is the sheriff qualified to make a decision about a tactic to remove a barricaded subject?

A. In my opinion, no, and that just falls on the back of what I just said. I'm a major. And even when I was a captain over those units, if I called you as my SWAT commander, and you said, "This is what we need to do," I'm going to defer to you. As long as we're not violating policy, we're not violating the law, and we're not creating some additional liability for the sheriff, I'm going to defer to you because that's your area of expertise.

Q. But doesn't it create liability if the sheriff, who is not qualified, is directing a tactic to be used in an extremely dangerous situation?

A. Oh, absolutely. The direction should not have come from the sheriff. The sheriff should have let Josh Crews run the incident, is what it comes down to.

BY INSPECTOR RIDDICK:

Q. What was the barricaded subject?

A. There was another individual in the house. I think it was domestic.

Q. So the bad guy wasn't the only one in the

house?

A. Correct.

BY MR. KRAMER:

Q. I guess you're probably the wrong person to ask, but do we put gas in the house when there's more than one person in the house?

A. Generally, no, but I would defer to Josh Crews and let him discuss that incident in greater detail.

Q. And the insubordination that Josh demonstrated during that incident, was he ever a subject of formal discipline? Or was it just we're going to discipline him by removing him from the SWAT team?

A. He got a corrective counseling from me for his insubordination, but then the sheriff removed him as the SWAT team commander.

Q. Did they put gas in the house?

A. I don't remember. That was very early on in the tenure of the administration.

BY INSPECTOR RIDDICK:

Q. Did the sheriff give a reason why he wanted the gas? Did he have some place to go?

A. Uh-uh. It was clear he was trying to direct the incident where he didn't have the experience to

direct the incident.
BY INSPECTOR SNOWDEN:
Q. Was the sheriff at the scene?
A. He was, and the undersheriff. They both showed up. And, you know, to be fair, normally the sheriff and the undersheriff, the major does not show up to SWAT teams. You know, normally we're behind the phone somewhere, and we're letting those people run those operations; but that's not the way the sheriff wanted it run.
The captain was there. I was there. Captain Bella Blizzard was there. I was there. Decoursey was there. The sheriff was there. And I think probably Josh felt like he wasn't being allowed to operate under the parameters that he normally operates because his decision-making was being impeded by us.
BY MR. KRAMER:
Q. And that's what lead to his insubordination.
A. Correct.
Q. That's also consistent with what you've previously testified to, that all the decisions are being made by the sheriff to operational and tactical decisions.
A. That is correct.
BY INSPECTOR SNOWDEN:

Q. Were you familiar or did we talk about it last time, about the Cleveland Cox investigation that went through the office of professional standards?

A. I was aware.

Q. Do you know what happened with that eventually, or why it was terminated?

A. I don't remember.

Q. Is there some connection or familial connection between the undersheriff and Cleveland Cox?

A. We speculated that there was, but we -- I don't know of one, but it seemed to be really out of character that he was placed on the SWAT team and he was promoted against the objections of essentially everyone.

Q. Was he also assigned to CID?

A. He was.

Q. Against the objections?

A. He was. It was a pattern existing with Cleveland Cox, but I don't know what the connection is.

MR. KRAMER: I want to talk about time.

We can go off the record.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. All we were discussing is how much time we

have remaining before our other witnesses to need to appear.

A. Eric Hutchison was promoted to the rank of acting lieutenant when he wasn't on the eligibility list. I would suggest you pull the employee profile and the eligibility list. When that was called to the sheriff's attention, that he wasn't eligible for promotion, the sheriff did act and rescinded that; but then here recently Scott Bonafide has been promoted to an active lieutenant, and he's been moved to civil.

As you're aware, civil is a completely different animal than any other part of the sheriff's office. You deal with evicting people and serving papers that can and cannot be served at certain times of day. To my knowledge, Scott has no knowledge of the civil process.

I did mention Rashawn Flanders. I do not have that paperwork that I thought I had.

The last one is Pat Ford Thomas. Michelle Clement was the division manager, and she was removed for seemingly no reason and moved over to the contract monitor at the jail, which she's got zero experience at. She was removed from her role as a division manager, and she was replaced with Pat Ford Thomas.

Pat Ford Thomas is the wife of Dave Thomas,

who, interestingly enough, was one of the very core group of people in Watson's campaign.

Q. We're going to speak with Michelle Clement. We just haven't gotten her scheduled yet.

A. Okay. I have for you a copy of one of the personnel orders that went out, and as you can see, the quantity of moves that were made at one time are significant; and that's not one of them, but the reason why that's significant is because I have this to go along with it, which is completely out of character, which has everybody's picture and where they're going, where you can definitely see folks --

MR. KRAMER: All right. We'll make this an exhibit to your statement.

That's all I have. I'm sure if something else comes up, I may think of something or whatever.

(Exhibit 1 was marked for identification.)

BY INSPECTOR SNOWDEN:

Q. One last question I've got. When transfers and things were made, were the positions that they went to, were they resumed made for? Or were persons just told, you're going here, and you're going here?

A. Under the Darnell administration, generally, what would happen would be, an open position

announcement would come out: Any interested deputy sheriff that wishes to apply to be a detective, please submit your name to ISIS, which is our internal system. Interviews are conducted, and then somebody would be selected from the list.

Under the Watson administration, that pretty much went out the window. He just made moves willie-nillie as he felt necessary with no rhyme or reason is really the short answer.

MR. KRAMER: Thank you. We may be talking to you further.

(The witness concluded at 11:20 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that GEORGE CORINE, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named GEORGE CORINE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

WITNESS (1:9)(3:5)(17:8)(25:12)(52:12)(53:8)(54:5)
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WON (5:8)(26:25)(27:16)
WON'T (5:25)
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WOULDN'T (27:7)(28:15)
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ZERO (50:22)

SWORN STATEMENT

of

LINDA BROWN

DATE TAKEN: April 26, 2023
TIME: 11:29 a.m. - 12:08 a.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

Cynthia F. Leverett, FPR
Certified Stenographic Reporter
Notary Public, State of Florida
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WHEREUPON,

LINDA BROWN

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes.

DIRECT EXAMINATION

BY MR. KRAMER:

Q. Could you state your name, please?

A. Linda Ann Brown.

Q. Ms. Brown, are you now or have you ever been a law enforcement officer in the State of Florida?

A. No.

Q. Have you been a civilian employee of the Alachua County Sheriff's Office?

A. Yes.

Q. And are you currently now a civilian employee of the Alachua County Sheriff's Office?

A. No. I retired.

Q. When did you retire?

A. March 31st, 2023.

Q. And for how many years did you work for the sheriff's office?

A. Thirty-five.

Q. And I would imagine over that time, in 35 years, you worked in more than one capacity.

A. Yes.

Q. You don't have to tell me chronologically, but could you tell me the capacities you served ending with wherever you were serving the last time you left the office?

A. Sure. I began in -- well, we were called Clerk Typist Fours at the time as an administrative assistant in the criminal investigation division. I did that for five years. Then I was promoted to the truly administrative assistant for the majors under Steve Oelrich's time in office, and that was for nine years. And then I was promoted to the records bureau chief, and that was my final assignment for 20 years.

Q. Can you give us sort of a thumbnail sketch of your duties and responsibilities as the records bureau chief?

A. Yes. I oversaw, depending on the era, 20 to 30 employees with several supervisors reporting directly to me, a mail courier. We handled all the public record requests, or the majority of the public record requests, that came into the agency.

We were pretty much the -- I was the actual gatekeeper. Our staff took care of the requests for reports, and then the larger, either attorneys or media, broader-type requests, I would handle,

distribute, collect and distribute or respond to accordingly.

We also have something called the FCIC, NCIC, which is your wanted people, your warrants information, all of that goes into those systems. Those transactions were all worked through that bureau, to include the audits that evaluate that service.

Then we also, for the majority of our time, or my time in the records bureau, we took care of the uniform crime reporting statistics and managed to -- we submitted those to FDLE, and we basically oversaw the entire process for that.

We've had different public records. For a time we did the in-car video services. And then all of the reporting transactions, I guess, is the best way to put that, the attachments -- so deputies will submit their reports through the digital system mostly, and then there are paper attachments. All of those come into the records bureau and are digitized into the system, as well as those reports that were needed to go to the state attorney's office, the records bureau personnel took care of those.

We also take care of the off-site management of records and the destruction process for those

records as well. That's the broad overview.

Q. I do want to ask one specific question along those lines. It is my understanding that the sheriff's office maintains a system through their cell phones where the text messaging of the cell phones is recorded for preservation. Was that part of the record-keeping function?

A. No.

Q. So if someone had made a public records request to the agency and said, I want the text messages of a particular individual, what would you -- I'm assuming you were the public records custodian. How would you have handled that situation?

A. Yes, I would take that request and forward it to our information technology bureau personnel and ask them to provide me with an estimate to produce.

At which point, once I had the estimate, I would respond to the requester and say, "This is the estimate to produce them, to gather them, produce them. And once that payment is received, if you wish to proceed, a review of those text messages will be conducted to ensure that all public record exemptions are applied appropriately. We will provide you an estimate based on the quantity for the time to do that."

Q. During the time that Sheriff Watson was there with you, did you receive any requests that you remember for his text messages?

A. Nothing is coming to mind at the moment.

BY INSPECTOR SNOWDEN:

Q. PRR requests, are they -- is that request kept as part of a public record?

A. So, yes. So public record requests come into the agencies in a number of formats. So the emails are definitely saved. The paper copies, I had three years prior for anything that came in. I'm pretty sure we did not get any handwritten letters requesting text messages.

I'm trying to think about topics and text messages, and that's why I say the topics that I recall from -- related to anything with Sheriff Watson, I just don't remember there being -- oh, yes, there was. Yes, there was. What was it?

There were -- I think it was the PBA that asked for text messages for -- and it was a bunch -- it was the commanders. It was between Joel Decoursey, Sheriff Watson. Lance Yaeger was in that mix. There was -- George Corine was in the mix, and there might have been another one or two people. And what resulted from that were very bland messages: Call me

about a subject. I need to talk with you. Are you available?

BY MR. KRAMER:

Q. Let me ask you this question. When that request came in, how were the sheriff's text messages obtained?

A. Through information technology, through the electronic system.

Q. So other than that instance, was there ever a time that you would have been given text messages from anyone that came from the sheriff's telephone saying these are public records that need to be recorded to the system in some way, shape, or form other than that incident which you've already described? I know that's a weird question, and I'll follow up with the why of it.

A. I'm not sure I'm understanding the question, so tell me that again, please.

Q. Let me give you a little bit further background. Our understanding is that the sheriff's office employs a system on the phones themselves that document the text messages to a server that IT can then go to that server, obtain the text messages, give them to you as part of the public records function of the office.

A. Sounds right.
Q. Are you with me so far?
A. Yes.
Q. It's our understanding the sheriff, his telephone has never been connected to that system. Okay?
A. Okay.
Q. So my question to you is, if the sheriff had anything on his phone that's a public record, how is it being preserved by the sheriff's office?
A. It is my understanding that it's not, because I remember -- and I'd have to produce -- I'd have to say produce the responses to be certain, but I seem to remember that I was told at the time the sheriff had not connected his phone or done the proper steps on his phone to be able to document -- was it the text messages, or was it more of the geocoding of his location? I'd have to see the -- I'd have to find the emails to do it.
Q. Understood. But my question is, since you're the public records custodian, or you have been for the administration until you left recently, was there any instance you're aware of where the sheriff had made any other effort to preserve public records that were created by text messaging referencing cases under

investigation which would be a public record?

A. Sheriff Watson never worked with me directly or indirectly to preserve any kind of text messages on his phone that I can recall, and I'm pretty sure there's nothing like that.

Q. And when you did have the one public records request for Sheriff Watson's phone that involved his phone you've referenced, you did end up providing public records from Sheriff Watson's phone to the requester?

A. That's what I'm trying to remember. I can tell you I remember messages from Joel Decoursey and Chad Scott and George Corine and all of them saying "I need to talk with you. Give me a call," but I'm trying to think if I remember seeing anything from Sheriff Watson going back to them.

Q. We can easily determine that because the public record response remains a public record at the sheriff's office.

A. Yes.

Q. And the requester was the PBA?

A. I'm pretty certain it was the PBA, and I can even tell you where it was saved in my K Drive, our shared -- we would have a drive that was specific to us and all of our emails and folders, and I maintained

all of that. And I wasn't able to have a copy to leave the agency, but it was in my K Drive under the PBA.

I might actually have that record because at the time we were saving -- I would save things -- any public record response, I would save it in a temp file to be able to duplicate it; and I have all those on a thumb drive from when I left the agency.

Q. Is that the thumb drive?

A. Yes, sir. Now, I haven't looked at it. I don't know that it -- I can't -- I mean, you'd have to test it to see; but it was cleared by our agency IT people before I used it to download the K Drive. So it was to be able to reference anything that I might need to, to help the agency after I left. So I think it should be on there if I saved it to that K Drive, or to that temp file.

Q. We'll address that in just a little bit.

You mentioned that there was an incident recently that you were concerned about that may have been either malfeasance, misfeasance, or unlawful by the sheriff. Can you tell me what that was?

A. It was more of a managerial decision. So after my retirement -- prior to my retirement, Courtney Bereka (phonetic) had been selected to

replace me. And effective January 2nd, she was supposed to begin working with me to learn my job and to help with a smooth transition.

So we did not get much time together to work, but there would be instances where something would -- I would take care of a task or a transaction that I thought would be rare and she should have a copy of it, or I would go into her office as the administrative assistant to Sheriff Watson, or executive assistant, excuse me, and share with her. And over that three-month period right before I resigned, she apparently -- and this part is hearsay, but she apparently made the decision that she preferred to remain as the executive assistant rather than transfer to the records bureau chief, and I was not made aware of that until after I left.

So a week after -- I'm not even sure how long. A few days after I retired from the agency, it was announced that somebody else would be taking my position; and that person has always worked in the corrections environment and, I don't believe, has any records bureau experience or law enforcement experience, just from a corrections perspective. He was a supervisor reporting to the bureau chief in booking support.

So he was selected to come over, basically, two weeks after I left. The administrative assistant, Marie Davis, had worked with me for over a decade and is probably the most informed about what I do as my assistant working with me, etc., doing the various tasks. She was also transferred at the same day that the new bureau chief would report. She was transferred out of the bureau and over to the department of the jail to report to the major.

My point of all that is that there are three supervisors reporting to the bureau chief each with only one year's experience or less. Then you take the administrative assistant, and you relocate her to another job that is pretty high requirement -- task requirement as the administrative assistant to the major of the jail. And then you bring in a corrections person with very little, if no, law enforcement experience, and that entire bureau, how do you think that's going to work out? Not well.

No experience, doesn't -- had no common time with the previous bureau chief. I don't know how that bureau is supposed to succeed with those circumstances. I would call that a misfeasance, I think, is how your term is. I would call that a terrible management decision, to have the success of

the bureau and -- with all of that bureau works with, how -- why would you do that?

Q. Understood. Were there other changes that occurred after Sheriff Watson took office that were unusual in how the procedures of the office would work or how your --

A. Procedures for the records bureau to work, or the agency?

Q. Well, the agency, the records bureau. I'm not -- I don't want to limit your response.

A. The records bureau under my management continued to do what it has always done, and we -- due to the staff shortages, it was much more stressful and much more difficult, but the bureau did keep its head above water, so to speak, and managed to get the majority of things done and still done well and accurately, completely. A lot of overtime was used to do so.

They are 50 percent down and have been for over a year. There has been efforts to continue hiring through the normal procedures. And at one point I was able to convince them to fast-track people because the alternative solution for the lack of employees was to bring in temp force personnel through Spherion. Those people would be interviewed by the

records bureau staff and determined appropriate or not, and then they would go through a fingerprint-based background check, and they would go through a drug screen, and that was it. And then they'd be brought into the agency, given access to all of the software systems and the critical information that we maintain through the records bureau. Versus an employee, when they go through the application process and the hiring process and the background process, they go through both of those two things as well as a psych eval and a physical agility -- or a physical, I'm sorry, just a physical, and then the background check where the background investigators of the agency would check their references and their employment history and determine that they are a good candidate for the agency.

So if we're doing so little for a temp force employee that we're giving the same access to as a regular full-time employee, why wouldn't we fast-track the incoming applicants that truly want a career with the Alachua County Sheriff's Office? Let's fast-track them, get in the door while you're doing the background process that you're not doing for the Spherion employee. Let me go ahead and start training them. If you find something that says they're not

going to be a long-term or great employee, and we're not going to hire them, then so be it; but that doesn't happen all that often based on the interviewing process.

So for a short stretch we were able to bring in four employees as -- on that fast-track program, but then after that the sheriff decided that we are not going to fast-track employees. So as such, the hiring process takes anywhere from minimal six weeks -- which I haven't seen anybody come in in a six-week period in forever -- to eight to twelve weeks because it takes a good eight weeks for the full background process to be completed. And then you have to do a file review that goes through the command staff and includes the sheriff, which typically there's a delay in getting a signature from the sheriff. And then, from there, if the applicant is still employed somewhere else, there's a two-week notice that they're giving their former employer. So many times the applicants that we interview that we really wanted would find work elsewhere before we ever got the background process done.

So that is the reason we have a 50 percent deficit in employees in the records bureau, and that's a big part of the agency, especially with civilian

personnel. That happens badly, badly with A and B for the payroll specialist and the accounts payable specialist. And that's all I can think of off the top of my head.

But that -- once again, the decisions that are being made are to the detriment of the agency and, obviously, the community.

Q. Is there any other instances that you're aware of where things have markedly changed because the administration changed?

A. So I was told by our -- that the salary personnel no longer have to enter time sheets. That was done almost immediately once Sheriff Watson took office.

Additionally, the sheriff made an order that he no longer would complete -- the sheriff, not he because he wasn't there previously, but that he would not be completing travel and training forms.

Q. For himself or for anyone?

A. For himself. For himself. He would not be completing travel and training forms. And we've done that for Sheriff Oelrich and Sheriff Darnell throughout history.

BY INSPECTOR RIDDICK:

Q. Was the agency still paying for training and

travel, though?

A. Oh, yes.

BY MR. KRAMER:

Q. So how does that work?

A. He has an agency credit card, as many of the bureaus do. So when he would go on travel and training or, you know, to gas up his car, he's got an agency credit card. And so he would just charge things off to the credit card, and there's no documentation.

So he goes to the Florida Sheriff's Association Conference, wherever it is. He obviously stays in a hotel. He drives the gas to get there. So he just -- instead of completing a travel and training form that documents that's where he is and what he's done for the last three days of the conference, that he left at such-and-such and came back, which is why his per diem is what it is, that form isn't -- the sheriff doesn't have to complete that form anymore; all others do.

Q. So does he still collect a per diem?

A. As far as I know.

Q. How is the amount of the per diem determined if there's no documentation?

A. I don't know. The accounting budget and

personnel would have to provide that to you.

Q. Are those forms kept by records or kept by Alachua County?

A. Accounting and budget. No, by ASO; but accounting and budget, not by records. If somebody had sent a public record request, they would have sent it to records, and I would have forwarded it to our accounting and budget personnel to provide them.

Q. So this is untrue for an undersheriff. He would provide a --

A. That is my understanding. He still provides travel and training forms if he goes someplace on behalf of agency, but the sheriff does not.

BY INSPECTOR RIDDICK:

Q. Do you know what bank the credit card is drawn on?

A. No we just changed banks, and I don't remember. I didn't note it.

BY MR. KRAMER:

Q. Are the credit cards issued through the county?

A. No, they're issued through our accounting and budget personnel. All of our finance is through the Alachua County Sheriff's Office, A and B. The county only distributes 1/12th of the budget to us monthly,

and then it's up to us to distribute that into the various accounts and manage all of our accounting, purchasing, credit cards, everything that we do, payroll, all of that.

Q. Who audits records?

A. The only audits records has is by the Florida Department of Law Enforcement in terms of our FCIC, NCIC transactions and the -- we participate. We're not the direct contact.

So FDLE conducts two different audits related to the agency, and that is one for FCIC NCIC entries and operations, and then the other is for our security awareness performance.

Q. Do you know who audits sheriff's office finance, the accounting and budget process for the sheriff's office?

A. It's an accounting firm, local, and I don't know the name of them. I could get it for you easily, though.

Q. Is it through the sheriff's office that the auditing is done, or is it the county? Like, who orders the audit?

A. It's an independent audit that is done every three years annually, and it just happens, from my understanding. There's no special order for a new

audit. It's a routine thing.

Q. When is the last time that happened? Do you know?

A. It's annual. Last year.

Q. Oh, it's annual. I thought you said it's every three years.

A. No. The FDLE audit of FCIC is every three years.

Q. But then accounting and budget?

A. Accounting and budget's annual audit is by a local, if I recall.

Q. It's annual?

A. Yeah.

Q. Okay. Anything else that you have notated that is unusual or meets the criteria that I've described to you that we've haven't talked about?

A. So at some point -- I don't know if you guys have the circumstance to know what I'm talking about.

So many years ago we were -- we, the Alachua County Sheriff's Office, was audited by the IRS. And during that audit, it was determined that, for those individuals that we assigned a vehicle to that were command staff, they had to pay taxes on that as a benefit. We were not doing that taxing correctly. So the outcome of that was, we learned that we had to tax

by the highest or most expensive method possible as a benefit to our employees.

When Sheriff Watson came in, that policy was not appreciated, and as such, Jacob Rush was apparently assigned to look into the matter. He referenced Leon County Sheriff's Office, who taxes at a different rate per their policy. As such, Sheriff Watson implemented or changed that taxing procedure to the way Leon County does it. That is against what the IRS audit required at the time. So accounting and budget personnel would have more information on that.

Q. You seem to have provided some additional documentation. What was that in reference to?

A. Well, all it is, there's two reports here. One is a termination report, and the other is the new hire; and it simply reflects all of the people that have left the agency since January 5th of 2021 when Sheriff Watson took office. And what it reflects is -- and I made an adjustment because the guardian participants at the schools is included in these lists, and they are not paid employees of this agency. They had to be for documentation of the training bureau and that sort of thing, but -- so anyway, since that time we have lost 323 employees, many of whom simply left the agency.

You'll note that the reason code is retired, voluntarily terminated, that sort of thing, deceased, but the retirees, many of those people -- I'm not sure "many" is fair, but some of those retirees left because they -- because of the treatment of the agency. So sadly, that's the case.

So 323 employees have left the agency, and since that same time period we've only hired 131. So basically for every three people that have left the agency we have only been able to replace them with one.

Q. What's the net number of positions down?

A. 323 minus 131.

BY INSPECTOR SNOWDEN:

Q. Is that 192?

A. That sounds right.

BY MR. KRAMER:

Q. So essentially involuntarily staff reduction by 190-plus FTEs?

A. And the total FTEs is 867.75. And so if you look at the withdrawal percentage, it's 37 percent over two years. If you look at the net, it's still a 20-something percent. It might be just 20 percent.

BY INSPECTOR SNOWDEN:

Q. Where did you fall into that retirement

category? Were you planning on leaving on 3/31/23?

A. I made my full retirement, but the last two years have been extremely torturous.

BY INSPECTOR RIDDICK:

Q. Does that list have the date?

A. Yes, has the date of hire, has the date of designation.

Q. Does that include sworn?

A. Yes, it includes everybody.

BY MR. KRAMER:

Q. Does it include the jail?

A. Yes. The challenge is that it is by fund number, so it's a little tricky in terms of figuring who are jail personnel. Some of the funds are truly labeled properly. Some of them are a little more challenging.

Q. But the information is there if you can dissect it.

A. Yes, sir.

Q. Anything else?

A. Back to -- well, I won't label it. I will say yes.

What I've observed and take issue with, I guess, is that we have promoted people -- Sheriff Watson has promoted people from deputy and maybe

sergeant to positions of major over a very short period of time. And nothing against those individuals.

I didn't know Robert Stafford as the person that went from sergeant to major at the department of the jail. I know Lance Yaeger somewhat as a deputy. At the time I first met him he was a detective, and now he's major and possibly chief of staff; that remains remain to be seen if he stays.

But the point of those things is that Sheriff Watson came in and trusted just about no one in the agency. He demoted the two majors, which is his right, but then he took captains and moved them around from position to position to position. He's constantly moving people around, lieutenants and sergeants. And what that has done to this agency is that you have a lot of people in positions with little to no experience that did not work their way up, so those promotions, those individuals never worked as sergeants, lieutenants, captains. They have none of that management experience in a civilian agency. Yes, Lance Yaeger has military experience, but it's different.

As such, they're coming through the ranks -- they're not coming through the ranks. They're just

getting into these management positions, and Sheriff Watson trusts no one except these people that he's brought in around him. As such, the agency is no longer a team effort. Ideas are not being shared.

It's not a healthy organization anymore, and it is not the premier agency it was over two years ago, unfortunately, and it's very sad to see.

Q. Understood.

A. I would think Laura Knudson, Lori Stophel should be in your group, potentially, as people that have endured his wrath and had to leave earlier than wanting.

So Laura was a bureau chief, and do you want her story from my perspective?

Q. No, we're running out of time. I apologize. We need to move on, and we will reach out to them.

A. The accounting and budget, the wasteful spending, the changes between administrators. And I don't even know what I meant by that note, so never mind about that. Those are, I think --

MR. KRAMER: Let's talk about that drive, gentlemen, what is your -- what is it you'd like to do with that?

(An off-the-record discussion was had.)

(The statement concluded at 12:08 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that LINDA BROWN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named LINDA BROWN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

1

1/12TH (19:25)
11:29 (1:5)
12:08 (1:5)(26:25)
120 (2:4)
131 (23:8)(23:13)
19 (27:8)(28:15)
190-PLUS (23:19)
192 (23:15)

2

20 (4:13)(4:17)(23:23)
2021 (22:17)
2023 (1:5)(3:20)(27:6)(27:8)(28:15)
20-SOMETHING (23:23)
2331 (2:13)
2392 (1:12)
26 (1:5)(27:6)
2ND (12:1)

3

3/31/23 (24:1)
30 (4:18)
31ST (3:20)
323 (22:24)(23:7)(23:13)
32308 (2:14)
32601 (2:5)
32644 (1:13)
32802 (2:10)
35 (3:24)
352-374-3670 (2:5)
37 (23:21)
386-256-1457 (1:13)

4

400 (2:9)

5

50 (14:19)(16:23)
5TH (22:17)

8

867.75 (23:20)

9

9-27-24 (27:13)

A

ABLE (9:16)(11:1)(11:7)(11:14)(14:22)(16:5)(23:10)
ABOVE (14:15)
ACCESS (15:5)(15:18)
ACCORDINGLY (5:2)
ACCOUNTING (18:25)(19:4)(19:5)(19:8)(19:22)(20:2)(20:15)(20:17)(21:9)(21:10)(22:10)(26:17)
ACCOUNTS (17:2)(20:2)
ACCURATELY (14:17)
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ADDRESS (11:18)
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ADMINISTRATIVE (4:7)(4:10)(12:9)(13:2)(13:13)(13:15)
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AGAIN (8:18)(17:5)
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AGILITY (15:11)
AGO (21:19)(26:7)
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ALL (4:19)(5:5)(5:6)(5:15)(5:19)(6:22)(10:13)(10:25)(11:1)(11:7)(13:10)(14:1)(15:5)(16:3)(17:3)(18:20)(19:23)(20:2)(20:4)(22:14)(22:16)
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ALSO (5:3)(5:9)(5:24)(13:6)
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ANY (7:2)(7:12)(9:22)(9:24)(10:3)(11:5)(12:21)(17:8)(28:9)(28:10)(28:12)(28:13)
ANYBODY (16:10)
ANYMORE (18:19)(26:5)
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ANYTHING (7:11)(7:16)(9:9)(10:15)(11:14)(21:14)(24:20)
ANYWAY (22:23)
ANYWHERE (16:9)
APOLOGIZE (26:15)
APPARENTLY (12:12)(12:13)(22:5)
APPEARANCES (2:1)
APPEARED (27:6)
APPLICANT (16:17)
APPLICANTS (15:20)(16:20)
APPLICATION (15:8)
APPLIED (6:23)
APPLY (28:12)
APPRECIATED (22:4)
APPROPRIATE (15:1)
APPROPRIATELY (6:23)
APRIL (1:5)(27:6)
ARE (3:10)(3:16)(5:19)(5:20)(6:23)(7:6)(7:10)(8:1)(8:12)(9:2)(13:10)(14:19)(15:15)(16:7)(17:6)(19:2)(19:20)(22:21)(24:14)(24:15)(26:4)(26:20)
AROUND (25:13)(25:15)(26:3)
ASK (6:2)(6:15)(8:4)
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ASSIGNMENT (4:13)
ASSISTANT (4:8)(4:10)(12:9)(12:10)(12:14)(13:2)(13:5)(13:13)(13:15)
ASSOCIATION (18:12)
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ATTACHMENTS (5:17)(5:19)
ATTORNEY (2:3)(2:4)(28:9)(28:11)
ATTORNEYS (4:24)
ATTORNEY'S (1:6)(5:22)
AUDIT (20:22)(20:23)(21:1)(21:7)(21:10)(21:21)(22:10)
AUDITED (21:20)
AUDITING (20:21)
AUDITS (5:7)(20:5)(20:6)(20:10)(20:14)
AVAILABLE (8:2)
AVENUE (2:4)
AWARE (9:23)(12:16)(17:9)
AWARENESS (20:13)

B

BACK (10:16)(18:17)(24:21)
BACKGROUND (8:20)(15:3)(15:9)(15:13)(15:23)(16:13)(16:22)
BADLY (17:1)
BANK (19:15)
BANKS (19:17)
BASED (6:24)(16:3)
BASICALLY (5:12)(13:1)(23:9)

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WHEREUPON,

LINDA BROWN

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes.

DIRECT EXAMINATION

BY MR. KRAMER:

Q. Could you state your name, please?

A. Linda Ann Brown.

Q. Ms. Brown, are you now or have you ever been a law enforcement officer in the State of Florida?

A. No.

Q. Have you been a civilian employee of the Alachua County Sheriff's Office?

A. Yes.

Q. And are you currently now a civilian employee of the Alachua County Sheriff's Office?

A. No. I retired.

Q. When did you retire?

A. March 31st, 2023.

Q. And for how many years did you work for the sheriff's office?

A. Thirty-five.

Q. And I would imagine over that time, in 35 years, you worked in more than one capacity.

A. Yes.

Q. You don't have to tell me chronologically, but could you tell me the capacities you served ending with wherever you were serving the last time you left the office?

A. Sure. I began in -- well, we were called Clerk Typist Fours at the time as an administrative assistant in the criminal investigation division. I did that for five years. Then I was promoted to the truly administrative assistant for the majors under Steve Oelrich's time in office, and that was for nine years. And then I was promoted to the records bureau chief, and that was my final assignment for 20 years.

Q. Can you give us sort of a thumbnail sketch of your duties and responsibilities as the records bureau chief?

A. Yes. I oversaw, depending on the era, 20 to 30 employees with several supervisors reporting directly to me, a mail courier. We handled all the public record requests, or the majority of the public record requests, that came into the agency.

We were pretty much the -- I was the actual gatekeeper. Our staff took care of the requests for reports, and then the larger, either attorneys or media, broader-type requests, I would handle,

distribute, collect and distribute or respond to accordingly.

We also have something called the FCIC, NCIC, which is your wanted people, your warrants information, all of that goes into those systems. Those transactions were all worked through that bureau, to include the audits that evaluate that service.

Then we also, for the majority of our time, or my time in the records bureau, we took care of the uniform crime reporting statistics and managed to -- we submitted those to FDLE, and we basically oversaw the entire process for that.

We've had different public records. For a time we did the in-car video services. And then all of the reporting transactions, I guess, is the best way to put that, the attachments -- so deputies will submit their reports through the digital system mostly, and then there are paper attachments. All of those come into the records bureau and are digitized into the system, as well as those reports that were needed to go to the state attorney's office, the records bureau personnel took care of those.

We also take care of the off-site management of records and the destruction process for those

records as well. That's the broad overview.

Q. I do want to ask one specific question along those lines. It is my understanding that the sheriff's office maintains a system through their cell phones where the text messaging of the cell phones is recorded for preservation. Was that part of the record-keeping function?

A. No.

Q. So if someone had made a public records request to the agency and said, I want the text messages of a particular individual, what would you -- I'm assuming you were the public records custodian. How would you have handled that situation?

A. Yes, I would take that request and forward it to our information technology bureau personnel and ask them to provide me with an estimate to produce.

At which point, once I had the estimate, I would respond to the requester and say, "This is the estimate to produce them, to gather them, produce them. And once that payment is received, if you wish to proceed, a review of those text messages will be conducted to ensure that all public record exemptions are applied appropriately. We will provide you an estimate based on the quantity for the time to do that."

Q. During the time that Sheriff Watson was there with you, did you receive any requests that you remember for his text messages?

A. Nothing is coming to mind at the moment.

BY INSPECTOR SNOWDEN:

Q. PRR requests, are they -- is that request kept as part of a public record?

A. So, yes. So public record requests come into the agencies in a number of formats. So the emails are definitely saved. The paper copies, I had three years prior for anything that came in. I'm pretty sure we did not get any handwritten letters requesting text messages.

I'm trying to think about topics and text messages, and that's why I say the topics that I recall from -- related to anything with Sheriff Watson, I just don't remember there being -- oh, yes, there was. Yes, there was. What was it?

There were -- I think it was the PBA that asked for text messages for -- and it was a bunch -- it was the commanders. It was between Joel Decoursey, Sheriff Watson. Lance Yaeger was in that mix. There was -- George Corine was in the mix, and there might have been another one or two people. And what resulted from that were very bland messages: Call me

about a subject. I need to talk with you. Are you available?

BY MR. KRAMER:

Q. Let me ask you this question. When that request came in, how were the sheriff's text messages obtained?

A. Through information technology, through the electronic system.

Q. So other than that instance, was there ever a time that you would have been given text messages from anyone that came from the sheriff's telephone saying these are public records that need to be recorded to the system in some way, shape, or form other than that incident which you've already described? I know that's a weird question, and I'll follow up with the why of it.

A. I'm not sure I'm understanding the question, so tell me that again, please.

Q. Let me give you a little bit further background. Our understanding is that the sheriff's office employs a system on the phones themselves that document the text messages to a server that IT can then go to that server, obtain the text messages, give them to you as part of the public records function of the office.

A. Sounds right.
Q. Are you with me so far?
A. Yes.
Q. It's our understanding the sheriff, his telephone has never been connected to that system. Okay?
A. Okay.
Q. So my question to you is, if the sheriff had anything on his phone that's a public record, how is it being preserved by the sheriff's office?
A. It is my understanding that it's not, because I remember -- and I'd have to produce -- I'd have to say produce the responses to be certain, but I seem to remember that I was told at the time the sheriff had not connected his phone or done the proper steps on his phone to be able to document -- was it the text messages, or was it more of the geocoding of his location? I'd have to see the -- I'd have to find the emails to do it.
Q. Understood. But my question is, since you're the public records custodian, or you have been for the administration until you left recently, was there any instance you're aware of where the sheriff had made any other effort to preserve public records that were created by text messaging referencing cases under

investigation which would be a public record?

A. Sheriff Watson never worked with me directly or indirectly to preserve any kind of text messages on his phone that I can recall, and I'm pretty sure there's nothing like that.

Q. And when you did have the one public records request for Sheriff Watson's phone that involved his phone you've referenced, you did end up providing public records from Sheriff Watson's phone to the requester?

A. That's what I'm trying to remember. I can tell you I remember messages from Joel Decoursey and Chad Scott and George Corine and all of them saying "I need to talk with you. Give me a call," but I'm trying to think if I remember seeing anything from Sheriff Watson going back to them.

Q. We can easily determine that because the public record response remains a public record at the sheriff's office.

A. Yes.

Q. And the requester was the PBA?

A. I'm pretty certain it was the PBA, and I can even tell you where it was saved in my K Drive, our shared -- we would have a drive that was specific to us and all of our emails and folders, and I maintained

all of that. And I wasn't able to have a copy to leave the agency, but it was in my K Drive under the PBA.

I might actually have that record because at the time we were saving -- I would save things -- any public record response, I would save it in a temp file to be able to duplicate it; and I have all those on a thumb drive from when I left the agency.

Q. Is that the thumb drive?

A. Yes, sir. Now, I haven't looked at it. I don't know that it -- I can't -- I mean, you'd have to test it to see; but it was cleared by our agency IT people before I used it to download the K Drive. So it was to be able to reference anything that I might need to, to help the agency after I left. So I think it should be on there if I saved it to that K Drive, or to that temp file.

Q. We'll address that in just a little bit.

You mentioned that there was an incident recently that you were concerned about that may have been either malfeasance, misfeasance, or unlawful by the sheriff. Can you tell me what that was?

A. It was more of a managerial decision. So after my retirement -- prior to my retirement, Courtney Bereka (phonetic) had been selected to

replace me. And effective January 2nd, she was supposed to begin working with me to learn my job and to help with a smooth transition.

So we did not get much time together to work, but there would be instances where something would -- I would take care of a task or a transaction that I thought would be rare and she should have a copy of it, or I would go into her office as the administrative assistant to Sheriff Watson, or executive assistant, excuse me, and share with her. And over that three-month period right before I resigned, she apparently -- and this part is hearsay, but she apparently made the decision that she preferred to remain as the executive assistant rather than transfer to the records bureau chief, and I was not made aware of that until after I left.

So a week after -- I'm not even sure how long. A few days after I retired from the agency, it was announced that somebody else would be taking my position; and that person has always worked in the corrections environment and, I don't believe, has any records bureau experience or law enforcement experience, just from a corrections perspective. He was a supervisor reporting to the bureau chief in booking support.

So he was selected to come over, basically, two weeks after I left. The administrative assistant, Marie Davis, had worked with me for over a decade and is probably the most informed about what I do as my assistant working with me, etc., doing the various tasks. She was also transferred at the same day that the new bureau chief would report. She was transferred out of the bureau and over to the department of the jail to report to the major.

My point of all that is that there are three supervisors reporting to the bureau chief each with only one year's experience or less. Then you take the administrative assistant, and you relocate her to another job that is pretty high requirement -- task requirement as the administrative assistant to the major of the jail. And then you bring in a corrections person with very little, if no, law enforcement experience, and that entire bureau, how do you think that's going to work out? Not well.

No experience, doesn't -- had no common time with the previous bureau chief. I don't know how that bureau is supposed to succeed with those circumstances. I would call that a misfeasance, I think, is how your term is. I would call that a terrible management decision, to have the success of

the bureau and -- with all of that bureau works with, how -- why would you do that?

Q. Understood. Were there other changes that occurred after Sheriff Watson took office that were unusual in how the procedures of the office would work or how your --

A. Procedures for the records bureau to work, or the agency?

Q. Well, the agency, the records bureau. I'm not -- I don't want to limit your response.

A. The records bureau under my management continued to do what it has always done, and we -- due to the staff shortages, it was much more stressful and much more difficult, but the bureau did keep its head above water, so to speak, and managed to get the majority of things done and still done well and accurately, completely. A lot of overtime was used to do so.

They are 50 percent down and have been for over a year. There has been efforts to continue hiring through the normal procedures. And at one point I was able to convince them to fast-track people because the alternative solution for the lack of employees was to bring in temp force personnel through Spherion. Those people would be interviewed by the

records bureau staff and determined appropriate or not, and then they would go through a fingerprint-based background check, and they would go through a drug screen, and that was it. And then they'd be brought into the agency, given access to all of the software systems and the critical information that we maintain through the records bureau. Versus an employee, when they go through the application process and the hiring process and the background process, they go through both of those two things as well as a psych eval and a physical agility -- or a physical, I'm sorry, just a physical, and then the background check where the background investigators of the agency would check their references and their employment history and determine that they are a good candidate for the agency.

So if we're doing so little for a temp force employee that we're giving the same access to as a regular full-time employee, why wouldn't we fast-track the incoming applicants that truly want a career with the Alachua County Sheriff's Office? Let's fast-track them, get in the door while you're doing the background process that you're not doing for the Spherion employee. Let me go ahead and start training them. If you find something that says they're not

going to be a long-term or great employee, and we're not going to hire them, then so be it; but that doesn't happen all that often based on the interviewing process.

So for a short stretch we were able to bring in four employees as -- on that fast-track program, but then after that the sheriff decided that we are not going to fast-track employees. So as such, the hiring process takes anywhere from minimal six weeks -- which I haven't seen anybody come in in a six-week period in forever -- to eight to twelve weeks because it takes a good eight weeks for the full background process to be completed. And then you have to do a file review that goes through the command staff and includes the sheriff, which typically there's a delay in getting a signature from the sheriff. And then, from there, if the applicant is still employed somewhere else, there's a two-week notice that they're giving their former employer. So many times the applicants that we interview that we really wanted would find work elsewhere before we ever got the background process done.

So that is the reason we have a 50 percent deficit in employees in the records bureau, and that's a big part of the agency, especially with civilian

personnel. That happens badly, badly with A and B for the payroll specialist and the accounts payable specialist. And that's all I can think of off the top of my head.

But that -- once again, the decisions that are being made are to the detriment of the agency and, obviously, the community.

Q. Is there any other instances that you're aware of where things have markedly changed because the administration changed?

A. So I was told by our -- that the salary personnel no longer have to enter time sheets. That was done almost immediately once Sheriff Watson took office.

Additionally, the sheriff made an order that he no longer would complete -- the sheriff, not he because he wasn't there previously, but that he would not be completing travel and training forms.

Q. For himself or for anyone?

A. For himself. For himself. He would not be completing travel and training forms. And we've done that for Sheriff Oelrich and Sheriff Darnell throughout history.

BY INSPECTOR RIDDICK:

Q. Was the agency still paying for training and

travel, though?

A. Oh, yes.

BY MR. KRAMER:

Q. So how does that work?

A. He has an agency credit card, as many of the bureaus do. So when he would go on travel and training or, you know, to gas up his car, he's got an agency credit card. And so he would just charge things off to the credit card, and there's no documentation.

So he goes to the Florida Sheriff's Association Conference, wherever it is. He obviously stays in a hotel. He drives the gas to get there. So he just -- instead of completing a travel and training form that documents that's where he is and what he's done for the last three days of the conference, that he left at such-and-such and came back, which is why his per diem is what it is, that form isn't -- the sheriff doesn't have to complete that form anymore; all others do.

Q. So does he still collect a per diem?

A. As far as I know.

Q. How is the amount of the per diem determined if there's no documentation?

A. I don't know. The accounting budget and

personnel would have to provide that to you.

Q. Are those forms kept by records or kept by Alachua County?

A. Accounting and budget. No, by ASO; but accounting and budget, not by records. If somebody had sent a public record request, they would have sent it to records, and I would have forwarded it to our accounting and budget personnel to provide them.

Q. So this is untrue for an undersheriff. He would provide a --

A. That is my understanding. He still provides travel and training forms if he goes someplace on behalf of agency, but the sheriff does not.

BY INSPECTOR RIDDICK:

Q. Do you know what bank the credit card is drawn on?

A. No we just changed banks, and I don't remember. I didn't note it.

BY MR. KRAMER:

Q. Are the credit cards issued through the county?

A. No, they're issued through our accounting and budget personnel. All of our finance is through the Alachua County Sheriff's Office, A and B. The county only distributes 1/12th of the budget to us monthly,

and then it's up to us to distribute that into the various accounts and manage all of our accounting, purchasing, credit cards, everything that we do, payroll, all of that.

Q. Who audits records?

A. The only audits records has is by the Florida Department of Law Enforcement in terms of our FCIC, NCIC transactions and the -- we participate. We're not the direct contact.

So FDLE conducts two different audits related to the agency, and that is one for FCIC NCIC entries and operations, and then the other is for our security awareness performance.

Q. Do you know who audits sheriff's office finance, the accounting and budget process for the sheriff's office?

A. It's an accounting firm, local, and I don't know the name of them. I could get it for you easily, though.

Q. Is it through the sheriff's office that the auditing is done, or is it the county? Like, who orders the audit?

A. It's an independent audit that is done every three years annually, and it just happens, from my understanding. There's no special order for a new

audit. It's a routine thing.

Q. When is the last time that happened? Do you know?

A. It's annual. Last year.

Q. Oh, it's annual. I thought you said it's every three years.

A. No. The FDLE audit of FCIC is every three years.

Q. But then accounting and budget?

A. Accounting and budget's annual audit is by a local, if I recall.

Q. It's annual?

A. Yeah.

Q. Okay. Anything else that you have notated that is unusual or meets the criteria that I've described to you that we've haven't talked about?

A. So at some point -- I don't know if you guys have the circumstance to know what I'm talking about.

So many years ago we were -- we, the Alachua County Sheriff's Office, was audited by the IRS. And during that audit, it was determined that, for those individuals that we assigned a vehicle to that were command staff, they had to pay taxes on that as a benefit. We were not doing that taxing correctly. So the outcome of that was, we learned that we had to tax

by the highest or most expensive method possible as a benefit to our employees.

When Sheriff Watson came in, that policy was not appreciated, and as such, Jacob Rush was apparently assigned to look into the matter. He referenced Leon County Sheriff's Office, who taxes at a different rate per their policy. As such, Sheriff Watson implemented or changed that taxing procedure to the way Leon County does it. That is against what the IRS audit required at the time. So accounting and budget personnel would have more information on that.

Q. You seem to have provided some additional documentation. What was that in reference to?

A. Well, all it is, there's two reports here. One is a termination report, and the other is the new hire; and it simply reflects all of the people that have left the agency since January 5th of 2021 when Sheriff Watson took office. And what it reflects is -- and I made an adjustment because the guardian participants at the schools is included in these lists, and they are not paid employees of this agency. They had to be for documentation of the training bureau and that sort of thing, but -- so anyway, since that time we have lost 323 employees, many of whom simply left the agency.

You'll note that the reason code is retired, voluntarily terminated, that sort of thing, deceased, but the retirees, many of those people -- I'm not sure "many" is fair, but some of those retirees left because they -- because of the treatment of the agency. So sadly, that's the case.

So 323 employees have left the agency, and since that same time period we've only hired 131. So basically for every three people that have left the agency we have only been able to replace them with one.

Q. What's the net number of positions down?

A. 323 minus 131.

BY INSPECTOR SNOWDEN:

Q. Is that 192?

A. That sounds right.

BY MR. KRAMER:

Q. So essentially involuntarily staff reduction by 190-plus FTEs?

A. And the total FTEs is 867.75. And so if you look at the withdrawal percentage, it's 37 percent over two years. If you look at the net, it's still a 20-something percent. It might be just 20 percent.

BY INSPECTOR SNOWDEN:

Q. Where did you fall into that retirement

category? Were you planning on leaving on 3/31/23?

A. I made my full retirement, but the last two years have been extremely torturous.

BY INSPECTOR RIDDICK:

Q. Does that list have the date?

A. Yes, has the date of hire, has the date of designation.

Q. Does that include sworn?

A. Yes, it includes everybody.

BY MR. KRAMER:

Q. Does it include the jail?

A. Yes. The challenge is that it is by fund number, so it's a little tricky in terms of figuring who are jail personnel. Some of the funds are truly labeled properly. Some of them are a little more challenging.

Q. But the information is there if you can dissect it.

A. Yes, sir.

Q. Anything else?

A. Back to -- well, I won't label it. I will say yes.

What I've observed and take issue with, I guess, is that we have promoted people -- Sheriff Watson has promoted people from deputy and maybe

sergeant to positions of major over a very short period of time. And nothing against those individuals.

I didn't know Robert Stafford as the person that went from sergeant to major at the department of the jail. I know Lance Yaeger somewhat as a deputy. At the time I first met him he was a detective, and now he's major and possibly chief of staff; that remains remain to be seen if he stays.

But the point of those things is that Sheriff Watson came in and trusted just about no one in the agency. He demoted the two majors, which is his right, but then he took captains and moved them around from position to position to position. He's constantly moving people around, lieutenants and sergeants. And what that has done to this agency is that you have a lot of people in positions with little to no experience that did not work their way up, so those promotions, those individuals never worked as sergeants, lieutenants, captains. They have none of that management experience in a civilian agency. Yes, Lance Yaeger has military experience, but it's different.

As such, they're coming through the ranks -- they're not coming through the ranks. They're just

getting into these management positions, and Sheriff Watson trusts no one except these people that he's brought in around him. As such, the agency is no longer a team effort. Ideas are not being shared.

It's not a healthy organization anymore, and it is not the premier agency it was over two years ago, unfortunately, and it's very sad to see.

Q. Understood.

A. I would think Laura Knudson, Lori Stophel should be in your group, potentially, as people that have endured his wrath and had to leave earlier than wanting.

So Laura was a bureau chief, and do you want her story from my perspective?

Q. No, we're running out of time. I apologize. We need to move on, and we will reach out to them.

A. The accounting and budget, the wasteful spending, the changes between administrators. And I don't even know what I meant by that note, so never mind about that. Those are, I think --

MR. KRAMER: Let's talk about that drive, gentlemen, what is your -- what is it you'd like to do with that?

(An off-the-record discussion was had.)

(The statement concluded at 12:08 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that LINDA BROWN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named LINDA BROWN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

BECAUSE (9:11)(10:17)(11:4)(14:23)(16:12)(17:9)(17:17)(22:19)(23:5)
BEEN (3:3)(3:10)(3:13)(7:24)(8:10)(9:5)(9:21)(11:21)(11:25)(14:19)(14:20)(23:10)(24:3)
BEFORE (1:9)(11:13)(12:11)(16:21)(27:6)(28:5)
BEGAN (4:6)
BEGIN (12:2)
BEHALF (19:13)
BEING (7:17)(9:10)(17:6)(26:4)
BELIEVE (12:21)
BENEFIT (21:24)(22:2)
BEREKA (11:25)
BEST (5:16)
BETWEEN (7:21)(26:18)
BIG (16:25)
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BLAND (7:25)
BOOKING (12:25)
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BRIAN (2:3)
BRING (13:16)(14:24)(16:5)
BROAD (6:1)
BROADER-TYPE (4:25)
BROUGHT (15:5)(26:3)
BROWN (1:3)(3:2)(3:9)(3:10)(27:5)(28:5)
BUDGET (18:25)(19:4)(19:5)(19:8)(19:23)(19:25)(20:15)(21:9)(22:11)(26:17)
BUDGET'S (21:10)
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CALL (7:25)(10:14)(13:23)(13:24)
CALLED (4:6)(5:3)
CAME (4:21)(7:11)(8:5)(8:11)(18:17)(22:3)(25:11)(28:5)
CAN (4:14)(8:22)(10:4)(10:11)(10:17)(10:22)(11:22)(17:3)(24:17)
CANDIDATE (15:16)
CAN'T (11:11)
CAPACITIES (4:3)
CAPACITY (3:25)
CAPTAINS (25:13)(25:20)
CAR (18:7)
CARD (18:5)(18:8)(18:9)(19:15)
CARDS (19:20)(20:3)
CARE (4:23)(5:10)(5:23)(5:24)(12:6)
CAREER (15:20)
CASE (23:6)
CASES (9:25)
CATEGORY (24:1)
CELL (6:4)(6:5)
CENTER (2:9)
CERTAIN (9:13)(10:22)
CERTIFICATE (27:1)(28:1)
CERTIFICATION (28:12)
CERTIFIED (1:11)(28:21)
CERTIFY (27:5)(28:5)(28:6)(28:9)
CERTIFYING (28:13)
CHAD (10:13)
CHALLENGE (24:12)
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CHANGED (17:9)(17:10)(19:17)(22:8)
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CHIEFLAND (1:13)
CHRONOLOGICALLY (4:2)
CIRCUMSTANCE (21:18)
CIRCUMSTANCES (13:23)
CIVILIAN (3:13)(3:16)(16:25)(25:21)
CLEARED (11:12)
CLERK (4:7)
CODE (23:1)
COLLECT (5:1)(18:21)
COM (1:12)
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COMING (7:4)(25:24)(25:25)
COMMAND (16:14)(21:23)
COMMANDERS (7:21)
COMMISSION (27:13)
COMMON (13:20)
COMMUNITY (17:7)
COMPLETE (17:16)(18:19)(28:7)
COMPLETED (16:13)
COMPLETELY (14:17)
COMPLETING (17:18)(17:21)(18:14)
CONCERNED (11:20)
CONCLUDED (26:25)
CONDUCTED (6:22)
CONDUCTS (20:10)
CONFERENCE (18:12)(18:16)
CONNECTED (9:5)(9:15)
CONSTANTLY (25:15)
CONTACT (20:9)
CONTINUE (14:20)
CONTINUED (14:12)
CONTROL (28:13)
CONVINCE (14:22)
COPIES (7:10)
COPY (11:1)(12:7)
CORINE (7:23)(10:13)
CORRECTIONS (12:21)(12:23)(13:17)
CORRECTLY (21:24)
COULD (3:8)(4:3)(20:18)
COUNSEL (28:9)(28:11)
COUNTY (3:14)(3:17)(15:21)(19:3)(19:21)(19:24)(20:21)(21:20)(22:6)(22:9)(27:3)(28:3)
COURIER (4:19)
COURTNEY (11:25)
CREATED (9:25)
CREDIT (18:5)(18:8)(18:9)(19:15)(19:20)(20:3)
CRIME (5:11)
CRIMINAL (4:8)
CRITERIA (21:15)
CRITICAL (15:6)
CURRENTLY (3:16)
CUSTODIAN (6:12)(9:21)
CYNTHIA (1:10)(27:12)(28:4)(28:20)

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DARNELL (17:22)
DATE (1:5)(24:5)(24:6)
DATED (28:15)
DAVID (2:7)
DAVIDSNOWDEN (2:7)
DAVIS (13:3)
DAY (13:6)
DAYS (12:18)(18:16)
DECADE (13:3)
DECEASED (23:2)
DECIDED (16:7)
DECISION (11:23)(12:13)(13:25)
DECISIONS (17:5)
DECOURSEY (7:21)(10:12)
DEFICIT (16:24)
DEFINITELY (7:10)
DELAY (16:16)
DEMOTED (25:12)
DEPARTMENT (2:8)(2:12)(13:9)(20:7)(25:5)
DEPENDING (4:17)
DEPOSITION (28:10)
DEPUTIES (5:17)
DEPUTY (24:25)(25:6)

WHEREUPON,

LINDA BROWN

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes.

DIRECT EXAMINATION

BY MR. KRAMER:

Q. Could you state your name, please?

A. Linda Ann Brown.

Q. Ms. Brown, are you now or have you ever been a law enforcement officer in the State of Florida?

A. No.

Q. Have you been a civilian employee of the Alachua County Sheriff's Office?

A. Yes.

Q. And are you currently now a civilian employee of the Alachua County Sheriff's Office?

A. No. I retired.

Q. When did you retire?

A. March 31st, 2023.

Q. And for how many years did you work for the sheriff's office?

A. Thirty-five.

Q. And I would imagine over that time, in 35 years, you worked in more than one capacity.

A. Yes.

Q. You don't have to tell me chronologically, but could you tell me the capacities you served ending with wherever you were serving the last time you left the office?

A. Sure. I began in -- well, we were called Clerk Typist Fours at the time as an administrative assistant in the criminal investigation division. I did that for five years. Then I was promoted to the truly administrative assistant for the majors under Steve Oelrich's time in office, and that was for nine years. And then I was promoted to the records bureau chief, and that was my final assignment for 20 years.

Q. Can you give us sort of a thumbnail sketch of your duties and responsibilities as the records bureau chief?

A. Yes. I oversaw, depending on the era, 20 to 30 employees with several supervisors reporting directly to me, a mail courier. We handled all the public record requests, or the majority of the public record requests, that came into the agency.

We were pretty much the -- I was the actual gatekeeper. Our staff took care of the requests for reports, and then the larger, either attorneys or media, broader-type requests, I would handle,

distribute, collect and distribute or respond to accordingly.

We also have something called the FCIC, NCIC, which is your wanted people, your warrants information, all of that goes into those systems. Those transactions were all worked through that bureau, to include the audits that evaluate that service.

Then we also, for the majority of our time, or my time in the records bureau, we took care of the uniform crime reporting statistics and managed to -- we submitted those to FDLE, and we basically oversaw the entire process for that.

We've had different public records. For a time we did the in-car video services. And then all of the reporting transactions, I guess, is the best way to put that, the attachments -- so deputies will submit their reports through the digital system mostly, and then there are paper attachments. All of those come into the records bureau and are digitized into the system, as well as those reports that were needed to go to the state attorney's office, the records bureau personnel took care of those.

We also take care of the off-site management of records and the destruction process for those

records as well. That's the broad overview.

Q. I do want to ask one specific question along those lines. It is my understanding that the sheriff's office maintains a system through their cell phones where the text messaging of the cell phones is recorded for preservation. Was that part of the record-keeping function?

A. No.

Q. So if someone had made a public records request to the agency and said, I want the text messages of a particular individual, what would you -- I'm assuming you were the public records custodian. How would you have handled that situation?

A. Yes, I would take that request and forward it to our information technology bureau personnel and ask them to provide me with an estimate to produce.

At which point, once I had the estimate, I would respond to the requester and say, "This is the estimate to produce them, to gather them, produce them. And once that payment is received, if you wish to proceed, a review of those text messages will be conducted to ensure that all public record exemptions are applied appropriately. We will provide you an estimate based on the quantity for the time to do that."

Q. During the time that Sheriff Watson was there with you, did you receive any requests that you remember for his text messages?

A. Nothing is coming to mind at the moment.

BY INSPECTOR SNOWDEN:

Q. PRR requests, are they -- is that request kept as part of a public record?

A. So, yes. So public record requests come into the agencies in a number of formats. So the emails are definitely saved. The paper copies, I had three years prior for anything that came in. I'm pretty sure we did not get any handwritten letters requesting text messages.

I'm trying to think about topics and text messages, and that's why I say the topics that I recall from -- related to anything with Sheriff Watson, I just don't remember there being -- oh, yes, there was. Yes, there was. What was it?

There were -- I think it was the PBA that asked for text messages for -- and it was a bunch -- it was the commanders. It was between Joel Decoursey, Sheriff Watson. Lance Yaeger was in that mix. There was -- George Corine was in the mix, and there might have been another one or two people. And what resulted from that were very bland messages: Call me

about a subject. I need to talk with you. Are you available?

BY MR. KRAMER:

Q. Let me ask you this question. When that request came in, how were the sheriff's text messages obtained?

A. Through information technology, through the electronic system.

Q. So other than that instance, was there ever a time that you would have been given text messages from anyone that came from the sheriff's telephone saying these are public records that need to be recorded to the system in some way, shape, or form other than that incident which you've already described? I know that's a weird question, and I'll follow up with the why of it.

A. I'm not sure I'm understanding the question, so tell me that again, please.

Q. Let me give you a little bit further background. Our understanding is that the sheriff's office employs a system on the phones themselves that document the text messages to a server that IT can then go to that server, obtain the text messages, give them to you as part of the public records function of the office.

A. Sounds right.
Q. Are you with me so far?
A. Yes.
Q. It's our understanding the sheriff, his telephone has never been connected to that system. Okay?
A. Okay.
Q. So my question to you is, if the sheriff had anything on his phone that's a public record, how is it being preserved by the sheriff's office?
A. It is my understanding that it's not, because I remember -- and I'd have to produce -- I'd have to say produce the responses to be certain, but I seem to remember that I was told at the time the sheriff had not connected his phone or done the proper steps on his phone to be able to document -- was it the text messages, or was it more of the geocoding of his location? I'd have to see the -- I'd have to find the emails to do it.
Q. Understood. But my question is, since you're the public records custodian, or you have been for the administration until you left recently, was there any instance you're aware of where the sheriff had made any other effort to preserve public records that were created by text messaging referencing cases under

investigation which would be a public record?

A. Sheriff Watson never worked with me directly or indirectly to preserve any kind of text messages on his phone that I can recall, and I'm pretty sure there's nothing like that.

Q. And when you did have the one public records request for Sheriff Watson's phone that involved his phone you've referenced, you did end up providing public records from Sheriff Watson's phone to the requester?

A. That's what I'm trying to remember. I can tell you I remember messages from Joel Decoursey and Chad Scott and George Corine and all of them saying "I need to talk with you. Give me a call," but I'm trying to think if I remember seeing anything from Sheriff Watson going back to them.

Q. We can easily determine that because the public record response remains a public record at the sheriff's office.

A. Yes.

Q. And the requester was the PBA?

A. I'm pretty certain it was the PBA, and I can even tell you where it was saved in my K Drive, our shared -- we would have a drive that was specific to us and all of our emails and folders, and I maintained

all of that. And I wasn't able to have a copy to leave the agency, but it was in my K Drive under the PBA.

I might actually have that record because at the time we were saving -- I would save things -- any public record response, I would save it in a temp file to be able to duplicate it; and I have all those on a thumb drive from when I left the agency.

Q. Is that the thumb drive?

A. Yes, sir. Now, I haven't looked at it. I don't know that it -- I can't -- I mean, you'd have to test it to see; but it was cleared by our agency IT people before I used it to download the K Drive. So it was to be able to reference anything that I might need to, to help the agency after I left. So I think it should be on there if I saved it to that K Drive, or to that temp file.

Q. We'll address that in just a little bit.

You mentioned that there was an incident recently that you were concerned about that may have been either malfeasance, misfeasance, or unlawful by the sheriff. Can you tell me what that was?

A. It was more of a managerial decision. So after my retirement -- prior to my retirement, Courtney Bereka (phonetic) had been selected to

replace me. And effective January 2nd, she was supposed to begin working with me to learn my job and to help with a smooth transition.

So we did not get much time together to work, but there would be instances where something would -- I would take care of a task or a transaction that I thought would be rare and she should have a copy of it, or I would go into her office as the administrative assistant to Sheriff Watson, or executive assistant, excuse me, and share with her. And over that three-month period right before I resigned, she apparently -- and this part is hearsay, but she apparently made the decision that she preferred to remain as the executive assistant rather than transfer to the records bureau chief, and I was not made aware of that until after I left.

So a week after -- I'm not even sure how long. A few days after I retired from the agency, it was announced that somebody else would be taking my position; and that person has always worked in the corrections environment and, I don't believe, has any records bureau experience or law enforcement experience, just from a corrections perspective. He was a supervisor reporting to the bureau chief in booking support.

So he was selected to come over, basically, two weeks after I left. The administrative assistant, Marie Davis, had worked with me for over a decade and is probably the most informed about what I do as my assistant working with me, etc., doing the various tasks. She was also transferred at the same day that the new bureau chief would report. She was transferred out of the bureau and over to the department of the jail to report to the major.

My point of all that is that there are three supervisors reporting to the bureau chief each with only one year's experience or less. Then you take the administrative assistant, and you relocate her to another job that is pretty high requirement -- task requirement as the administrative assistant to the major of the jail. And then you bring in a corrections person with very little, if no, law enforcement experience, and that entire bureau, how do you think that's going to work out? Not well.

No experience, doesn't -- had no common time with the previous bureau chief. I don't know how that bureau is supposed to succeed with those circumstances. I would call that a misfeasance, I think, is how your term is. I would call that a terrible management decision, to have the success of

the bureau and -- with all of that bureau works with, how -- why would you do that?

Q. Understood. Were there other changes that occurred after Sheriff Watson took office that were unusual in how the procedures of the office would work or how your --

A. Procedures for the records bureau to work, or the agency?

Q. Well, the agency, the records bureau. I'm not -- I don't want to limit your response.

A. The records bureau under my management continued to do what it has always done, and we -- due to the staff shortages, it was much more stressful and much more difficult, but the bureau did keep its head above water, so to speak, and managed to get the majority of things done and still done well and accurately, completely. A lot of overtime was used to do so.

They are 50 percent down and have been for over a year. There has been efforts to continue hiring through the normal procedures. And at one point I was able to convince them to fast-track people because the alternative solution for the lack of employees was to bring in temp force personnel through Spherion. Those people would be interviewed by the

records bureau staff and determined appropriate or not, and then they would go through a fingerprint-based background check, and they would go through a drug screen, and that was it. And then they'd be brought into the agency, given access to all of the software systems and the critical information that we maintain through the records bureau. Versus an employee, when they go through the application process and the hiring process and the background process, they go through both of those two things as well as a psych eval and a physical agility -- or a physical, I'm sorry, just a physical, and then the background check where the background investigators of the agency would check their references and their employment history and determine that they are a good candidate for the agency.

So if we're doing so little for a temp force employee that we're giving the same access to as a regular full-time employee, why wouldn't we fast-track the incoming applicants that truly want a career with the Alachua County Sheriff's Office? Let's fast-track them, get in the door while you're doing the background process that you're not doing for the Spherion employee. Let me go ahead and start training them. If you find something that says they're not

going to be a long-term or great employee, and we're not going to hire them, then so be it; but that doesn't happen all that often based on the interviewing process.

So for a short stretch we were able to bring in four employees as -- on that fast-track program, but then after that the sheriff decided that we are not going to fast-track employees. So as such, the hiring process takes anywhere from minimal six weeks -- which I haven't seen anybody come in in a six-week period in forever -- to eight to twelve weeks because it takes a good eight weeks for the full background process to be completed. And then you have to do a file review that goes through the command staff and includes the sheriff, which typically there's a delay in getting a signature from the sheriff. And then, from there, if the applicant is still employed somewhere else, there's a two-week notice that they're giving their former employer. So many times the applicants that we interview that we really wanted would find work elsewhere before we ever got the background process done.

So that is the reason we have a 50 percent deficit in employees in the records bureau, and that's a big part of the agency, especially with civilian

personnel. That happens badly, badly with A and B for the payroll specialist and the accounts payable specialist. And that's all I can think of off the top of my head.

But that -- once again, the decisions that are being made are to the detriment of the agency and, obviously, the community.

Q. Is there any other instances that you're aware of where things have markedly changed because the administration changed?

A. So I was told by our -- that the salary personnel no longer have to enter time sheets. That was done almost immediately once Sheriff Watson took office.

Additionally, the sheriff made an order that he no longer would complete -- the sheriff, not he because he wasn't there previously, but that he would not be completing travel and training forms.

Q. For himself or for anyone?

A. For himself. For himself. He would not be completing travel and training forms. And we've done that for Sheriff Oelrich and Sheriff Darnell throughout history.

BY INSPECTOR RIDDICK:

Q. Was the agency still paying for training and

travel, though?

A. Oh, yes.

BY MR. KRAMER:

Q. So how does that work?

A. He has an agency credit card, as many of the bureaus do. So when he would go on travel and training or, you know, to gas up his car, he's got an agency credit card. And so he would just charge things off to the credit card, and there's no documentation.

So he goes to the Florida Sheriff's Association Conference, wherever it is. He obviously stays in a hotel. He drives the gas to get there. So he just -- instead of completing a travel and training form that documents that's where he is and what he's done for the last three days of the conference, that he left at such-and-such and came back, which is why his per diem is what it is, that form isn't -- the sheriff doesn't have to complete that form anymore; all others do.

Q. So does he still collect a per diem?

A. As far as I know.

Q. How is the amount of the per diem determined if there's no documentation?

A. I don't know. The accounting budget and

personnel would have to provide that to you.

Q. Are those forms kept by records or kept by Alachua County?

A. Accounting and budget. No, by ASO; but accounting and budget, not by records. If somebody had sent a public record request, they would have sent it to records, and I would have forwarded it to our accounting and budget personnel to provide them.

Q. So this is untrue for an undersheriff. He would provide a --

A. That is my understanding. He still provides travel and training forms if he goes someplace on behalf of agency, but the sheriff does not.

BY INSPECTOR RIDDICK:

Q. Do you know what bank the credit card is drawn on?

A. No we just changed banks, and I don't remember. I didn't note it.

BY MR. KRAMER:

Q. Are the credit cards issued through the county?

A. No, they're issued through our accounting and budget personnel. All of our finance is through the Alachua County Sheriff's Office, A and B. The county only distributes 1/12th of the budget to us monthly,

and then it's up to us to distribute that into the various accounts and manage all of our accounting, purchasing, credit cards, everything that we do, payroll, all of that.

Q. Who audits records?

A. The only audits records has is by the Florida Department of Law Enforcement in terms of our FCIC, NCIC transactions and the -- we participate. We're not the direct contact.

So FDLE conducts two different audits related to the agency, and that is one for FCIC NCIC entries and operations, and then the other is for our security awareness performance.

Q. Do you know who audits sheriff's office finance, the accounting and budget process for the sheriff's office?

A. It's an accounting firm, local, and I don't know the name of them. I could get it for you easily, though.

Q. Is it through the sheriff's office that the auditing is done, or is it the county? Like, who orders the audit?

A. It's an independent audit that is done every three years annually, and it just happens, from my understanding. There's no special order for a new

audit. It's a routine thing.

Q. When is the last time that happened? Do you know?

A. It's annual. Last year.

Q. Oh, it's annual. I thought you said it's every three years.

A. No. The FDLE audit of FCIC is every three years.

Q. But then accounting and budget?

A. Accounting and budget's annual audit is by a local, if I recall.

Q. It's annual?

A. Yeah.

Q. Okay. Anything else that you have notated that is unusual or meets the criteria that I've described to you that we've haven't talked about?

A. So at some point -- I don't know if you guys have the circumstance to know what I'm talking about.

So many years ago we were -- we, the Alachua County Sheriff's Office, was audited by the IRS. And during that audit, it was determined that, for those individuals that we assigned a vehicle to that were command staff, they had to pay taxes on that as a benefit. We were not doing that taxing correctly. So the outcome of that was, we learned that we had to tax

by the highest or most expensive method possible as a benefit to our employees.

When Sheriff Watson came in, that policy was not appreciated, and as such, Jacob Rush was apparently assigned to look into the matter. He referenced Leon County Sheriff's Office, who taxes at a different rate per their policy. As such, Sheriff Watson implemented or changed that taxing procedure to the way Leon County does it. That is against what the IRS audit required at the time. So accounting and budget personnel would have more information on that.

Q. You seem to have provided some additional documentation. What was that in reference to?

A. Well, all it is, there's two reports here. One is a termination report, and the other is the new hire; and it simply reflects all of the people that have left the agency since January 5th of 2021 when Sheriff Watson took office. And what it reflects is -- and I made an adjustment because the guardian participants at the schools is included in these lists, and they are not paid employees of this agency. They had to be for documentation of the training bureau and that sort of thing, but -- so anyway, since that time we have lost 323 employees, many of whom simply left the agency.

You'll note that the reason code is retired, voluntarily terminated, that sort of thing, deceased, but the retirees, many of those people -- I'm not sure "many" is fair, but some of those retirees left because they -- because of the treatment of the agency. So sadly, that's the case.

So 323 employees have left the agency, and since that same time period we've only hired 131. So basically for every three people that have left the agency we have only been able to replace them with one.

Q. What's the net number of positions down?

A. 323 minus 131.

BY INSPECTOR SNOWDEN:

Q. Is that 192?

A. That sounds right.

BY MR. KRAMER:

Q. So essentially involuntarily staff reduction by 190-plus FTEs?

A. And the total FTEs is 867.75. And so if you look at the withdrawal percentage, it's 37 percent over two years. If you look at the net, it's still a 20-something percent. It might be just 20 percent.

BY INSPECTOR SNOWDEN:

Q. Where did you fall into that retirement

category? Were you planning on leaving on 3/31/23?

A. I made my full retirement, but the last two years have been extremely torturous.

BY INSPECTOR RIDDICK:

Q. Does that list have the date?

A. Yes, has the date of hire, has the date of designation.

Q. Does that include sworn?

A. Yes, it includes everybody.

BY MR. KRAMER:

Q. Does it include the jail?

A. Yes. The challenge is that it is by fund number, so it's a little tricky in terms of figuring who are jail personnel. Some of the funds are truly labeled properly. Some of them are a little more challenging.

Q. But the information is there if you can dissect it.

A. Yes, sir.

Q. Anything else?

A. Back to -- well, I won't label it. I will say yes.

What I've observed and take issue with, I guess, is that we have promoted people -- Sheriff Watson has promoted people from deputy and maybe

sergeant to positions of major over a very short period of time. And nothing against those individuals.

I didn't know Robert Stafford as the person that went from sergeant to major at the department of the jail. I know Lance Yaeger somewhat as a deputy. At the time I first met him he was a detective, and now he's major and possibly chief of staff; that remains remain to be seen if he stays.

But the point of those things is that Sheriff Watson came in and trusted just about no one in the agency. He demoted the two majors, which is his right, but then he took captains and moved them around from position to position to position. He's constantly moving people around, lieutenants and sergeants. And what that has done to this agency is that you have a lot of people in positions with little to no experience that did not work their way up, so those promotions, those individuals never worked as sergeants, lieutenants, captains. They have none of that management experience in a civilian agency. Yes, Lance Yaeger has military experience, but it's different.

As such, they're coming through the ranks -- they're not coming through the ranks. They're just

getting into these management positions, and Sheriff Watson trusts no one except these people that he's brought in around him. As such, the agency is no longer a team effort. Ideas are not being shared.

It's not a healthy organization anymore, and it is not the premier agency it was over two years ago, unfortunately, and it's very sad to see.

Q. Understood.

A. I would think Laura Knudson, Lori Stophel should be in your group, potentially, as people that have endured his wrath and had to leave earlier than wanting.

So Laura was a bureau chief, and do you want her story from my perspective?

Q. No, we're running out of time. I apologize. We need to move on, and we will reach out to them.

A. The accounting and budget, the wasteful spending, the changes between administrators. And I don't even know what I meant by that note, so never mind about that. Those are, I think --

MR. KRAMER: Let's talk about that drive, gentlemen, what is your -- what is it you'd like to do with that?

(An off-the-record discussion was had.)

(The statement concluded at 12:08 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that LINDA BROWN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named LINDA BROWN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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A. Yes.

Q. You don't have to tell me chronologically, but could you tell me the capacities you served ending with wherever you were serving the last time you left the office?

A. Sure. I began in -- well, we were called Clerk Typist Fours at the time as an administrative assistant in the criminal investigation division. I did that for five years. Then I was promoted to the truly administrative assistant for the majors under Steve Oelrich's time in office, and that was for nine years. And then I was promoted to the records bureau chief, and that was my final assignment for 20 years.

Q. Can you give us sort of a thumbnail sketch of your duties and responsibilities as the records bureau chief?

A. Yes. I oversaw, depending on the era, 20 to 30 employees with several supervisors reporting directly to me, a mail courier. We handled all the public record requests, or the majority of the public record requests, that came into the agency.

We were pretty much the -- I was the actual gatekeeper. Our staff took care of the requests for reports, and then the larger, either attorneys or media, broader-type requests, I would handle,

distribute, collect and distribute or respond to accordingly.

We also have something called the FCIC, NCIC, which is your wanted people, your warrants information, all of that goes into those systems. Those transactions were all worked through that bureau, to include the audits that evaluate that service.

Then we also, for the majority of our time, or my time in the records bureau, we took care of the uniform crime reporting statistics and managed to -- we submitted those to FDLE, and we basically oversaw the entire process for that.

We've had different public records. For a time we did the in-car video services. And then all of the reporting transactions, I guess, is the best way to put that, the attachments -- so deputies will submit their reports through the digital system mostly, and then there are paper attachments. All of those come into the records bureau and are digitized into the system, as well as those reports that were needed to go to the state attorney's office, the records bureau personnel took care of those.

We also take care of the off-site management of records and the destruction process for those

records as well. That's the broad overview.

Q. I do want to ask one specific question along those lines. It is my understanding that the sheriff's office maintains a system through their cell phones where the text messaging of the cell phones is recorded for preservation. Was that part of the record-keeping function?

A. No.

Q. So if someone had made a public records request to the agency and said, I want the text messages of a particular individual, what would you -- I'm assuming you were the public records custodian. How would you have handled that situation?

A. Yes, I would take that request and forward it to our information technology bureau personnel and ask them to provide me with an estimate to produce.

At which point, once I had the estimate, I would respond to the requester and say, "This is the estimate to produce them, to gather them, produce them. And once that payment is received, if you wish to proceed, a review of those text messages will be conducted to ensure that all public record exemptions are applied appropriately. We will provide you an estimate based on the quantity for the time to do that."

Q. During the time that Sheriff Watson was there with you, did you receive any requests that you remember for his text messages?

A. Nothing is coming to mind at the moment.

BY INSPECTOR SNOWDEN:

Q. PRR requests, are they -- is that request kept as part of a public record?

A. So, yes. So public record requests come into the agencies in a number of formats. So the emails are definitely saved. The paper copies, I had three years prior for anything that came in. I'm pretty sure we did not get any handwritten letters requesting text messages.

I'm trying to think about topics and text messages, and that's why I say the topics that I recall from -- related to anything with Sheriff Watson, I just don't remember there being -- oh, yes, there was. Yes, there was. What was it?

There were -- I think it was the PBA that asked for text messages for -- and it was a bunch -- it was the commanders. It was between Joel Decoursey, Sheriff Watson. Lance Yaeger was in that mix. There was -- George Corine was in the mix, and there might have been another one or two people. And what resulted from that were very bland messages: Call me

about a subject. I need to talk with you. Are you available?

BY MR. KRAMER:

Q. Let me ask you this question. When that request came in, how were the sheriff's text messages obtained?

A. Through information technology, through the electronic system.

Q. So other than that instance, was there ever a time that you would have been given text messages from anyone that came from the sheriff's telephone saying these are public records that need to be recorded to the system in some way, shape, or form other than that incident which you've already described? I know that's a weird question, and I'll follow up with the why of it.

A. I'm not sure I'm understanding the question, so tell me that again, please.

Q. Let me give you a little bit further background. Our understanding is that the sheriff's office employs a system on the phones themselves that document the text messages to a server that IT can then go to that server, obtain the text messages, give them to you as part of the public records function of the office.

A. Sounds right.
Q. Are you with me so far?
A. Yes.
Q. It's our understanding the sheriff, his telephone has never been connected to that system. Okay?
A. Okay.
Q. So my question to you is, if the sheriff had anything on his phone that's a public record, how is it being preserved by the sheriff's office?
A. It is my understanding that it's not, because I remember -- and I'd have to produce -- I'd have to say produce the responses to be certain, but I seem to remember that I was told at the time the sheriff had not connected his phone or done the proper steps on his phone to be able to document -- was it the text messages, or was it more of the geocoding of his location? I'd have to see the -- I'd have to find the emails to do it.
Q. Understood. But my question is, since you're the public records custodian, or you have been for the administration until you left recently, was there any instance you're aware of where the sheriff had made any other effort to preserve public records that were created by text messaging referencing cases under

investigation which would be a public record?

A. Sheriff Watson never worked with me directly or indirectly to preserve any kind of text messages on his phone that I can recall, and I'm pretty sure there's nothing like that.

Q. And when you did have the one public records request for Sheriff Watson's phone that involved his phone you've referenced, you did end up providing public records from Sheriff Watson's phone to the requester?

A. That's what I'm trying to remember. I can tell you I remember messages from Joel Decoursey and Chad Scott and George Corine and all of them saying "I need to talk with you. Give me a call," but I'm trying to think if I remember seeing anything from Sheriff Watson going back to them.

Q. We can easily determine that because the public record response remains a public record at the sheriff's office.

A. Yes.

Q. And the requester was the PBA?

A. I'm pretty certain it was the PBA, and I can even tell you where it was saved in my K Drive, our shared -- we would have a drive that was specific to us and all of our emails and folders, and I maintained

all of that. And I wasn't able to have a copy to leave the agency, but it was in my K Drive under the PBA.

I might actually have that record because at the time we were saving -- I would save things -- any public record response, I would save it in a temp file to be able to duplicate it; and I have all those on a thumb drive from when I left the agency.

Q. Is that the thumb drive?

A. Yes, sir. Now, I haven't looked at it. I don't know that it -- I can't -- I mean, you'd have to test it to see; but it was cleared by our agency IT people before I used it to download the K Drive. So it was to be able to reference anything that I might need to, to help the agency after I left. So I think it should be on there if I saved it to that K Drive, or to that temp file.

Q. We'll address that in just a little bit.

You mentioned that there was an incident recently that you were concerned about that may have been either malfeasance, misfeasance, or unlawful by the sheriff. Can you tell me what that was?

A. It was more of a managerial decision. So after my retirement -- prior to my retirement, Courtney Bereka (phonetic) had been selected to

replace me. And effective January 2nd, she was supposed to begin working with me to learn my job and to help with a smooth transition.

So we did not get much time together to work, but there would be instances where something would -- I would take care of a task or a transaction that I thought would be rare and she should have a copy of it, or I would go into her office as the administrative assistant to Sheriff Watson, or executive assistant, excuse me, and share with her. And over that three-month period right before I resigned, she apparently -- and this part is hearsay, but she apparently made the decision that she preferred to remain as the executive assistant rather than transfer to the records bureau chief, and I was not made aware of that until after I left.

So a week after -- I'm not even sure how long. A few days after I retired from the agency, it was announced that somebody else would be taking my position; and that person has always worked in the corrections environment and, I don't believe, has any records bureau experience or law enforcement experience, just from a corrections perspective. He was a supervisor reporting to the bureau chief in booking support.

So he was selected to come over, basically, two weeks after I left. The administrative assistant, Marie Davis, had worked with me for over a decade and is probably the most informed about what I do as my assistant working with me, etc., doing the various tasks. She was also transferred at the same day that the new bureau chief would report. She was transferred out of the bureau and over to the department of the jail to report to the major.

My point of all that is that there are three supervisors reporting to the bureau chief each with only one year's experience or less. Then you take the administrative assistant, and you relocate her to another job that is pretty high requirement -- task requirement as the administrative assistant to the major of the jail. And then you bring in a corrections person with very little, if no, law enforcement experience, and that entire bureau, how do you think that's going to work out? Not well.

No experience, doesn't -- had no common time with the previous bureau chief. I don't know how that bureau is supposed to succeed with those circumstances. I would call that a misfeasance, I think, is how your term is. I would call that a terrible management decision, to have the success of

the bureau and -- with all of that bureau works with, how -- why would you do that?

Q. Understood. Were there other changes that occurred after Sheriff Watson took office that were unusual in how the procedures of the office would work or how your --

A. Procedures for the records bureau to work, or the agency?

Q. Well, the agency, the records bureau. I'm not -- I don't want to limit your response.

A. The records bureau under my management continued to do what it has always done, and we -- due to the staff shortages, it was much more stressful and much more difficult, but the bureau did keep its head above water, so to speak, and managed to get the majority of things done and still done well and accurately, completely. A lot of overtime was used to do so.

They are 50 percent down and have been for over a year. There has been efforts to continue hiring through the normal procedures. And at one point I was able to convince them to fast-track people because the alternative solution for the lack of employees was to bring in temp force personnel through Spherion. Those people would be interviewed by the

records bureau staff and determined appropriate or not, and then they would go through a fingerprint-based background check, and they would go through a drug screen, and that was it. And then they'd be brought into the agency, given access to all of the software systems and the critical information that we maintain through the records bureau. Versus an employee, when they go through the application process and the hiring process and the background process, they go through both of those two things as well as a psych eval and a physical agility -- or a physical, I'm sorry, just a physical, and then the background check where the background investigators of the agency would check their references and their employment history and determine that they are a good candidate for the agency.

So if we're doing so little for a temp force employee that we're giving the same access to as a regular full-time employee, why wouldn't we fast-track the incoming applicants that truly want a career with the Alachua County Sheriff's Office? Let's fast-track them, get in the door while you're doing the background process that you're not doing for the Spherion employee. Let me go ahead and start training them. If you find something that says they're not

going to be a long-term or great employee, and we're not going to hire them, then so be it; but that doesn't happen all that often based on the interviewing process.

So for a short stretch we were able to bring in four employees as -- on that fast-track program, but then after that the sheriff decided that we are not going to fast-track employees. So as such, the hiring process takes anywhere from minimal six weeks -- which I haven't seen anybody come in in a six-week period in forever -- to eight to twelve weeks because it takes a good eight weeks for the full background process to be completed. And then you have to do a file review that goes through the command staff and includes the sheriff, which typically there's a delay in getting a signature from the sheriff. And then, from there, if the applicant is still employed somewhere else, there's a two-week notice that they're giving their former employer. So many times the applicants that we interview that we really wanted would find work elsewhere before we ever got the background process done.

So that is the reason we have a 50 percent deficit in employees in the records bureau, and that's a big part of the agency, especially with civilian

personnel. That happens badly, badly with A and B for the payroll specialist and the accounts payable specialist. And that's all I can think of off the top of my head.

But that -- once again, the decisions that are being made are to the detriment of the agency and, obviously, the community.

Q. Is there any other instances that you're aware of where things have markedly changed because the administration changed?

A. So I was told by our -- that the salary personnel no longer have to enter time sheets. That was done almost immediately once Sheriff Watson took office.

Additionally, the sheriff made an order that he no longer would complete -- the sheriff, not he because he wasn't there previously, but that he would not be completing travel and training forms.

Q. For himself or for anyone?

A. For himself. For himself. He would not be completing travel and training forms. And we've done that for Sheriff Oelrich and Sheriff Darnell throughout history.

BY INSPECTOR RIDDICK:

Q. Was the agency still paying for training and

travel, though?

A. Oh, yes.

BY MR. KRAMER:

Q. So how does that work?

A. He has an agency credit card, as many of the bureaus do. So when he would go on travel and training or, you know, to gas up his car, he's got an agency credit card. And so he would just charge things off to the credit card, and there's no documentation.

So he goes to the Florida Sheriff's Association Conference, wherever it is. He obviously stays in a hotel. He drives the gas to get there. So he just -- instead of completing a travel and training form that documents that's where he is and what he's done for the last three days of the conference, that he left at such-and-such and came back, which is why his per diem is what it is, that form isn't -- the sheriff doesn't have to complete that form anymore; all others do.

Q. So does he still collect a per diem?

A. As far as I know.

Q. How is the amount of the per diem determined if there's no documentation?

A. I don't know. The accounting budget and

personnel would have to provide that to you.

Q. Are those forms kept by records or kept by Alachua County?

A. Accounting and budget. No, by ASO; but accounting and budget, not by records. If somebody had sent a public record request, they would have sent it to records, and I would have forwarded it to our accounting and budget personnel to provide them.

Q. So this is untrue for an undersheriff. He would provide a --

A. That is my understanding. He still provides travel and training forms if he goes someplace on behalf of agency, but the sheriff does not.

BY INSPECTOR RIDDICK:

Q. Do you know what bank the credit card is drawn on?

A. No we just changed banks, and I don't remember. I didn't note it.

BY MR. KRAMER:

Q. Are the credit cards issued through the county?

A. No, they're issued through our accounting and budget personnel. All of our finance is through the Alachua County Sheriff's Office, A and B. The county only distributes 1/12th of the budget to us monthly,

and then it's up to us to distribute that into the various accounts and manage all of our accounting, purchasing, credit cards, everything that we do, payroll, all of that.

Q. Who audits records?

A. The only audits records has is by the Florida Department of Law Enforcement in terms of our FCIC, NCIC transactions and the -- we participate. We're not the direct contact.

So FDLE conducts two different audits related to the agency, and that is one for FCIC NCIC entries and operations, and then the other is for our security awareness performance.

Q. Do you know who audits sheriff's office finance, the accounting and budget process for the sheriff's office?

A. It's an accounting firm, local, and I don't know the name of them. I could get it for you easily, though.

Q. Is it through the sheriff's office that the auditing is done, or is it the county? Like, who orders the audit?

A. It's an independent audit that is done every three years annually, and it just happens, from my understanding. There's no special order for a new

audit. It's a routine thing.

Q. When is the last time that happened? Do you know?

A. It's annual. Last year.

Q. Oh, it's annual. I thought you said it's every three years.

A. No. The FDLE audit of FCIC is every three years.

Q. But then accounting and budget?

A. Accounting and budget's annual audit is by a local, if I recall.

Q. It's annual?

A. Yeah.

Q. Okay. Anything else that you have notated that is unusual or meets the criteria that I've described to you that we've haven't talked about?

A. So at some point -- I don't know if you guys have the circumstance to know what I'm talking about.

So many years ago we were -- we, the Alachua County Sheriff's Office, was audited by the IRS. And during that audit, it was determined that, for those individuals that we assigned a vehicle to that were command staff, they had to pay taxes on that as a benefit. We were not doing that taxing correctly. So the outcome of that was, we learned that we had to tax

by the highest or most expensive method possible as a benefit to our employees.

When Sheriff Watson came in, that policy was not appreciated, and as such, Jacob Rush was apparently assigned to look into the matter. He referenced Leon County Sheriff's Office, who taxes at a different rate per their policy. As such, Sheriff Watson implemented or changed that taxing procedure to the way Leon County does it. That is against what the IRS audit required at the time. So accounting and budget personnel would have more information on that.

Q. You seem to have provided some additional documentation. What was that in reference to?

A. Well, all it is, there's two reports here. One is a termination report, and the other is the new hire; and it simply reflects all of the people that have left the agency since January 5th of 2021 when Sheriff Watson took office. And what it reflects is -- and I made an adjustment because the guardian participants at the schools is included in these lists, and they are not paid employees of this agency. They had to be for documentation of the training bureau and that sort of thing, but -- so anyway, since that time we have lost 323 employees, many of whom simply left the agency.

You'll note that the reason code is retired, voluntarily terminated, that sort of thing, deceased, but the retirees, many of those people -- I'm not sure "many" is fair, but some of those retirees left because they -- because of the treatment of the agency. So sadly, that's the case.

So 323 employees have left the agency, and since that same time period we've only hired 131. So basically for every three people that have left the agency we have only been able to replace them with one.

Q. What's the net number of positions down?

A. 323 minus 131.

BY INSPECTOR SNOWDEN:

Q. Is that 192?

A. That sounds right.

BY MR. KRAMER:

Q. So essentially involuntarily staff reduction by 190-plus FTEs?

A. And the total FTEs is 867.75. And so if you look at the withdrawal percentage, it's 37 percent over two years. If you look at the net, it's still a 20-something percent. It might be just 20 percent.

BY INSPECTOR SNOWDEN:

Q. Where did you fall into that retirement

category? Were you planning on leaving on 3/31/23?

A. I made my full retirement, but the last two years have been extremely torturous.

BY INSPECTOR RIDDICK:

Q. Does that list have the date?

A. Yes, has the date of hire, has the date of designation.

Q. Does that include sworn?

A. Yes, it includes everybody.

BY MR. KRAMER:

Q. Does it include the jail?

A. Yes. The challenge is that it is by fund number, so it's a little tricky in terms of figuring who are jail personnel. Some of the funds are truly labeled properly. Some of them are a little more challenging.

Q. But the information is there if you can dissect it.

A. Yes, sir.

Q. Anything else?

A. Back to -- well, I won't label it. I will say yes.

What I've observed and take issue with, I guess, is that we have promoted people -- Sheriff Watson has promoted people from deputy and maybe

sergeant to positions of major over a very short period of time. And nothing against those individuals.

I didn't know Robert Stafford as the person that went from sergeant to major at the department of the jail. I know Lance Yaeger somewhat as a deputy. At the time I first met him he was a detective, and now he's major and possibly chief of staff; that remains remain to be seen if he stays.

But the point of those things is that Sheriff Watson came in and trusted just about no one in the agency. He demoted the two majors, which is his right, but then he took captains and moved them around from position to position to position. He's constantly moving people around, lieutenants and sergeants. And what that has done to this agency is that you have a lot of people in positions with little to no experience that did not work their way up, so those promotions, those individuals never worked as sergeants, lieutenants, captains. They have none of that management experience in a civilian agency. Yes, Lance Yaeger has military experience, but it's different.

As such, they're coming through the ranks -- they're not coming through the ranks. They're just

getting into these management positions, and Sheriff Watson trusts no one except these people that he's brought in around him. As such, the agency is no longer a team effort. Ideas are not being shared.

It's not a healthy organization anymore, and it is not the premier agency it was over two years ago, unfortunately, and it's very sad to see.

Q. Understood.

A. I would think Laura Knudson, Lori Stophel should be in your group, potentially, as people that have endured his wrath and had to leave earlier than wanting.

So Laura was a bureau chief, and do you want her story from my perspective?

Q. No, we're running out of time. I apologize. We need to move on, and we will reach out to them.

A. The accounting and budget, the wasteful spending, the changes between administrators. And I don't even know what I meant by that note, so never mind about that. Those are, I think --

MR. KRAMER: Let's talk about that drive, gentlemen, what is your -- what is it you'd like to do with that?

(An off-the-record discussion was had.)

(The statement concluded at 12:08 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that LINDA BROWN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named LINDA BROWN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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distribute, collect and distribute or respond to accordingly.

We also have something called the FCIC, NCIC, which is your wanted people, your warrants information, all of that goes into those systems. Those transactions were all worked through that bureau, to include the audits that evaluate that service.

Then we also, for the majority of our time, or my time in the records bureau, we took care of the uniform crime reporting statistics and managed to -- we submitted those to FDLE, and we basically oversaw the entire process for that.

We've had different public records. For a time we did the in-car video services. And then all of the reporting transactions, I guess, is the best way to put that, the attachments -- so deputies will submit their reports through the digital system mostly, and then there are paper attachments. All of those come into the records bureau and are digitized into the system, as well as those reports that were needed to go to the state attorney's office, the records bureau personnel took care of those.

We also take care of the off-site management of records and the destruction process for those

records as well. That's the broad overview.

Q. I do want to ask one specific question along those lines. It is my understanding that the sheriff's office maintains a system through their cell phones where the text messaging of the cell phones is recorded for preservation. Was that part of the record-keeping function?

A. No.

Q. So if someone had made a public records request to the agency and said, I want the text messages of a particular individual, what would you -- I'm assuming you were the public records custodian. How would you have handled that situation?

A. Yes, I would take that request and forward it to our information technology bureau personnel and ask them to provide me with an estimate to produce.

At which point, once I had the estimate, I would respond to the requester and say, "This is the estimate to produce them, to gather them, produce them. And once that payment is received, if you wish to proceed, a review of those text messages will be conducted to ensure that all public record exemptions are applied appropriately. We will provide you an estimate based on the quantity for the time to do that."

Q. During the time that Sheriff Watson was there with you, did you receive any requests that you remember for his text messages?

A. Nothing is coming to mind at the moment.

BY INSPECTOR SNOWDEN:

Q. PRR requests, are they -- is that request kept as part of a public record?

A. So, yes. So public record requests come into the agencies in a number of formats. So the emails are definitely saved. The paper copies, I had three years prior for anything that came in. I'm pretty sure we did not get any handwritten letters requesting text messages.

I'm trying to think about topics and text messages, and that's why I say the topics that I recall from -- related to anything with Sheriff Watson, I just don't remember there being -- oh, yes, there was. Yes, there was. What was it?

There were -- I think it was the PBA that asked for text messages for -- and it was a bunch -- it was the commanders. It was between Joel Decoursey, Sheriff Watson. Lance Yaeger was in that mix. There was -- George Corine was in the mix, and there might have been another one or two people. And what resulted from that were very bland messages: Call me

about a subject. I need to talk with you. Are you available?

BY MR. KRAMER:

Q. Let me ask you this question. When that request came in, how were the sheriff's text messages obtained?

A. Through information technology, through the electronic system.

Q. So other than that instance, was there ever a time that you would have been given text messages from anyone that came from the sheriff's telephone saying these are public records that need to be recorded to the system in some way, shape, or form other than that incident which you've already described? I know that's a weird question, and I'll follow up with the why of it.

A. I'm not sure I'm understanding the question, so tell me that again, please.

Q. Let me give you a little bit further background. Our understanding is that the sheriff's office employs a system on the phones themselves that document the text messages to a server that IT can then go to that server, obtain the text messages, give them to you as part of the public records function of the office.

A. Sounds right.
Q. Are you with me so far?
A. Yes.
Q. It's our understanding the sheriff, his telephone has never been connected to that system. Okay?
A. Okay.
Q. So my question to you is, if the sheriff had anything on his phone that's a public record, how is it being preserved by the sheriff's office?
A. It is my understanding that it's not, because I remember -- and I'd have to produce -- I'd have to say produce the responses to be certain, but I seem to remember that I was told at the time the sheriff had not connected his phone or done the proper steps on his phone to be able to document -- was it the text messages, or was it more of the geocoding of his location? I'd have to see the -- I'd have to find the emails to do it.
Q. Understood. But my question is, since you're the public records custodian, or you have been for the administration until you left recently, was there any instance you're aware of where the sheriff had made any other effort to preserve public records that were created by text messaging referencing cases under

investigation which would be a public record?

A. Sheriff Watson never worked with me directly or indirectly to preserve any kind of text messages on his phone that I can recall, and I'm pretty sure there's nothing like that.

Q. And when you did have the one public records request for Sheriff Watson's phone that involved his phone you've referenced, you did end up providing public records from Sheriff Watson's phone to the requester?

A. That's what I'm trying to remember. I can tell you I remember messages from Joel Decoursey and Chad Scott and George Corine and all of them saying "I need to talk with you. Give me a call," but I'm trying to think if I remember seeing anything from Sheriff Watson going back to them.

Q. We can easily determine that because the public record response remains a public record at the sheriff's office.

A. Yes.

Q. And the requester was the PBA?

A. I'm pretty certain it was the PBA, and I can even tell you where it was saved in my K Drive, our shared -- we would have a drive that was specific to us and all of our emails and folders, and I maintained

all of that. And I wasn't able to have a copy to leave the agency, but it was in my K Drive under the PBA.

I might actually have that record because at the time we were saving -- I would save things -- any public record response, I would save it in a temp file to be able to duplicate it; and I have all those on a thumb drive from when I left the agency.

Q. Is that the thumb drive?

A. Yes, sir. Now, I haven't looked at it. I don't know that it -- I can't -- I mean, you'd have to test it to see; but it was cleared by our agency IT people before I used it to download the K Drive. So it was to be able to reference anything that I might need to, to help the agency after I left. So I think it should be on there if I saved it to that K Drive, or to that temp file.

Q. We'll address that in just a little bit.

You mentioned that there was an incident recently that you were concerned about that may have been either malfeasance, misfeasance, or unlawful by the sheriff. Can you tell me what that was?

A. It was more of a managerial decision. So after my retirement -- prior to my retirement, Courtney Bereka (phonetic) had been selected to

replace me. And effective January 2nd, she was supposed to begin working with me to learn my job and to help with a smooth transition.

So we did not get much time together to work, but there would be instances where something would -- I would take care of a task or a transaction that I thought would be rare and she should have a copy of it, or I would go into her office as the administrative assistant to Sheriff Watson, or executive assistant, excuse me, and share with her. And over that three-month period right before I resigned, she apparently -- and this part is hearsay, but she apparently made the decision that she preferred to remain as the executive assistant rather than transfer to the records bureau chief, and I was not made aware of that until after I left.

So a week after -- I'm not even sure how long. A few days after I retired from the agency, it was announced that somebody else would be taking my position; and that person has always worked in the corrections environment and, I don't believe, has any records bureau experience or law enforcement experience, just from a corrections perspective. He was a supervisor reporting to the bureau chief in booking support.

So he was selected to come over, basically, two weeks after I left. The administrative assistant, Marie Davis, had worked with me for over a decade and is probably the most informed about what I do as my assistant working with me, etc., doing the various tasks. She was also transferred at the same day that the new bureau chief would report. She was transferred out of the bureau and over to the department of the jail to report to the major.

My point of all that is that there are three supervisors reporting to the bureau chief each with only one year's experience or less. Then you take the administrative assistant, and you relocate her to another job that is pretty high requirement -- task requirement as the administrative assistant to the major of the jail. And then you bring in a corrections person with very little, if no, law enforcement experience, and that entire bureau, how do you think that's going to work out? Not well.

No experience, doesn't -- had no common time with the previous bureau chief. I don't know how that bureau is supposed to succeed with those circumstances. I would call that a misfeasance, I think, is how your term is. I would call that a terrible management decision, to have the success of

the bureau and -- with all of that bureau works with, how -- why would you do that?

Q. Understood. Were there other changes that occurred after Sheriff Watson took office that were unusual in how the procedures of the office would work or how your --

A. Procedures for the records bureau to work, or the agency?

Q. Well, the agency, the records bureau. I'm not -- I don't want to limit your response.

A. The records bureau under my management continued to do what it has always done, and we -- due to the staff shortages, it was much more stressful and much more difficult, but the bureau did keep its head above water, so to speak, and managed to get the majority of things done and still done well and accurately, completely. A lot of overtime was used to do so.

They are 50 percent down and have been for over a year. There has been efforts to continue hiring through the normal procedures. And at one point I was able to convince them to fast-track people because the alternative solution for the lack of employees was to bring in temp force personnel through Spherion. Those people would be interviewed by the

records bureau staff and determined appropriate or not, and then they would go through a fingerprint-based background check, and they would go through a drug screen, and that was it. And then they'd be brought into the agency, given access to all of the software systems and the critical information that we maintain through the records bureau. Versus an employee, when they go through the application process and the hiring process and the background process, they go through both of those two things as well as a psych eval and a physical agility -- or a physical, I'm sorry, just a physical, and then the background check where the background investigators of the agency would check their references and their employment history and determine that they are a good candidate for the agency.

So if we're doing so little for a temp force employee that we're giving the same access to as a regular full-time employee, why wouldn't we fast-track the incoming applicants that truly want a career with the Alachua County Sheriff's Office? Let's fast-track them, get in the door while you're doing the background process that you're not doing for the Spherion employee. Let me go ahead and start training them. If you find something that says they're not

going to be a long-term or great employee, and we're not going to hire them, then so be it; but that doesn't happen all that often based on the interviewing process.

So for a short stretch we were able to bring in four employees as -- on that fast-track program, but then after that the sheriff decided that we are not going to fast-track employees. So as such, the hiring process takes anywhere from minimal six weeks -- which I haven't seen anybody come in in a six-week period in forever -- to eight to twelve weeks because it takes a good eight weeks for the full background process to be completed. And then you have to do a file review that goes through the command staff and includes the sheriff, which typically there's a delay in getting a signature from the sheriff. And then, from there, if the applicant is still employed somewhere else, there's a two-week notice that they're giving their former employer. So many times the applicants that we interview that we really wanted would find work elsewhere before we ever got the background process done.

So that is the reason we have a 50 percent deficit in employees in the records bureau, and that's a big part of the agency, especially with civilian

personnel. That happens badly, badly with A and B for the payroll specialist and the accounts payable specialist. And that's all I can think of off the top of my head.

But that -- once again, the decisions that are being made are to the detriment of the agency and, obviously, the community.

Q. Is there any other instances that you're aware of where things have markedly changed because the administration changed?

A. So I was told by our -- that the salary personnel no longer have to enter time sheets. That was done almost immediately once Sheriff Watson took office.

Additionally, the sheriff made an order that he no longer would complete -- the sheriff, not he because he wasn't there previously, but that he would not be completing travel and training forms.

Q. For himself or for anyone?

A. For himself. For himself. He would not be completing travel and training forms. And we've done that for Sheriff Oelrich and Sheriff Darnell throughout history.

BY INSPECTOR RIDDICK:

Q. Was the agency still paying for training and

travel, though?

A. Oh, yes.

BY MR. KRAMER:

Q. So how does that work?

A. He has an agency credit card, as many of the bureaus do. So when he would go on travel and training or, you know, to gas up his car, he's got an agency credit card. And so he would just charge things off to the credit card, and there's no documentation.

So he goes to the Florida Sheriff's Association Conference, wherever it is. He obviously stays in a hotel. He drives the gas to get there. So he just -- instead of completing a travel and training form that documents that's where he is and what he's done for the last three days of the conference, that he left at such-and-such and came back, which is why his per diem is what it is, that form isn't -- the sheriff doesn't have to complete that form anymore; all others do.

Q. So does he still collect a per diem?

A. As far as I know.

Q. How is the amount of the per diem determined if there's no documentation?

A. I don't know. The accounting budget and

personnel would have to provide that to you.

Q. Are those forms kept by records or kept by Alachua County?

A. Accounting and budget. No, by ASO; but accounting and budget, not by records. If somebody had sent a public record request, they would have sent it to records, and I would have forwarded it to our accounting and budget personnel to provide them.

Q. So this is untrue for an undersheriff. He would provide a --

A. That is my understanding. He still provides travel and training forms if he goes someplace on behalf of agency, but the sheriff does not.

BY INSPECTOR RIDDICK:

Q. Do you know what bank the credit card is drawn on?

A. No we just changed banks, and I don't remember. I didn't note it.

BY MR. KRAMER:

Q. Are the credit cards issued through the county?

A. No, they're issued through our accounting and budget personnel. All of our finance is through the Alachua County Sheriff's Office, A and B. The county only distributes 1/12th of the budget to us monthly,

and then it's up to us to distribute that into the various accounts and manage all of our accounting, purchasing, credit cards, everything that we do, payroll, all of that.

Q. Who audits records?

A. The only audits records has is by the Florida Department of Law Enforcement in terms of our FCIC, NCIC transactions and the -- we participate. We're not the direct contact.

So FDLE conducts two different audits related to the agency, and that is one for FCIC NCIC entries and operations, and then the other is for our security awareness performance.

Q. Do you know who audits sheriff's office finance, the accounting and budget process for the sheriff's office?

A. It's an accounting firm, local, and I don't know the name of them. I could get it for you easily, though.

Q. Is it through the sheriff's office that the auditing is done, or is it the county? Like, who orders the audit?

A. It's an independent audit that is done every three years annually, and it just happens, from my understanding. There's no special order for a new

audit. It's a routine thing.

Q. When is the last time that happened? Do you know?

A. It's annual. Last year.

Q. Oh, it's annual. I thought you said it's every three years.

A. No. The FDLE audit of FCIC is every three years.

Q. But then accounting and budget?

A. Accounting and budget's annual audit is by a local, if I recall.

Q. It's annual?

A. Yeah.

Q. Okay. Anything else that you have notated that is unusual or meets the criteria that I've described to you that we've haven't talked about?

A. So at some point -- I don't know if you guys have the circumstance to know what I'm talking about.

So many years ago we were -- we, the Alachua County Sheriff's Office, was audited by the IRS. And during that audit, it was determined that, for those individuals that we assigned a vehicle to that were command staff, they had to pay taxes on that as a benefit. We were not doing that taxing correctly. So the outcome of that was, we learned that we had to tax

by the highest or most expensive method possible as a benefit to our employees.

When Sheriff Watson came in, that policy was not appreciated, and as such, Jacob Rush was apparently assigned to look into the matter. He referenced Leon County Sheriff's Office, who taxes at a different rate per their policy. As such, Sheriff Watson implemented or changed that taxing procedure to the way Leon County does it. That is against what the IRS audit required at the time. So accounting and budget personnel would have more information on that.

Q. You seem to have provided some additional documentation. What was that in reference to?

A. Well, all it is, there's two reports here. One is a termination report, and the other is the new hire; and it simply reflects all of the people that have left the agency since January 5th of 2021 when Sheriff Watson took office. And what it reflects is -- and I made an adjustment because the guardian participants at the schools is included in these lists, and they are not paid employees of this agency. They had to be for documentation of the training bureau and that sort of thing, but -- so anyway, since that time we have lost 323 employees, many of whom simply left the agency.

You'll note that the reason code is retired, voluntarily terminated, that sort of thing, deceased, but the retirees, many of those people -- I'm not sure "many" is fair, but some of those retirees left because they -- because of the treatment of the agency. So sadly, that's the case.

So 323 employees have left the agency, and since that same time period we've only hired 131. So basically for every three people that have left the agency we have only been able to replace them with one.

Q. What's the net number of positions down?

A. 323 minus 131.

BY INSPECTOR SNOWDEN:

Q. Is that 192?

A. That sounds right.

BY MR. KRAMER:

Q. So essentially involuntarily staff reduction by 190-plus FTEs?

A. And the total FTEs is 867.75. And so if you look at the withdrawal percentage, it's 37 percent over two years. If you look at the net, it's still a 20-something percent. It might be just 20 percent.

BY INSPECTOR SNOWDEN:

Q. Where did you fall into that retirement

category? Were you planning on leaving on 3/31/23?

A. I made my full retirement, but the last two years have been extremely torturous.

BY INSPECTOR RIDDICK:

Q. Does that list have the date?

A. Yes, has the date of hire, has the date of designation.

Q. Does that include sworn?

A. Yes, it includes everybody.

BY MR. KRAMER:

Q. Does it include the jail?

A. Yes. The challenge is that it is by fund number, so it's a little tricky in terms of figuring who are jail personnel. Some of the funds are truly labeled properly. Some of them are a little more challenging.

Q. But the information is there if you can dissect it.

A. Yes, sir.

Q. Anything else?

A. Back to -- well, I won't label it. I will say yes.

What I've observed and take issue with, I guess, is that we have promoted people -- Sheriff Watson has promoted people from deputy and maybe

sergeant to positions of major over a very short period of time. And nothing against those individuals.

I didn't know Robert Stafford as the person that went from sergeant to major at the department of the jail. I know Lance Yaeger somewhat as a deputy. At the time I first met him he was a detective, and now he's major and possibly chief of staff; that remains remain to be seen if he stays.

But the point of those things is that Sheriff Watson came in and trusted just about no one in the agency. He demoted the two majors, which is his right, but then he took captains and moved them around from position to position to position. He's constantly moving people around, lieutenants and sergeants. And what that has done to this agency is that you have a lot of people in positions with little to no experience that did not work their way up, so those promotions, those individuals never worked as sergeants, lieutenants, captains. They have none of that management experience in a civilian agency. Yes, Lance Yaeger has military experience, but it's different.

As such, they're coming through the ranks -- they're not coming through the ranks. They're just

getting into these management positions, and Sheriff Watson trusts no one except these people that he's brought in around him. As such, the agency is no longer a team effort. Ideas are not being shared.

It's not a healthy organization anymore, and it is not the premier agency it was over two years ago, unfortunately, and it's very sad to see.

Q. Understood.

A. I would think Laura Knudson, Lori Stophel should be in your group, potentially, as people that have endured his wrath and had to leave earlier than wanting.

So Laura was a bureau chief, and do you want her story from my perspective?

Q. No, we're running out of time. I apologize. We need to move on, and we will reach out to them.

A. The accounting and budget, the wasteful spending, the changes between administrators. And I don't even know what I meant by that note, so never mind about that. Those are, I think --

MR. KRAMER: Let's talk about that drive, gentlemen, what is your -- what is it you'd like to do with that?

(An off-the-record discussion was had.)

(The statement concluded at 12:08 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that LINDA BROWN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named LINDA BROWN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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records as well. That's the broad overview.

Q. I do want to ask one specific question along those lines. It is my understanding that the sheriff's office maintains a system through their cell phones where the text messaging of the cell phones is recorded for preservation. Was that part of the record-keeping function?

A. No.

Q. So if someone had made a public records request to the agency and said, I want the text messages of a particular individual, what would you -- I'm assuming you were the public records custodian. How would you have handled that situation?

A. Yes, I would take that request and forward it to our information technology bureau personnel and ask them to provide me with an estimate to produce.

At which point, once I had the estimate, I would respond to the requester and say, "This is the estimate to produce them, to gather them, produce them. And once that payment is received, if you wish to proceed, a review of those text messages will be conducted to ensure that all public record exemptions are applied appropriately. We will provide you an estimate based on the quantity for the time to do that."

Q. During the time that Sheriff Watson was there with you, did you receive any requests that you remember for his text messages?

A. Nothing is coming to mind at the moment.

BY INSPECTOR SNOWDEN:

Q. PRR requests, are they -- is that request kept as part of a public record?

A. So, yes. So public record requests come into the agencies in a number of formats. So the emails are definitely saved. The paper copies, I had three years prior for anything that came in. I'm pretty sure we did not get any handwritten letters requesting text messages.

I'm trying to think about topics and text messages, and that's why I say the topics that I recall from -- related to anything with Sheriff Watson, I just don't remember there being -- oh, yes, there was. Yes, there was. What was it?

There were -- I think it was the PBA that asked for text messages for -- and it was a bunch -- it was the commanders. It was between Joel Decoursey, Sheriff Watson. Lance Yaeger was in that mix. There was -- George Corine was in the mix, and there might have been another one or two people. And what resulted from that were very bland messages: Call me

about a subject. I need to talk with you. Are you available?

BY MR. KRAMER:

Q. Let me ask you this question. When that request came in, how were the sheriff's text messages obtained?

A. Through information technology, through the electronic system.

Q. So other than that instance, was there ever a time that you would have been given text messages from anyone that came from the sheriff's telephone saying these are public records that need to be recorded to the system in some way, shape, or form other than that incident which you've already described? I know that's a weird question, and I'll follow up with the why of it.

A. I'm not sure I'm understanding the question, so tell me that again, please.

Q. Let me give you a little bit further background. Our understanding is that the sheriff's office employs a system on the phones themselves that document the text messages to a server that IT can then go to that server, obtain the text messages, give them to you as part of the public records function of the office.

A. Sounds right.
Q. Are you with me so far?
A. Yes.
Q. It's our understanding the sheriff, his telephone has never been connected to that system. Okay?
A. Okay.
Q. So my question to you is, if the sheriff had anything on his phone that's a public record, how is it being preserved by the sheriff's office?
A. It is my understanding that it's not, because I remember -- and I'd have to produce -- I'd have to say produce the responses to be certain, but I seem to remember that I was told at the time the sheriff had not connected his phone or done the proper steps on his phone to be able to document -- was it the text messages, or was it more of the geocoding of his location? I'd have to see the -- I'd have to find the emails to do it.
Q. Understood. But my question is, since you're the public records custodian, or you have been for the administration until you left recently, was there any instance you're aware of where the sheriff had made any other effort to preserve public records that were created by text messaging referencing cases under

investigation which would be a public record?

A. Sheriff Watson never worked with me directly or indirectly to preserve any kind of text messages on his phone that I can recall, and I'm pretty sure there's nothing like that.

Q. And when you did have the one public records request for Sheriff Watson's phone that involved his phone you've referenced, you did end up providing public records from Sheriff Watson's phone to the requester?

A. That's what I'm trying to remember. I can tell you I remember messages from Joel Decoursey and Chad Scott and George Corine and all of them saying "I need to talk with you. Give me a call," but I'm trying to think if I remember seeing anything from Sheriff Watson going back to them.

Q. We can easily determine that because the public record response remains a public record at the sheriff's office.

A. Yes.

Q. And the requester was the PBA?

A. I'm pretty certain it was the PBA, and I can even tell you where it was saved in my K Drive, our shared -- we would have a drive that was specific to us and all of our emails and folders, and I maintained

all of that. And I wasn't able to have a copy to leave the agency, but it was in my K Drive under the PBA.

I might actually have that record because at the time we were saving -- I would save things -- any public record response, I would save it in a temp file to be able to duplicate it; and I have all those on a thumb drive from when I left the agency.

Q. Is that the thumb drive?

A. Yes, sir. Now, I haven't looked at it. I don't know that it -- I can't -- I mean, you'd have to test it to see; but it was cleared by our agency IT people before I used it to download the K Drive. So it was to be able to reference anything that I might need to, to help the agency after I left. So I think it should be on there if I saved it to that K Drive, or to that temp file.

Q. We'll address that in just a little bit.

You mentioned that there was an incident recently that you were concerned about that may have been either malfeasance, misfeasance, or unlawful by the sheriff. Can you tell me what that was?

A. It was more of a managerial decision. So after my retirement -- prior to my retirement, Courtney Bereka (phonetic) had been selected to

replace me. And effective January 2nd, she was supposed to begin working with me to learn my job and to help with a smooth transition.

So we did not get much time together to work, but there would be instances where something would -- I would take care of a task or a transaction that I thought would be rare and she should have a copy of it, or I would go into her office as the administrative assistant to Sheriff Watson, or executive assistant, excuse me, and share with her. And over that three-month period right before I resigned, she apparently -- and this part is hearsay, but she apparently made the decision that she preferred to remain as the executive assistant rather than transfer to the records bureau chief, and I was not made aware of that until after I left.

So a week after -- I'm not even sure how long. A few days after I retired from the agency, it was announced that somebody else would be taking my position; and that person has always worked in the corrections environment and, I don't believe, has any records bureau experience or law enforcement experience, just from a corrections perspective. He was a supervisor reporting to the bureau chief in booking support.

So he was selected to come over, basically, two weeks after I left. The administrative assistant, Marie Davis, had worked with me for over a decade and is probably the most informed about what I do as my assistant working with me, etc., doing the various tasks. She was also transferred at the same day that the new bureau chief would report. She was transferred out of the bureau and over to the department of the jail to report to the major.

My point of all that is that there are three supervisors reporting to the bureau chief each with only one year's experience or less. Then you take the administrative assistant, and you relocate her to another job that is pretty high requirement -- task requirement as the administrative assistant to the major of the jail. And then you bring in a corrections person with very little, if no, law enforcement experience, and that entire bureau, how do you think that's going to work out? Not well.

No experience, doesn't -- had no common time with the previous bureau chief. I don't know how that bureau is supposed to succeed with those circumstances. I would call that a misfeasance, I think, is how your term is. I would call that a terrible management decision, to have the success of

the bureau and -- with all of that bureau works with, how -- why would you do that?

Q. Understood. Were there other changes that occurred after Sheriff Watson took office that were unusual in how the procedures of the office would work or how your --

A. Procedures for the records bureau to work, or the agency?

Q. Well, the agency, the records bureau. I'm not -- I don't want to limit your response.

A. The records bureau under my management continued to do what it has always done, and we -- due to the staff shortages, it was much more stressful and much more difficult, but the bureau did keep its head above water, so to speak, and managed to get the majority of things done and still done well and accurately, completely. A lot of overtime was used to do so.

They are 50 percent down and have been for over a year. There has been efforts to continue hiring through the normal procedures. And at one point I was able to convince them to fast-track people because the alternative solution for the lack of employees was to bring in temp force personnel through Spherion. Those people would be interviewed by the

records bureau staff and determined appropriate or not, and then they would go through a fingerprint-based background check, and they would go through a drug screen, and that was it. And then they'd be brought into the agency, given access to all of the software systems and the critical information that we maintain through the records bureau. Versus an employee, when they go through the application process and the hiring process and the background process, they go through both of those two things as well as a psych eval and a physical agility -- or a physical, I'm sorry, just a physical, and then the background check where the background investigators of the agency would check their references and their employment history and determine that they are a good candidate for the agency.

So if we're doing so little for a temp force employee that we're giving the same access to as a regular full-time employee, why wouldn't we fast-track the incoming applicants that truly want a career with the Alachua County Sheriff's Office? Let's fast-track them, get in the door while you're doing the background process that you're not doing for the Spherion employee. Let me go ahead and start training them. If you find something that says they're not

going to be a long-term or great employee, and we're not going to hire them, then so be it; but that doesn't happen all that often based on the interviewing process.

So for a short stretch we were able to bring in four employees as -- on that fast-track program, but then after that the sheriff decided that we are not going to fast-track employees. So as such, the hiring process takes anywhere from minimal six weeks -- which I haven't seen anybody come in in a six-week period in forever -- to eight to twelve weeks because it takes a good eight weeks for the full background process to be completed. And then you have to do a file review that goes through the command staff and includes the sheriff, which typically there's a delay in getting a signature from the sheriff. And then, from there, if the applicant is still employed somewhere else, there's a two-week notice that they're giving their former employer. So many times the applicants that we interview that we really wanted would find work elsewhere before we ever got the background process done.

So that is the reason we have a 50 percent deficit in employees in the records bureau, and that's a big part of the agency, especially with civilian

personnel. That happens badly, badly with A and B for the payroll specialist and the accounts payable specialist. And that's all I can think of off the top of my head.

But that -- once again, the decisions that are being made are to the detriment of the agency and, obviously, the community.

Q. Is there any other instances that you're aware of where things have markedly changed because the administration changed?

A. So I was told by our -- that the salary personnel no longer have to enter time sheets. That was done almost immediately once Sheriff Watson took office.

Additionally, the sheriff made an order that he no longer would complete -- the sheriff, not he because he wasn't there previously, but that he would not be completing travel and training forms.

Q. For himself or for anyone?

A. For himself. For himself. He would not be completing travel and training forms. And we've done that for Sheriff Oelrich and Sheriff Darnell throughout history.

BY INSPECTOR RIDDICK:

Q. Was the agency still paying for training and

travel, though?

A. Oh, yes.

BY MR. KRAMER:

Q. So how does that work?

A. He has an agency credit card, as many of the bureaus do. So when he would go on travel and training or, you know, to gas up his car, he's got an agency credit card. And so he would just charge things off to the credit card, and there's no documentation.

So he goes to the Florida Sheriff's Association Conference, wherever it is. He obviously stays in a hotel. He drives the gas to get there. So he just -- instead of completing a travel and training form that documents that's where he is and what he's done for the last three days of the conference, that he left at such-and-such and came back, which is why his per diem is what it is, that form isn't -- the sheriff doesn't have to complete that form anymore; all others do.

Q. So does he still collect a per diem?

A. As far as I know.

Q. How is the amount of the per diem determined if there's no documentation?

A. I don't know. The accounting budget and

personnel would have to provide that to you.

Q. Are those forms kept by records or kept by Alachua County?

A. Accounting and budget. No, by ASO; but accounting and budget, not by records. If somebody had sent a public record request, they would have sent it to records, and I would have forwarded it to our accounting and budget personnel to provide them.

Q. So this is untrue for an undersheriff. He would provide a --

A. That is my understanding. He still provides travel and training forms if he goes someplace on behalf of agency, but the sheriff does not.

BY INSPECTOR RIDDICK:

Q. Do you know what bank the credit card is drawn on?

A. No we just changed banks, and I don't remember. I didn't note it.

BY MR. KRAMER:

Q. Are the credit cards issued through the county?

A. No, they're issued through our accounting and budget personnel. All of our finance is through the Alachua County Sheriff's Office, A and B. The county only distributes 1/12th of the budget to us monthly,

and then it's up to us to distribute that into the various accounts and manage all of our accounting, purchasing, credit cards, everything that we do, payroll, all of that.

Q. Who audits records?

A. The only audits records has is by the Florida Department of Law Enforcement in terms of our FCIC, NCIC transactions and the -- we participate. We're not the direct contact.

So FDLE conducts two different audits related to the agency, and that is one for FCIC NCIC entries and operations, and then the other is for our security awareness performance.

Q. Do you know who audits sheriff's office finance, the accounting and budget process for the sheriff's office?

A. It's an accounting firm, local, and I don't know the name of them. I could get it for you easily, though.

Q. Is it through the sheriff's office that the auditing is done, or is it the county? Like, who orders the audit?

A. It's an independent audit that is done every three years annually, and it just happens, from my understanding. There's no special order for a new

audit. It's a routine thing.

Q. When is the last time that happened? Do you know?

A. It's annual. Last year.

Q. Oh, it's annual. I thought you said it's every three years.

A. No. The FDLE audit of FCIC is every three years.

Q. But then accounting and budget?

A. Accounting and budget's annual audit is by a local, if I recall.

Q. It's annual?

A. Yeah.

Q. Okay. Anything else that you have notated that is unusual or meets the criteria that I've described to you that we've haven't talked about?

A. So at some point -- I don't know if you guys have the circumstance to know what I'm talking about.

So many years ago we were -- we, the Alachua County Sheriff's Office, was audited by the IRS. And during that audit, it was determined that, for those individuals that we assigned a vehicle to that were command staff, they had to pay taxes on that as a benefit. We were not doing that taxing correctly. So the outcome of that was, we learned that we had to tax

by the highest or most expensive method possible as a benefit to our employees.

When Sheriff Watson came in, that policy was not appreciated, and as such, Jacob Rush was apparently assigned to look into the matter. He referenced Leon County Sheriff's Office, who taxes at a different rate per their policy. As such, Sheriff Watson implemented or changed that taxing procedure to the way Leon County does it. That is against what the IRS audit required at the time. So accounting and budget personnel would have more information on that.

Q. You seem to have provided some additional documentation. What was that in reference to?

A. Well, all it is, there's two reports here. One is a termination report, and the other is the new hire; and it simply reflects all of the people that have left the agency since January 5th of 2021 when Sheriff Watson took office. And what it reflects is -- and I made an adjustment because the guardian participants at the schools is included in these lists, and they are not paid employees of this agency. They had to be for documentation of the training bureau and that sort of thing, but -- so anyway, since that time we have lost 323 employees, many of whom simply left the agency.

You'll note that the reason code is retired, voluntarily terminated, that sort of thing, deceased, but the retirees, many of those people -- I'm not sure "many" is fair, but some of those retirees left because they -- because of the treatment of the agency. So sadly, that's the case.

So 323 employees have left the agency, and since that same time period we've only hired 131. So basically for every three people that have left the agency we have only been able to replace them with one.

Q. What's the net number of positions down?

A. 323 minus 131.

BY INSPECTOR SNOWDEN:

Q. Is that 192?

A. That sounds right.

BY MR. KRAMER:

Q. So essentially involuntarily staff reduction by 190-plus FTEs?

A. And the total FTEs is 867.75. And so if you look at the withdrawal percentage, it's 37 percent over two years. If you look at the net, it's still a 20-something percent. It might be just 20 percent.

BY INSPECTOR SNOWDEN:

Q. Where did you fall into that retirement

category? Were you planning on leaving on 3/31/23?

A. I made my full retirement, but the last two years have been extremely torturous.

BY INSPECTOR RIDDICK:

Q. Does that list have the date?

A. Yes, has the date of hire, has the date of designation.

Q. Does that include sworn?

A. Yes, it includes everybody.

BY MR. KRAMER:

Q. Does it include the jail?

A. Yes. The challenge is that it is by fund number, so it's a little tricky in terms of figuring who are jail personnel. Some of the funds are truly labeled properly. Some of them are a little more challenging.

Q. But the information is there if you can dissect it.

A. Yes, sir.

Q. Anything else?

A. Back to -- well, I won't label it. I will say yes.

What I've observed and take issue with, I guess, is that we have promoted people -- Sheriff Watson has promoted people from deputy and maybe

sergeant to positions of major over a very short period of time. And nothing against those individuals.

I didn't know Robert Stafford as the person that went from sergeant to major at the department of the jail. I know Lance Yaeger somewhat as a deputy. At the time I first met him he was a detective, and now he's major and possibly chief of staff; that remains remain to be seen if he stays.

But the point of those things is that Sheriff Watson came in and trusted just about no one in the agency. He demoted the two majors, which is his right, but then he took captains and moved them around from position to position to position. He's constantly moving people around, lieutenants and sergeants. And what that has done to this agency is that you have a lot of people in positions with little to no experience that did not work their way up, so those promotions, those individuals never worked as sergeants, lieutenants, captains. They have none of that management experience in a civilian agency. Yes, Lance Yaeger has military experience, but it's different.

As such, they're coming through the ranks -- they're not coming through the ranks. They're just

getting into these management positions, and Sheriff Watson trusts no one except these people that he's brought in around him. As such, the agency is no longer a team effort. Ideas are not being shared.

It's not a healthy organization anymore, and it is not the premier agency it was over two years ago, unfortunately, and it's very sad to see.

Q. Understood.

A. I would think Laura Knudson, Lori Stophel should be in your group, potentially, as people that have endured his wrath and had to leave earlier than wanting.

So Laura was a bureau chief, and do you want her story from my perspective?

Q. No, we're running out of time. I apologize. We need to move on, and we will reach out to them.

A. The accounting and budget, the wasteful spending, the changes between administrators. And I don't even know what I meant by that note, so never mind about that. Those are, I think --

MR. KRAMER: Let's talk about that drive, gentlemen, what is your -- what is it you'd like to do with that?

(An off-the-record discussion was had.)

(The statement concluded at 12:08 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that LINDA BROWN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named LINDA BROWN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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Q. During the time that Sheriff Watson was there with you, did you receive any requests that you remember for his text messages?

A. Nothing is coming to mind at the moment.

BY INSPECTOR SNOWDEN:

Q. PRR requests, are they -- is that request kept as part of a public record?

A. So, yes. So public record requests come into the agencies in a number of formats. So the emails are definitely saved. The paper copies, I had three years prior for anything that came in. I'm pretty sure we did not get any handwritten letters requesting text messages.

I'm trying to think about topics and text messages, and that's why I say the topics that I recall from -- related to anything with Sheriff Watson, I just don't remember there being -- oh, yes, there was. Yes, there was. What was it?

There were -- I think it was the PBA that asked for text messages for -- and it was a bunch -- it was the commanders. It was between Joel Decoursey, Sheriff Watson. Lance Yaeger was in that mix. There was -- George Corine was in the mix, and there might have been another one or two people. And what resulted from that were very bland messages: Call me

about a subject. I need to talk with you. Are you available?

BY MR. KRAMER:

Q. Let me ask you this question. When that request came in, how were the sheriff's text messages obtained?

A. Through information technology, through the electronic system.

Q. So other than that instance, was there ever a time that you would have been given text messages from anyone that came from the sheriff's telephone saying these are public records that need to be recorded to the system in some way, shape, or form other than that incident which you've already described? I know that's a weird question, and I'll follow up with the why of it.

A. I'm not sure I'm understanding the question, so tell me that again, please.

Q. Let me give you a little bit further background. Our understanding is that the sheriff's office employs a system on the phones themselves that document the text messages to a server that IT can then go to that server, obtain the text messages, give them to you as part of the public records function of the office.

A. Sounds right.
Q. Are you with me so far?
A. Yes.
Q. It's our understanding the sheriff, his telephone has never been connected to that system. Okay?
A. Okay.
Q. So my question to you is, if the sheriff had anything on his phone that's a public record, how is it being preserved by the sheriff's office?
A. It is my understanding that it's not, because I remember -- and I'd have to produce -- I'd have to say produce the responses to be certain, but I seem to remember that I was told at the time the sheriff had not connected his phone or done the proper steps on his phone to be able to document -- was it the text messages, or was it more of the geocoding of his location? I'd have to see the -- I'd have to find the emails to do it.
Q. Understood. But my question is, since you're the public records custodian, or you have been for the administration until you left recently, was there any instance you're aware of where the sheriff had made any other effort to preserve public records that were created by text messaging referencing cases under

investigation which would be a public record?

A. Sheriff Watson never worked with me directly or indirectly to preserve any kind of text messages on his phone that I can recall, and I'm pretty sure there's nothing like that.

Q. And when you did have the one public records request for Sheriff Watson's phone that involved his phone you've referenced, you did end up providing public records from Sheriff Watson's phone to the requester?

A. That's what I'm trying to remember. I can tell you I remember messages from Joel Decoursey and Chad Scott and George Corine and all of them saying "I need to talk with you. Give me a call," but I'm trying to think if I remember seeing anything from Sheriff Watson going back to them.

Q. We can easily determine that because the public record response remains a public record at the sheriff's office.

A. Yes.

Q. And the requester was the PBA?

A. I'm pretty certain it was the PBA, and I can even tell you where it was saved in my K Drive, our shared -- we would have a drive that was specific to us and all of our emails and folders, and I maintained

all of that. And I wasn't able to have a copy to leave the agency, but it was in my K Drive under the PBA.

I might actually have that record because at the time we were saving -- I would save things -- any public record response, I would save it in a temp file to be able to duplicate it; and I have all those on a thumb drive from when I left the agency.

Q. Is that the thumb drive?

A. Yes, sir. Now, I haven't looked at it. I don't know that it -- I can't -- I mean, you'd have to test it to see; but it was cleared by our agency IT people before I used it to download the K Drive. So it was to be able to reference anything that I might need to, to help the agency after I left. So I think it should be on there if I saved it to that K Drive, or to that temp file.

Q. We'll address that in just a little bit.

You mentioned that there was an incident recently that you were concerned about that may have been either malfeasance, misfeasance, or unlawful by the sheriff. Can you tell me what that was?

A. It was more of a managerial decision. So after my retirement -- prior to my retirement, Courtney Bereka (phonetic) had been selected to

replace me. And effective January 2nd, she was supposed to begin working with me to learn my job and to help with a smooth transition.

So we did not get much time together to work, but there would be instances where something would -- I would take care of a task or a transaction that I thought would be rare and she should have a copy of it, or I would go into her office as the administrative assistant to Sheriff Watson, or executive assistant, excuse me, and share with her. And over that three-month period right before I resigned, she apparently -- and this part is hearsay, but she apparently made the decision that she preferred to remain as the executive assistant rather than transfer to the records bureau chief, and I was not made aware of that until after I left.

So a week after -- I'm not even sure how long. A few days after I retired from the agency, it was announced that somebody else would be taking my position; and that person has always worked in the corrections environment and, I don't believe, has any records bureau experience or law enforcement experience, just from a corrections perspective. He was a supervisor reporting to the bureau chief in booking support.

So he was selected to come over, basically, two weeks after I left. The administrative assistant, Marie Davis, had worked with me for over a decade and is probably the most informed about what I do as my assistant working with me, etc., doing the various tasks. She was also transferred at the same day that the new bureau chief would report. She was transferred out of the bureau and over to the department of the jail to report to the major.

My point of all that is that there are three supervisors reporting to the bureau chief each with only one year's experience or less. Then you take the administrative assistant, and you relocate her to another job that is pretty high requirement -- task requirement as the administrative assistant to the major of the jail. And then you bring in a corrections person with very little, if no, law enforcement experience, and that entire bureau, how do you think that's going to work out? Not well.

No experience, doesn't -- had no common time with the previous bureau chief. I don't know how that bureau is supposed to succeed with those circumstances. I would call that a misfeasance, I think, is how your term is. I would call that a terrible management decision, to have the success of

the bureau and -- with all of that bureau works with, how -- why would you do that?

Q. Understood. Were there other changes that occurred after Sheriff Watson took office that were unusual in how the procedures of the office would work or how your --

A. Procedures for the records bureau to work, or the agency?

Q. Well, the agency, the records bureau. I'm not -- I don't want to limit your response.

A. The records bureau under my management continued to do what it has always done, and we -- due to the staff shortages, it was much more stressful and much more difficult, but the bureau did keep its head above water, so to speak, and managed to get the majority of things done and still done well and accurately, completely. A lot of overtime was used to do so.

They are 50 percent down and have been for over a year. There has been efforts to continue hiring through the normal procedures. And at one point I was able to convince them to fast-track people because the alternative solution for the lack of employees was to bring in temp force personnel through Spherion. Those people would be interviewed by the

records bureau staff and determined appropriate or not, and then they would go through a fingerprint-based background check, and they would go through a drug screen, and that was it. And then they'd be brought into the agency, given access to all of the software systems and the critical information that we maintain through the records bureau. Versus an employee, when they go through the application process and the hiring process and the background process, they go through both of those two things as well as a psych eval and a physical agility -- or a physical, I'm sorry, just a physical, and then the background check where the background investigators of the agency would check their references and their employment history and determine that they are a good candidate for the agency.

So if we're doing so little for a temp force employee that we're giving the same access to as a regular full-time employee, why wouldn't we fast-track the incoming applicants that truly want a career with the Alachua County Sheriff's Office? Let's fast-track them, get in the door while you're doing the background process that you're not doing for the Spherion employee. Let me go ahead and start training them. If you find something that says they're not

going to be a long-term or great employee, and we're not going to hire them, then so be it; but that doesn't happen all that often based on the interviewing process.

So for a short stretch we were able to bring in four employees as -- on that fast-track program, but then after that the sheriff decided that we are not going to fast-track employees. So as such, the hiring process takes anywhere from minimal six weeks -- which I haven't seen anybody come in in a six-week period in forever -- to eight to twelve weeks because it takes a good eight weeks for the full background process to be completed. And then you have to do a file review that goes through the command staff and includes the sheriff, which typically there's a delay in getting a signature from the sheriff. And then, from there, if the applicant is still employed somewhere else, there's a two-week notice that they're giving their former employer. So many times the applicants that we interview that we really wanted would find work elsewhere before we ever got the background process done.

So that is the reason we have a 50 percent deficit in employees in the records bureau, and that's a big part of the agency, especially with civilian

personnel. That happens badly, badly with A and B for the payroll specialist and the accounts payable specialist. And that's all I can think of off the top of my head.

But that -- once again, the decisions that are being made are to the detriment of the agency and, obviously, the community.

Q. Is there any other instances that you're aware of where things have markedly changed because the administration changed?

A. So I was told by our -- that the salary personnel no longer have to enter time sheets. That was done almost immediately once Sheriff Watson took office.

Additionally, the sheriff made an order that he no longer would complete -- the sheriff, not he because he wasn't there previously, but that he would not be completing travel and training forms.

Q. For himself or for anyone?

A. For himself. For himself. He would not be completing travel and training forms. And we've done that for Sheriff Oelrich and Sheriff Darnell throughout history.

BY INSPECTOR RIDDICK:

Q. Was the agency still paying for training and

travel, though?

A. Oh, yes.

BY MR. KRAMER:

Q. So how does that work?

A. He has an agency credit card, as many of the bureaus do. So when he would go on travel and training or, you know, to gas up his car, he's got an agency credit card. And so he would just charge things off to the credit card, and there's no documentation.

So he goes to the Florida Sheriff's Association Conference, wherever it is. He obviously stays in a hotel. He drives the gas to get there. So he just -- instead of completing a travel and training form that documents that's where he is and what he's done for the last three days of the conference, that he left at such-and-such and came back, which is why his per diem is what it is, that form isn't -- the sheriff doesn't have to complete that form anymore; all others do.

Q. So does he still collect a per diem?

A. As far as I know.

Q. How is the amount of the per diem determined if there's no documentation?

A. I don't know. The accounting budget and

personnel would have to provide that to you.

Q. Are those forms kept by records or kept by Alachua County?

A. Accounting and budget. No, by ASO; but accounting and budget, not by records. If somebody had sent a public record request, they would have sent it to records, and I would have forwarded it to our accounting and budget personnel to provide them.

Q. So this is untrue for an undersheriff. He would provide a --

A. That is my understanding. He still provides travel and training forms if he goes someplace on behalf of agency, but the sheriff does not.

BY INSPECTOR RIDDICK:

Q. Do you know what bank the credit card is drawn on?

A. No we just changed banks, and I don't remember. I didn't note it.

BY MR. KRAMER:

Q. Are the credit cards issued through the county?

A. No, they're issued through our accounting and budget personnel. All of our finance is through the Alachua County Sheriff's Office, A and B. The county only distributes 1/12th of the budget to us monthly,

and then it's up to us to distribute that into the various accounts and manage all of our accounting, purchasing, credit cards, everything that we do, payroll, all of that.

Q. Who audits records?

A. The only audits records has is by the Florida Department of Law Enforcement in terms of our FCIC, NCIC transactions and the -- we participate. We're not the direct contact.

So FDLE conducts two different audits related to the agency, and that is one for FCIC NCIC entries and operations, and then the other is for our security awareness performance.

Q. Do you know who audits sheriff's office finance, the accounting and budget process for the sheriff's office?

A. It's an accounting firm, local, and I don't know the name of them. I could get it for you easily, though.

Q. Is it through the sheriff's office that the auditing is done, or is it the county? Like, who orders the audit?

A. It's an independent audit that is done every three years annually, and it just happens, from my understanding. There's no special order for a new

audit. It's a routine thing.

Q. When is the last time that happened? Do you know?

A. It's annual. Last year.

Q. Oh, it's annual. I thought you said it's every three years.

A. No. The FDLE audit of FCIC is every three years.

Q. But then accounting and budget?

A. Accounting and budget's annual audit is by a local, if I recall.

Q. It's annual?

A. Yeah.

Q. Okay. Anything else that you have notated that is unusual or meets the criteria that I've described to you that we've haven't talked about?

A. So at some point -- I don't know if you guys have the circumstance to know what I'm talking about.

So many years ago we were -- we, the Alachua County Sheriff's Office, was audited by the IRS. And during that audit, it was determined that, for those individuals that we assigned a vehicle to that were command staff, they had to pay taxes on that as a benefit. We were not doing that taxing correctly. So the outcome of that was, we learned that we had to tax

by the highest or most expensive method possible as a benefit to our employees.

When Sheriff Watson came in, that policy was not appreciated, and as such, Jacob Rush was apparently assigned to look into the matter. He referenced Leon County Sheriff's Office, who taxes at a different rate per their policy. As such, Sheriff Watson implemented or changed that taxing procedure to the way Leon County does it. That is against what the IRS audit required at the time. So accounting and budget personnel would have more information on that.

Q. You seem to have provided some additional documentation. What was that in reference to?

A. Well, all it is, there's two reports here. One is a termination report, and the other is the new hire; and it simply reflects all of the people that have left the agency since January 5th of 2021 when Sheriff Watson took office. And what it reflects is -- and I made an adjustment because the guardian participants at the schools is included in these lists, and they are not paid employees of this agency. They had to be for documentation of the training bureau and that sort of thing, but -- so anyway, since that time we have lost 323 employees, many of whom simply left the agency.

You'll note that the reason code is retired, voluntarily terminated, that sort of thing, deceased, but the retirees, many of those people -- I'm not sure "many" is fair, but some of those retirees left because they -- because of the treatment of the agency. So sadly, that's the case.

So 323 employees have left the agency, and since that same time period we've only hired 131. So basically for every three people that have left the agency we have only been able to replace them with one.

Q. What's the net number of positions down?

A. 323 minus 131.

BY INSPECTOR SNOWDEN:

Q. Is that 192?

A. That sounds right.

BY MR. KRAMER:

Q. So essentially involuntarily staff reduction by 190-plus FTEs?

A. And the total FTEs is 867.75. And so if you look at the withdrawal percentage, it's 37 percent over two years. If you look at the net, it's still a 20-something percent. It might be just 20 percent.

BY INSPECTOR SNOWDEN:

Q. Where did you fall into that retirement

category? Were you planning on leaving on 3/31/23?

A. I made my full retirement, but the last two years have been extremely torturous.

BY INSPECTOR RIDDICK:

Q. Does that list have the date?

A. Yes, has the date of hire, has the date of designation.

Q. Does that include sworn?

A. Yes, it includes everybody.

BY MR. KRAMER:

Q. Does it include the jail?

A. Yes. The challenge is that it is by fund number, so it's a little tricky in terms of figuring who are jail personnel. Some of the funds are truly labeled properly. Some of them are a little more challenging.

Q. But the information is there if you can dissect it.

A. Yes, sir.

Q. Anything else?

A. Back to -- well, I won't label it. I will say yes.

What I've observed and take issue with, I guess, is that we have promoted people -- Sheriff Watson has promoted people from deputy and maybe

sergeant to positions of major over a very short period of time. And nothing against those individuals.

I didn't know Robert Stafford as the person that went from sergeant to major at the department of the jail. I know Lance Yaeger somewhat as a deputy. At the time I first met him he was a detective, and now he's major and possibly chief of staff; that remains remain to be seen if he stays.

But the point of those things is that Sheriff Watson came in and trusted just about no one in the agency. He demoted the two majors, which is his right, but then he took captains and moved them around from position to position to position. He's constantly moving people around, lieutenants and sergeants. And what that has done to this agency is that you have a lot of people in positions with little to no experience that did not work their way up, so those promotions, those individuals never worked as sergeants, lieutenants, captains. They have none of that management experience in a civilian agency. Yes, Lance Yaeger has military experience, but it's different.

As such, they're coming through the ranks -- they're not coming through the ranks. They're just

getting into these management positions, and Sheriff Watson trusts no one except these people that he's brought in around him. As such, the agency is no longer a team effort. Ideas are not being shared.

It's not a healthy organization anymore, and it is not the premier agency it was over two years ago, unfortunately, and it's very sad to see.

Q. Understood.

A. I would think Laura Knudson, Lori Stophel should be in your group, potentially, as people that have endured his wrath and had to leave earlier than wanting.

So Laura was a bureau chief, and do you want her story from my perspective?

Q. No, we're running out of time. I apologize. We need to move on, and we will reach out to them.

A. The accounting and budget, the wasteful spending, the changes between administrators. And I don't even know what I meant by that note, so never mind about that. Those are, I think --

MR. KRAMER: Let's talk about that drive, gentlemen, what is your -- what is it you'd like to do with that?

(An off-the-record discussion was had.)

(The statement concluded at 12:08 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that LINDA BROWN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named LINDA BROWN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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about a subject. I need to talk with you. Are you available?

BY MR. KRAMER:

Q. Let me ask you this question. When that request came in, how were the sheriff's text messages obtained?

A. Through information technology, through the electronic system.

Q. So other than that instance, was there ever a time that you would have been given text messages from anyone that came from the sheriff's telephone saying these are public records that need to be recorded to the system in some way, shape, or form other than that incident which you've already described? I know that's a weird question, and I'll follow up with the why of it.

A. I'm not sure I'm understanding the question, so tell me that again, please.

Q. Let me give you a little bit further background. Our understanding is that the sheriff's office employs a system on the phones themselves that document the text messages to a server that IT can then go to that server, obtain the text messages, give them to you as part of the public records function of the office.

A. Sounds right.
Q. Are you with me so far?
A. Yes.
Q. It's our understanding the sheriff, his telephone has never been connected to that system. Okay?
A. Okay.
Q. So my question to you is, if the sheriff had anything on his phone that's a public record, how is it being preserved by the sheriff's office?
A. It is my understanding that it's not, because I remember -- and I'd have to produce -- I'd have to say produce the responses to be certain, but I seem to remember that I was told at the time the sheriff had not connected his phone or done the proper steps on his phone to be able to document -- was it the text messages, or was it more of the geocoding of his location? I'd have to see the -- I'd have to find the emails to do it.
Q. Understood. But my question is, since you're the public records custodian, or you have been for the administration until you left recently, was there any instance you're aware of where the sheriff had made any other effort to preserve public records that were created by text messaging referencing cases under

investigation which would be a public record?

A. Sheriff Watson never worked with me directly or indirectly to preserve any kind of text messages on his phone that I can recall, and I'm pretty sure there's nothing like that.

Q. And when you did have the one public records request for Sheriff Watson's phone that involved his phone you've referenced, you did end up providing public records from Sheriff Watson's phone to the requester?

A. That's what I'm trying to remember. I can tell you I remember messages from Joel Decoursey and Chad Scott and George Corine and all of them saying "I need to talk with you. Give me a call," but I'm trying to think if I remember seeing anything from Sheriff Watson going back to them.

Q. We can easily determine that because the public record response remains a public record at the sheriff's office.

A. Yes.

Q. And the requester was the PBA?

A. I'm pretty certain it was the PBA, and I can even tell you where it was saved in my K Drive, our shared -- we would have a drive that was specific to us and all of our emails and folders, and I maintained

all of that. And I wasn't able to have a copy to leave the agency, but it was in my K Drive under the PBA.

I might actually have that record because at the time we were saving -- I would save things -- any public record response, I would save it in a temp file to be able to duplicate it; and I have all those on a thumb drive from when I left the agency.

Q. Is that the thumb drive?

A. Yes, sir. Now, I haven't looked at it. I don't know that it -- I can't -- I mean, you'd have to test it to see; but it was cleared by our agency IT people before I used it to download the K Drive. So it was to be able to reference anything that I might need to, to help the agency after I left. So I think it should be on there if I saved it to that K Drive, or to that temp file.

Q. We'll address that in just a little bit.

You mentioned that there was an incident recently that you were concerned about that may have been either malfeasance, misfeasance, or unlawful by the sheriff. Can you tell me what that was?

A. It was more of a managerial decision. So after my retirement -- prior to my retirement, Courtney Bereka (phonetic) had been selected to

replace me. And effective January 2nd, she was supposed to begin working with me to learn my job and to help with a smooth transition.

So we did not get much time together to work, but there would be instances where something would -- I would take care of a task or a transaction that I thought would be rare and she should have a copy of it, or I would go into her office as the administrative assistant to Sheriff Watson, or executive assistant, excuse me, and share with her. And over that three-month period right before I resigned, she apparently -- and this part is hearsay, but she apparently made the decision that she preferred to remain as the executive assistant rather than transfer to the records bureau chief, and I was not made aware of that until after I left.

So a week after -- I'm not even sure how long. A few days after I retired from the agency, it was announced that somebody else would be taking my position; and that person has always worked in the corrections environment and, I don't believe, has any records bureau experience or law enforcement experience, just from a corrections perspective. He was a supervisor reporting to the bureau chief in booking support.

So he was selected to come over, basically, two weeks after I left. The administrative assistant, Marie Davis, had worked with me for over a decade and is probably the most informed about what I do as my assistant working with me, etc., doing the various tasks. She was also transferred at the same day that the new bureau chief would report. She was transferred out of the bureau and over to the department of the jail to report to the major.

My point of all that is that there are three supervisors reporting to the bureau chief each with only one year's experience or less. Then you take the administrative assistant, and you relocate her to another job that is pretty high requirement -- task requirement as the administrative assistant to the major of the jail. And then you bring in a corrections person with very little, if no, law enforcement experience, and that entire bureau, how do you think that's going to work out? Not well.

No experience, doesn't -- had no common time with the previous bureau chief. I don't know how that bureau is supposed to succeed with those circumstances. I would call that a misfeasance, I think, is how your term is. I would call that a terrible management decision, to have the success of

the bureau and -- with all of that bureau works with, how -- why would you do that?

Q. Understood. Were there other changes that occurred after Sheriff Watson took office that were unusual in how the procedures of the office would work or how your --

A. Procedures for the records bureau to work, or the agency?

Q. Well, the agency, the records bureau. I'm not -- I don't want to limit your response.

A. The records bureau under my management continued to do what it has always done, and we -- due to the staff shortages, it was much more stressful and much more difficult, but the bureau did keep its head above water, so to speak, and managed to get the majority of things done and still done well and accurately, completely. A lot of overtime was used to do so.

They are 50 percent down and have been for over a year. There has been efforts to continue hiring through the normal procedures. And at one point I was able to convince them to fast-track people because the alternative solution for the lack of employees was to bring in temp force personnel through Spherion. Those people would be interviewed by the

records bureau staff and determined appropriate or not, and then they would go through a fingerprint-based background check, and they would go through a drug screen, and that was it. And then they'd be brought into the agency, given access to all of the software systems and the critical information that we maintain through the records bureau. Versus an employee, when they go through the application process and the hiring process and the background process, they go through both of those two things as well as a psych eval and a physical agility -- or a physical, I'm sorry, just a physical, and then the background check where the background investigators of the agency would check their references and their employment history and determine that they are a good candidate for the agency.

So if we're doing so little for a temp force employee that we're giving the same access to as a regular full-time employee, why wouldn't we fast-track the incoming applicants that truly want a career with the Alachua County Sheriff's Office? Let's fast-track them, get in the door while you're doing the background process that you're not doing for the Spherion employee. Let me go ahead and start training them. If you find something that says they're not

going to be a long-term or great employee, and we're not going to hire them, then so be it; but that doesn't happen all that often based on the interviewing process.

So for a short stretch we were able to bring in four employees as -- on that fast-track program, but then after that the sheriff decided that we are not going to fast-track employees. So as such, the hiring process takes anywhere from minimal six weeks -- which I haven't seen anybody come in in a six-week period in forever -- to eight to twelve weeks because it takes a good eight weeks for the full background process to be completed. And then you have to do a file review that goes through the command staff and includes the sheriff, which typically there's a delay in getting a signature from the sheriff. And then, from there, if the applicant is still employed somewhere else, there's a two-week notice that they're giving their former employer. So many times the applicants that we interview that we really wanted would find work elsewhere before we ever got the background process done.

So that is the reason we have a 50 percent deficit in employees in the records bureau, and that's a big part of the agency, especially with civilian

personnel. That happens badly, badly with A and B for the payroll specialist and the accounts payable specialist. And that's all I can think of off the top of my head.

But that -- once again, the decisions that are being made are to the detriment of the agency and, obviously, the community.

Q. Is there any other instances that you're aware of where things have markedly changed because the administration changed?

A. So I was told by our -- that the salary personnel no longer have to enter time sheets. That was done almost immediately once Sheriff Watson took office.

Additionally, the sheriff made an order that he no longer would complete -- the sheriff, not he because he wasn't there previously, but that he would not be completing travel and training forms.

Q. For himself or for anyone?

A. For himself. For himself. He would not be completing travel and training forms. And we've done that for Sheriff Oelrich and Sheriff Darnell throughout history.

BY INSPECTOR RIDDICK:

Q. Was the agency still paying for training and

travel, though?

A. Oh, yes.

BY MR. KRAMER:

Q. So how does that work?

A. He has an agency credit card, as many of the bureaus do. So when he would go on travel and training or, you know, to gas up his car, he's got an agency credit card. And so he would just charge things off to the credit card, and there's no documentation.

So he goes to the Florida Sheriff's Association Conference, wherever it is. He obviously stays in a hotel. He drives the gas to get there. So he just -- instead of completing a travel and training form that documents that's where he is and what he's done for the last three days of the conference, that he left at such-and-such and came back, which is why his per diem is what it is, that form isn't -- the sheriff doesn't have to complete that form anymore; all others do.

Q. So does he still collect a per diem?

A. As far as I know.

Q. How is the amount of the per diem determined if there's no documentation?

A. I don't know. The accounting budget and

personnel would have to provide that to you.

Q. Are those forms kept by records or kept by Alachua County?

A. Accounting and budget. No, by ASO; but accounting and budget, not by records. If somebody had sent a public record request, they would have sent it to records, and I would have forwarded it to our accounting and budget personnel to provide them.

Q. So this is untrue for an undersheriff. He would provide a --

A. That is my understanding. He still provides travel and training forms if he goes someplace on behalf of agency, but the sheriff does not.

BY INSPECTOR RIDDICK:

Q. Do you know what bank the credit card is drawn on?

A. No we just changed banks, and I don't remember. I didn't note it.

BY MR. KRAMER:

Q. Are the credit cards issued through the county?

A. No, they're issued through our accounting and budget personnel. All of our finance is through the Alachua County Sheriff's Office, A and B. The county only distributes 1/12th of the budget to us monthly,

and then it's up to us to distribute that into the various accounts and manage all of our accounting, purchasing, credit cards, everything that we do, payroll, all of that.

Q. Who audits records?

A. The only audits records has is by the Florida Department of Law Enforcement in terms of our FCIC, NCIC transactions and the -- we participate. We're not the direct contact.

So FDLE conducts two different audits related to the agency, and that is one for FCIC NCIC entries and operations, and then the other is for our security awareness performance.

Q. Do you know who audits sheriff's office finance, the accounting and budget process for the sheriff's office?

A. It's an accounting firm, local, and I don't know the name of them. I could get it for you easily, though.

Q. Is it through the sheriff's office that the auditing is done, or is it the county? Like, who orders the audit?

A. It's an independent audit that is done every three years annually, and it just happens, from my understanding. There's no special order for a new

audit. It's a routine thing.

Q. When is the last time that happened? Do you know?

A. It's annual. Last year.

Q. Oh, it's annual. I thought you said it's every three years.

A. No. The FDLE audit of FCIC is every three years.

Q. But then accounting and budget?

A. Accounting and budget's annual audit is by a local, if I recall.

Q. It's annual?

A. Yeah.

Q. Okay. Anything else that you have notated that is unusual or meets the criteria that I've described to you that we've haven't talked about?

A. So at some point -- I don't know if you guys have the circumstance to know what I'm talking about.

So many years ago we were -- we, the Alachua County Sheriff's Office, was audited by the IRS. And during that audit, it was determined that, for those individuals that we assigned a vehicle to that were command staff, they had to pay taxes on that as a benefit. We were not doing that taxing correctly. So the outcome of that was, we learned that we had to tax

by the highest or most expensive method possible as a benefit to our employees.

When Sheriff Watson came in, that policy was not appreciated, and as such, Jacob Rush was apparently assigned to look into the matter. He referenced Leon County Sheriff's Office, who taxes at a different rate per their policy. As such, Sheriff Watson implemented or changed that taxing procedure to the way Leon County does it. That is against what the IRS audit required at the time. So accounting and budget personnel would have more information on that.

Q. You seem to have provided some additional documentation. What was that in reference to?

A. Well, all it is, there's two reports here. One is a termination report, and the other is the new hire; and it simply reflects all of the people that have left the agency since January 5th of 2021 when Sheriff Watson took office. And what it reflects is -- and I made an adjustment because the guardian participants at the schools is included in these lists, and they are not paid employees of this agency. They had to be for documentation of the training bureau and that sort of thing, but -- so anyway, since that time we have lost 323 employees, many of whom simply left the agency.

You'll note that the reason code is retired, voluntarily terminated, that sort of thing, deceased, but the retirees, many of those people -- I'm not sure "many" is fair, but some of those retirees left because they -- because of the treatment of the agency. So sadly, that's the case.

So 323 employees have left the agency, and since that same time period we've only hired 131. So basically for every three people that have left the agency we have only been able to replace them with one.

Q. What's the net number of positions down?

A. 323 minus 131.

BY INSPECTOR SNOWDEN:

Q. Is that 192?

A. That sounds right.

BY MR. KRAMER:

Q. So essentially involuntarily staff reduction by 190-plus FTEs?

A. And the total FTEs is 867.75. And so if you look at the withdrawal percentage, it's 37 percent over two years. If you look at the net, it's still a 20-something percent. It might be just 20 percent.

BY INSPECTOR SNOWDEN:

Q. Where did you fall into that retirement

category? Were you planning on leaving on 3/31/23?

A. I made my full retirement, but the last two years have been extremely torturous.

BY INSPECTOR RIDDICK:

Q. Does that list have the date?

A. Yes, has the date of hire, has the date of designation.

Q. Does that include sworn?

A. Yes, it includes everybody.

BY MR. KRAMER:

Q. Does it include the jail?

A. Yes. The challenge is that it is by fund number, so it's a little tricky in terms of figuring who are jail personnel. Some of the funds are truly labeled properly. Some of them are a little more challenging.

Q. But the information is there if you can dissect it.

A. Yes, sir.

Q. Anything else?

A. Back to -- well, I won't label it. I will say yes.

What I've observed and take issue with, I guess, is that we have promoted people -- Sheriff Watson has promoted people from deputy and maybe

sergeant to positions of major over a very short period of time. And nothing against those individuals.

I didn't know Robert Stafford as the person that went from sergeant to major at the department of the jail. I know Lance Yaeger somewhat as a deputy. At the time I first met him he was a detective, and now he's major and possibly chief of staff; that remains remain to be seen if he stays.

But the point of those things is that Sheriff Watson came in and trusted just about no one in the agency. He demoted the two majors, which is his right, but then he took captains and moved them around from position to position to position. He's constantly moving people around, lieutenants and sergeants. And what that has done to this agency is that you have a lot of people in positions with little to no experience that did not work their way up, so those promotions, those individuals never worked as sergeants, lieutenants, captains. They have none of that management experience in a civilian agency. Yes, Lance Yaeger has military experience, but it's different.

As such, they're coming through the ranks -- they're not coming through the ranks. They're just

getting into these management positions, and Sheriff Watson trusts no one except these people that he's brought in around him. As such, the agency is no longer a team effort. Ideas are not being shared.

It's not a healthy organization anymore, and it is not the premier agency it was over two years ago, unfortunately, and it's very sad to see.

Q. Understood.

A. I would think Laura Knudson, Lori Stophel should be in your group, potentially, as people that have endured his wrath and had to leave earlier than wanting.

So Laura was a bureau chief, and do you want her story from my perspective?

Q. No, we're running out of time. I apologize. We need to move on, and we will reach out to them.

A. The accounting and budget, the wasteful spending, the changes between administrators. And I don't even know what I meant by that note, so never mind about that. Those are, I think --

MR. KRAMER: Let's talk about that drive, gentlemen, what is your -- what is it you'd like to do with that?

(An off-the-record discussion was had.)

(The statement concluded at 12:08 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that LINDA BROWN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named LINDA BROWN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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A. Sounds right.
Q. Are you with me so far?
A. Yes.
Q. It's our understanding the sheriff, his telephone has never been connected to that system. Okay?
A. Okay.
Q. So my question to you is, if the sheriff had anything on his phone that's a public record, how is it being preserved by the sheriff's office?
A. It is my understanding that it's not, because I remember -- and I'd have to produce -- I'd have to say produce the responses to be certain, but I seem to remember that I was told at the time the sheriff had not connected his phone or done the proper steps on his phone to be able to document -- was it the text messages, or was it more of the geocoding of his location? I'd have to see the -- I'd have to find the emails to do it.
Q. Understood. But my question is, since you're the public records custodian, or you have been for the administration until you left recently, was there any instance you're aware of where the sheriff had made any other effort to preserve public records that were created by text messaging referencing cases under

investigation which would be a public record?

A. Sheriff Watson never worked with me directly or indirectly to preserve any kind of text messages on his phone that I can recall, and I'm pretty sure there's nothing like that.

Q. And when you did have the one public records request for Sheriff Watson's phone that involved his phone you've referenced, you did end up providing public records from Sheriff Watson's phone to the requester?

A. That's what I'm trying to remember. I can tell you I remember messages from Joel Decoursey and Chad Scott and George Corine and all of them saying "I need to talk with you. Give me a call," but I'm trying to think if I remember seeing anything from Sheriff Watson going back to them.

Q. We can easily determine that because the public record response remains a public record at the sheriff's office.

A. Yes.

Q. And the requester was the PBA?

A. I'm pretty certain it was the PBA, and I can even tell you where it was saved in my K Drive, our shared -- we would have a drive that was specific to us and all of our emails and folders, and I maintained

all of that. And I wasn't able to have a copy to leave the agency, but it was in my K Drive under the PBA.

I might actually have that record because at the time we were saving -- I would save things -- any public record response, I would save it in a temp file to be able to duplicate it; and I have all those on a thumb drive from when I left the agency.

Q. Is that the thumb drive?

A. Yes, sir. Now, I haven't looked at it. I don't know that it -- I can't -- I mean, you'd have to test it to see; but it was cleared by our agency IT people before I used it to download the K Drive. So it was to be able to reference anything that I might need to, to help the agency after I left. So I think it should be on there if I saved it to that K Drive, or to that temp file.

Q. We'll address that in just a little bit.

You mentioned that there was an incident recently that you were concerned about that may have been either malfeasance, misfeasance, or unlawful by the sheriff. Can you tell me what that was?

A. It was more of a managerial decision. So after my retirement -- prior to my retirement, Courtney Bereka (phonetic) had been selected to

replace me. And effective January 2nd, she was supposed to begin working with me to learn my job and to help with a smooth transition.

So we did not get much time together to work, but there would be instances where something would -- I would take care of a task or a transaction that I thought would be rare and she should have a copy of it, or I would go into her office as the administrative assistant to Sheriff Watson, or executive assistant, excuse me, and share with her. And over that three-month period right before I resigned, she apparently -- and this part is hearsay, but she apparently made the decision that she preferred to remain as the executive assistant rather than transfer to the records bureau chief, and I was not made aware of that until after I left.

So a week after -- I'm not even sure how long. A few days after I retired from the agency, it was announced that somebody else would be taking my position; and that person has always worked in the corrections environment and, I don't believe, has any records bureau experience or law enforcement experience, just from a corrections perspective. He was a supervisor reporting to the bureau chief in booking support.

So he was selected to come over, basically, two weeks after I left. The administrative assistant, Marie Davis, had worked with me for over a decade and is probably the most informed about what I do as my assistant working with me, etc., doing the various tasks. She was also transferred at the same day that the new bureau chief would report. She was transferred out of the bureau and over to the department of the jail to report to the major.

My point of all that is that there are three supervisors reporting to the bureau chief each with only one year's experience or less. Then you take the administrative assistant, and you relocate her to another job that is pretty high requirement -- task requirement as the administrative assistant to the major of the jail. And then you bring in a corrections person with very little, if no, law enforcement experience, and that entire bureau, how do you think that's going to work out? Not well.

No experience, doesn't -- had no common time with the previous bureau chief. I don't know how that bureau is supposed to succeed with those circumstances. I would call that a misfeasance, I think, is how your term is. I would call that a terrible management decision, to have the success of

the bureau and -- with all of that bureau works with, how -- why would you do that?

Q. Understood. Were there other changes that occurred after Sheriff Watson took office that were unusual in how the procedures of the office would work or how your --

A. Procedures for the records bureau to work, or the agency?

Q. Well, the agency, the records bureau. I'm not -- I don't want to limit your response.

A. The records bureau under my management continued to do what it has always done, and we -- due to the staff shortages, it was much more stressful and much more difficult, but the bureau did keep its head above water, so to speak, and managed to get the majority of things done and still done well and accurately, completely. A lot of overtime was used to do so.

They are 50 percent down and have been for over a year. There has been efforts to continue hiring through the normal procedures. And at one point I was able to convince them to fast-track people because the alternative solution for the lack of employees was to bring in temp force personnel through Spherion. Those people would be interviewed by the

records bureau staff and determined appropriate or not, and then they would go through a fingerprint-based background check, and they would go through a drug screen, and that was it. And then they'd be brought into the agency, given access to all of the software systems and the critical information that we maintain through the records bureau. Versus an employee, when they go through the application process and the hiring process and the background process, they go through both of those two things as well as a psych eval and a physical agility -- or a physical, I'm sorry, just a physical, and then the background check where the background investigators of the agency would check their references and their employment history and determine that they are a good candidate for the agency.

So if we're doing so little for a temp force employee that we're giving the same access to as a regular full-time employee, why wouldn't we fast-track the incoming applicants that truly want a career with the Alachua County Sheriff's Office? Let's fast-track them, get in the door while you're doing the background process that you're not doing for the Spherion employee. Let me go ahead and start training them. If you find something that says they're not

going to be a long-term or great employee, and we're not going to hire them, then so be it; but that doesn't happen all that often based on the interviewing process.

So for a short stretch we were able to bring in four employees as -- on that fast-track program, but then after that the sheriff decided that we are not going to fast-track employees. So as such, the hiring process takes anywhere from minimal six weeks -- which I haven't seen anybody come in in a six-week period in forever -- to eight to twelve weeks because it takes a good eight weeks for the full background process to be completed. And then you have to do a file review that goes through the command staff and includes the sheriff, which typically there's a delay in getting a signature from the sheriff. And then, from there, if the applicant is still employed somewhere else, there's a two-week notice that they're giving their former employer. So many times the applicants that we interview that we really wanted would find work elsewhere before we ever got the background process done.

So that is the reason we have a 50 percent deficit in employees in the records bureau, and that's a big part of the agency, especially with civilian

personnel. That happens badly, badly with A and B for the payroll specialist and the accounts payable specialist. And that's all I can think of off the top of my head.

But that -- once again, the decisions that are being made are to the detriment of the agency and, obviously, the community.

Q. Is there any other instances that you're aware of where things have markedly changed because the administration changed?

A. So I was told by our -- that the salary personnel no longer have to enter time sheets. That was done almost immediately once Sheriff Watson took office.

Additionally, the sheriff made an order that he no longer would complete -- the sheriff, not he because he wasn't there previously, but that he would not be completing travel and training forms.

Q. For himself or for anyone?

A. For himself. For himself. He would not be completing travel and training forms. And we've done that for Sheriff Oelrich and Sheriff Darnell throughout history.

BY INSPECTOR RIDDICK:

Q. Was the agency still paying for training and

travel, though?

A. Oh, yes.

BY MR. KRAMER:

Q. So how does that work?

A. He has an agency credit card, as many of the bureaus do. So when he would go on travel and training or, you know, to gas up his car, he's got an agency credit card. And so he would just charge things off to the credit card, and there's no documentation.

So he goes to the Florida Sheriff's Association Conference, wherever it is. He obviously stays in a hotel. He drives the gas to get there. So he just -- instead of completing a travel and training form that documents that's where he is and what he's done for the last three days of the conference, that he left at such-and-such and came back, which is why his per diem is what it is, that form isn't -- the sheriff doesn't have to complete that form anymore; all others do.

Q. So does he still collect a per diem?

A. As far as I know.

Q. How is the amount of the per diem determined if there's no documentation?

A. I don't know. The accounting budget and

personnel would have to provide that to you.

Q. Are those forms kept by records or kept by Alachua County?

A. Accounting and budget. No, by ASO; but accounting and budget, not by records. If somebody had sent a public record request, they would have sent it to records, and I would have forwarded it to our accounting and budget personnel to provide them.

Q. So this is untrue for an undersheriff. He would provide a --

A. That is my understanding. He still provides travel and training forms if he goes someplace on behalf of agency, but the sheriff does not.

BY INSPECTOR RIDDICK:

Q. Do you know what bank the credit card is drawn on?

A. No we just changed banks, and I don't remember. I didn't note it.

BY MR. KRAMER:

Q. Are the credit cards issued through the county?

A. No, they're issued through our accounting and budget personnel. All of our finance is through the Alachua County Sheriff's Office, A and B. The county only distributes 1/12th of the budget to us monthly,

and then it's up to us to distribute that into the various accounts and manage all of our accounting, purchasing, credit cards, everything that we do, payroll, all of that.

Q. Who audits records?

A. The only audits records has is by the Florida Department of Law Enforcement in terms of our FCIC, NCIC transactions and the -- we participate. We're not the direct contact.

So FDLE conducts two different audits related to the agency, and that is one for FCIC NCIC entries and operations, and then the other is for our security awareness performance.

Q. Do you know who audits sheriff's office finance, the accounting and budget process for the sheriff's office?

A. It's an accounting firm, local, and I don't know the name of them. I could get it for you easily, though.

Q. Is it through the sheriff's office that the auditing is done, or is it the county? Like, who orders the audit?

A. It's an independent audit that is done every three years annually, and it just happens, from my understanding. There's no special order for a new

audit. It's a routine thing.

Q. When is the last time that happened? Do you know?

A. It's annual. Last year.

Q. Oh, it's annual. I thought you said it's every three years.

A. No. The FDLE audit of FCIC is every three years.

Q. But then accounting and budget?

A. Accounting and budget's annual audit is by a local, if I recall.

Q. It's annual?

A. Yeah.

Q. Okay. Anything else that you have notated that is unusual or meets the criteria that I've described to you that we've haven't talked about?

A. So at some point -- I don't know if you guys have the circumstance to know what I'm talking about.

So many years ago we were -- we, the Alachua County Sheriff's Office, was audited by the IRS. And during that audit, it was determined that, for those individuals that we assigned a vehicle to that were command staff, they had to pay taxes on that as a benefit. We were not doing that taxing correctly. So the outcome of that was, we learned that we had to tax

by the highest or most expensive method possible as a benefit to our employees.

When Sheriff Watson came in, that policy was not appreciated, and as such, Jacob Rush was apparently assigned to look into the matter. He referenced Leon County Sheriff's Office, who taxes at a different rate per their policy. As such, Sheriff Watson implemented or changed that taxing procedure to the way Leon County does it. That is against what the IRS audit required at the time. So accounting and budget personnel would have more information on that.

Q. You seem to have provided some additional documentation. What was that in reference to?

A. Well, all it is, there's two reports here. One is a termination report, and the other is the new hire; and it simply reflects all of the people that have left the agency since January 5th of 2021 when Sheriff Watson took office. And what it reflects is -- and I made an adjustment because the guardian participants at the schools is included in these lists, and they are not paid employees of this agency. They had to be for documentation of the training bureau and that sort of thing, but -- so anyway, since that time we have lost 323 employees, many of whom simply left the agency.

You'll note that the reason code is retired, voluntarily terminated, that sort of thing, deceased, but the retirees, many of those people -- I'm not sure "many" is fair, but some of those retirees left because they -- because of the treatment of the agency. So sadly, that's the case.

So 323 employees have left the agency, and since that same time period we've only hired 131. So basically for every three people that have left the agency we have only been able to replace them with one.

Q. What's the net number of positions down?

A. 323 minus 131.

BY INSPECTOR SNOWDEN:

Q. Is that 192?

A. That sounds right.

BY MR. KRAMER:

Q. So essentially involuntarily staff reduction by 190-plus FTEs?

A. And the total FTEs is 867.75. And so if you look at the withdrawal percentage, it's 37 percent over two years. If you look at the net, it's still a 20-something percent. It might be just 20 percent.

BY INSPECTOR SNOWDEN:

Q. Where did you fall into that retirement

category? Were you planning on leaving on 3/31/23?

A. I made my full retirement, but the last two years have been extremely torturous.

BY INSPECTOR RIDDICK:

Q. Does that list have the date?

A. Yes, has the date of hire, has the date of designation.

Q. Does that include sworn?

A. Yes, it includes everybody.

BY MR. KRAMER:

Q. Does it include the jail?

A. Yes. The challenge is that it is by fund number, so it's a little tricky in terms of figuring who are jail personnel. Some of the funds are truly labeled properly. Some of them are a little more challenging.

Q. But the information is there if you can dissect it.

A. Yes, sir.

Q. Anything else?

A. Back to -- well, I won't label it. I will say yes.

What I've observed and take issue with, I guess, is that we have promoted people -- Sheriff Watson has promoted people from deputy and maybe

sergeant to positions of major over a very short period of time. And nothing against those individuals.

I didn't know Robert Stafford as the person that went from sergeant to major at the department of the jail. I know Lance Yaeger somewhat as a deputy. At the time I first met him he was a detective, and now he's major and possibly chief of staff; that remains remain to be seen if he stays.

But the point of those things is that Sheriff Watson came in and trusted just about no one in the agency. He demoted the two majors, which is his right, but then he took captains and moved them around from position to position to position. He's constantly moving people around, lieutenants and sergeants. And what that has done to this agency is that you have a lot of people in positions with little to no experience that did not work their way up, so those promotions, those individuals never worked as sergeants, lieutenants, captains. They have none of that management experience in a civilian agency. Yes, Lance Yaeger has military experience, but it's different.

As such, they're coming through the ranks -- they're not coming through the ranks. They're just

getting into these management positions, and Sheriff Watson trusts no one except these people that he's brought in around him. As such, the agency is no longer a team effort. Ideas are not being shared.

It's not a healthy organization anymore, and it is not the premier agency it was over two years ago, unfortunately, and it's very sad to see.

Q. Understood.

A. I would think Laura Knudson, Lori Stophel should be in your group, potentially, as people that have endured his wrath and had to leave earlier than wanting.

So Laura was a bureau chief, and do you want her story from my perspective?

Q. No, we're running out of time. I apologize. We need to move on, and we will reach out to them.

A. The accounting and budget, the wasteful spending, the changes between administrators. And I don't even know what I meant by that note, so never mind about that. Those are, I think --

MR. KRAMER: Let's talk about that drive, gentlemen, what is your -- what is it you'd like to do with that?

(An off-the-record discussion was had.)

(The statement concluded at 12:08 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that LINDA BROWN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 19, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named LINDA BROWN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 19, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

JOSEPH BRANAMAN

DATE TAKEN: April 26, 2023
TIME: 1:42 p.m. - 3:00 p.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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Certified Stenographic Reporter
Notary Public, State of Florida
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- - -

WHEREUPON,

JOSEPH BRANAMAN

acknowledged having been duly sworn to tell the truth and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. Would you state your name, please?

A. My name is Joseph Branaman.

Q. And Mr. Branaman, are you now or have you been a certified law enforcement officer in the State of Florida?

A. I have been, yes.

Q. Are you now?

A. My standards have not lapsed yet.

Q. I'd like to start by reviewing your law enforcement history with you. I know that you were employed by the Alachua County Sheriff's Office, but have you been employed in other capacities as a law enforcement officer?

A. I have.

Q. What is that?

A. I started in Hendry County in 1989. I was an auxiliary deputy. I went full-time in '92. I came to Alachua County in 1995 and worked until 2022.

Q. When you retired?
A. When I retired.
Q. And can you tell me what positions you held at the Alachua County Sheriff's Office?
A. Yes. So I started out in patrol. I became a field training officer and an in-house instructor, and I moved and made detective in 1995. Through the detective progression, I started in property crimes, then moved to crimes against children. I moved to homicide. And then in 2006 I was put on loan full-time to the FBI where I served until I left as a counter-terrorism, counter-intelligence in weapons and mass destruction.
Q. As a -- I don't know the correct term.
A. Task force officer.
Q. Task force officer?
A. Correct.
Q. So you were under the supervision and direction of the FBI, but you were being paid by the Alachua County Sheriff's Office?
A. That is correct. So through the MOU, all of my supervision leave requests, everything was through the FBI. I drove their car, worked out of their office, traveled for them and had minimal responsibilities in the detective bureau in the

sheriff's office. I was the team leader for the marine operations underwater recovery team, and then --

Q. Is that the position you were in at the time of your retirement from the sheriff's office?

A. Yes and no. I was -- we'll get to the discipline. I was transferred via phone, and then I went in and said, "I'm done."

Q. Okay.

A. I was brought back to the CID.

Q. So you were transferred to CID, and then in a very short period of time thereafter you submitted resignation and retired?

A. Yes and no. I had submitted my retirement back in, I believe it was, May, and requested leave to burn leave that was on the books -- it was use or lose -- in the way that many others have done to get me to August 10th.

So August 10th was 30 years day-for-day. It's kind of corny, but I wanted to go out on the day I started. And then I was refused most of that leave that I lost, and then I started catching progressive discipline.

So there's something called transitional leave at the sheriff's office. And after that last

write-up, I said, You know what? It's not worth trying to get this leave. I'm going to go on transitional leave," which would mean I would be at home to burn that leave. And they made me turn everything in, car, badge, gun, access, and basically for that last month I was not at the sheriff's office sheriff's office.

Q. But you're on-the-books last day would have been August 10th.

A. The 12th. It was a Friday.

Q. Of 2022?

A. Yes, sir.

Q. Okay. So we'll get to that aspect of it because I think it relates to other things we're going to talk about. I want to talk about what your current employment is.

A. I am a corporate supervisor with Resilience Government Services.

Q. And that's fancy. I don't know what that means. What do you do?

A. So I am one of nine who work for corporate security in that company. So Resilience Pharmaceuticals manufacturers medicines and vaccines. They also do medical research. We have a very large facility here in the City of Alachua that has a

research component to it as well as a manufacturer. So they manufacture what you would buy over the counter from Feussner or Merck, or someone like that would contract with Resilience to produce it.

Q. Got you.

A. They have 22 sites globally, and we have a contract guard force that does the gates. They're the person you would see when you would roll up. Our role is the internal investigations, background investigations.

Q. Internal security?

A. Internal security, insider threat, things of that nature.

Q. And what relation, if any, do you have with the PBA?

A. I am still the president of the North Central Florida Chapter of the PBA.

Q. And is the position that you hold the type of type of position PBA represents people in at this facility. It's not a law enforcement?

A. It is not law enforcement, no. I could not do either one of those roles if it was going to be a conflict, and I have to sign a no-conflict with the company.

Q. Got you. What was your role with the PBA

when you were employed by the sheriff's office?

A. From, I believe it was, June 4th of 2021 until I left I was the president.

Q. Okay. And what would you do? What would your responsibilities be to the PBA when you're the president?

A. So the president is responsible for managing the chapter. Our chapter goes from, roughly, Suwannee County all the way down to Ocoee. It's not just Alachua. Alachua is our biggest unit.

So I'm responsible for coordinating with the main office with legal or with the business office to pay the bills, make sure the chapter runs, to provide any information to the state that would allow someone to be represented in a discipline matter, an officer-involved shooting matter, any type of a grievance, and also contract negotiations.

Q. So -- but you do not normally represent -- you don't serve as a representative to an officer in a grievance proceeding yourself?

A. That is correct. We have staff or we have attorneys or contract attorneys.

Q. Understood. So I want to start talking about the 2020 election and ask you if you can describe anything that was unusual, illegal, improper that

occurred during the 2020 election between Sadie Darnell and Clovis Watson.

A. Absolutely. So it's standard throughout most chapters that when you have an election coming up, people are going to be seeking your endorsement. So we will convene a board, and we will do interviews. So judge, state attorney, sheriff, whoever, city commission, county commission, those candidates will come in and meet with us; and just like we're doing here, we will ask questions. They will answer it. We usually have a questionnaire that we fill out -- or they fill out.

And then the board gets together, makes the decision of who the person is that would be best aligned with our objectives, which is protecting our public safety officers, and then we would grant that endorsement. It's done by a vote by that board.

So that took place in 2020. The only two candidates at the time was Sadie Darnell -- Sadie was the incumbent -- and Clovis Watson, Jr., who was running against her. The board met. We took a vote, and that vote was to back Sheriff Darnell.

And Bobby Stafford -- you probably heard that name -- he was the president at the time. Several days later, I don't know what the days were -- 2020,

as we all know, was kind of a messed-up year. We weren't really getting to meet in person and do things like we normally would. But he reached out to some of us on the executive board. I was senior vice-president at the time. He started saying, "Hey, look, I want to talk about Clovis Watson. We need to kind of take a better look at Clovis."

I was very familiar with Clovis. I'd been here for quite sometime when Clovis was city manager up in Alachua. I kind of knew some of the things that were talked about with Clovis, and did not think that was a good idea. That was some of the things the board had discussed, felt like we had already been over that.

He was very adamant. "We really need to look at Clovis again. I think he's somebody that's going to come in and do good things."

We had a board meeting at some point where him and George Corine, who at that time was a staff employee of the PBA -- he was a past chapter president. He had retired from the sheriff's office. Him and Bobby disclosed to us that they had been having at least one meeting with Clovis Watson and Joel Decoursey, who's now the undersheriff at the Alachua County Sheriff's Office and had served in

several different roles at the sheriff's office, Alachua PD, and High Springs PD.

Our first reaction to that was, "Hey, Prez, why are you meeting with somebody outside the board? That's not the way we do things. That's not how we've ever done things. Why is that happening? "

"Well, you know, they reached out to us and wanted to talk to us. We went and talked to them, and we really want to look at him some more."

Some of us disagreed with that. We'd already made a decision. We're not going to go back on our decision.

So this is over a period of days, weeks.

Q. Had your decision already been announced to the public?

A. I don't recall, and any documentation is gone. I went through the office today through the files, and any minutes from any meetings that we had at that time are not there.

When I received the laptop that I've got here from President Stafford when I took over, it was blank. So any documentation and records of who made a motion, when that motion was made, unless he has them somewhere, I don't have them.

So over that period of time they just kept

hitting, you know, "Hey, we've had these meetings. We're continuing to meet with them."

I don't know the exact number and who all was involved in the meetings other than George and Bobby, but at some point Bobby personally reached out to me in a phone call, was very adamant, very confrontational, "Hey, look, we need to do this. We need to get on board with Clovis. We need to back him."

I explained, "Look, I talked to a lot of people at the sheriff's office. Nobody that I've talked to thinks that's a good idea."

He says that has. I asked for names. He could not provide names, or would not provide names. And then he went with and stuck with, "Well, I think just a lot of people are scared of retaliation from Sheriff Darnell, so they're scared to put their name out there. They're scared to do this endorsement."

My feeling was and is and always will be that we're an elected board. We're there to serve the members and look out for the members on their behalf, so that's where I was basing my decision.

We then -- he called a meeting via conference call, has everybody on the board on the phone. So that includes people from UPD, Chiefland, all those

agencies that I talked about earlier. If they have a contract, they have a board member, so they have a say in this. A lot of them, you know, I have no clue what's going on in their day, so they're kind of going to go normally with what the president says.

So he was driving that train on the meeting of we need to have -- we need to have a new vote. He brings up again that he's talked to people, and they're afraid to go against Sheriff Darnell.

So we hold a vote. Everyone votes to support Clovis except myself; a guy named Chuck Drake, who is on the executive board still; and an outgoing person on the board named David Tuck, who you probably talked to.

So tuck at the time was on the board. He was still at the sheriff's office, and he wasn't employed by PBA. Tuck's response was, "I'm not even going to vote. I'm going to abstain. This is just not ethical."

There's still discussion about it, a lot of back and forth, and Bobby Stafford is like, "You know, this needs to be an unanimous decision. We need to have another vote, and we all need to vote to support Clovis." He just kept manipulating the vote.

We find out there's been a Survey Monkey

that's been sent out to the members. We ask for the results of that, and Stafford tells us, "Well, I don't know what the numbers, and I don't have it because I wasn't in this role. Based on the data I have, you know, it's close, but everybody picked Sadie."

I'm like, "Well, hold on. What do you mean, 'the data you have?'"

He's like, "Well, we have to pay money to get all of the results."

I'm like, "We have to pay the money. We can't base a vote on not all the information. That's kind of ridiculous."

So there was a lot of back-and-forth about paying the money. I think maybe I made a motion like, "I make a motion we spend the money to get all of the data."

So they did, and it was still in favor of Sheriff Darnell.

So a lot of back and forth on that phone call again about why are we revoting, why are we changing the endorsement. I suggested we just -- we don't endorse anybody. We just say there's too much back and forth. We'll explain it to the sheriff, we'll explain it to Clovis, and we will support and work with whoever holds that office.

A UPD officer named George Castranova was on the board. He made a motion that we have another vote and that we have to vote for somebody. We can't have a "don't endorse anybody" vote.

So that carries. We have another vote. The results were the same. Myself and Chuck Drake vote for Sadie. Chuck abstains. The endorsement switches to Clovis.

That was pretty early on; and after that, I was not involved in any phone conversations, any meetings. They continued to meet with Clovis Watson and his team, and then we get into the election.

So the -- in that meeting after we were done Stafford admonished everybody, don't talk about this. You know, basically what happened here needs to stay here. We don't need to go tell the members that all of this conflict happened. It needs to be a united front. The message is we, the PBA, are supporting Clovis Watson, Jr.

I had actually typed up my resignation and was going to leave, and my wife talked me out of it. If you don't stay there, nobody is going to have a voice. Like, this guy is going to continue to do foray -- "foray" is the word I'll use in there, but it's going to continue. So I stayed.

The very next day members -- you know, cops can't keep a secret to save their lives. It was out. So we're getting, you know, hate mail, phone calls from members like, "What is going on? We do not want to back this guy. This is bad."

They're mad at the board. "Why did you go against us, the members?"

So I know I did, and I know Drake did, we sprained to people what had happened. I'm not going to lie to people. It's not what we were there for.

So they continued to have meetings. I don't know -- Bobby -- I don't know so much about George, but Bobby was very active in his campaign after that, hanging signs, wearing tee shirts. He was onboard with that from the beginning. That's not something that is that typical.

We do social media. We'll put the endorsement out there. We provide endorsement letters. Election day, if we can, you know, we'll have people out there holding signs, but it was just out of ordinary. I'm not saying that that's wrong. I mean, you believe what you believe, and you back who you want to back; but Bobby was very, very much out there.

June of 2020 a guy named Robert Brinkman --

have y'all heard -- Brinkman enters the race. There is no republican candidate. Republicans are not allowed to vote in the August 18th election. Clovis wins that over Sadie. August 28th, Brinkman drops out of the race. We really didn't know anything about that at the time, so we start taking a look at that.

TV 20 -- and they've probably got a record of it -- goes out very soon after that and does an interview with Brinkman, he's got a "Vote for Clovis" sign in his yard. He never had a campaign event. He never raised money. He never did anything. And then we find out he did the same thing in 2012 for the District 20 race when Clovis won his seat at the state house.

Again, I don't know if that's illegal. It certainly seems unethical and sucky way to win an election, but he did it. He's done it twice with the same guy.

BY INSPECTOR RIDDICK:

Q. Has anybody said anything about whether or not he might have got paid to do so?

A. PBA is not an investigative body. I can't --

Q. I didn't know if you'd heard.

A. That's always been speculated. I understand he got a vehicle shortly thereafter that he purchased.

I've not done any searches. I know -- I can give you a name of one of the FBI agents that does, I'm assuming, similar to what you guys do, political corruption. I think he took a look at some things, but I'm not privy to anything that he did or found out.

INSPECTOR RIDDICK: All right. Thank you.

THE WITNESS: Yes, sir.

That gets us to Clovis taking office in 2021.

BY MR. KRAMER:

Q. Right. Because we know some of what's here. So, really, I want you to -- if there's something that is specifically, you think, illegal, malfeasance, misfeasance, if you can describe those things. Because there's a lot to talk about here.

A. There is. So he comes back into office. Immediately George and Bobby seem to benefit from their support.

George comes back as a major. There wasn't a lot of heartburn with that, necessarily. He was a captain before he left, so coming back as a major is not -- you know, I told you I came from Hendry County. The reason I left Hendry County was because every four years deputies were getting majors, majors was getting deputies. There was not stability down there, but

I've never seen anything like this.

Bobby promotes to lieutenant. He was on the list to be promoted; fair, but then almost immediately he's promoted to be a captain of uniform patrol division. It's a pretty big leap, but the really big leap was when he was promoted right around June to become the major at the jail.

So the major of the jail is essentially the jail director. Bobby has never been a corrections officer. He's never worked at the jail. He's never worked with a multi-million-dollar budget. So your malfeasance to me is putting an unqualified person in a position that they're going to fail. And they immediately put a lady named Dorian Keith kind of in his pocket to guide him through the world of corrections.

But that caused quite a bit of heartburn with our members of, you know, look at you PBA guys. You backed this guy, and now George is a major and Bobby is a major. So it's kind of where all the issues lie with that.

Little things with his narcissistic behavior that happens when he comes in. He immediately transferred everybody who had publicly through social media or other, said something negative about him or

made it clear they wanted to back Darnell. He gutted the detective bureau, transferred out people with years and years of experience in CID and then brought in people that were not qualified, and we'll get to that.

Things like on the back of everybody's vest -- you've heard, I'm sure, the patches. You know, spends $3,500 pulling patches off because Joel Decoursey, quote: There's only one sheriff in this agency.

Jason Levy was transferred from his position because he walked up and said, "Hey, young man, how you doing?"

And Jason is admonished by Joel Decoursey, "You will address him as sheriff and only sheriff."

And then Jason is transferred.

A jail person -- and, again, these are things I've heard -- passes him in the hallway and says, "Good morning, sir."

He's called in the office. "You will address him as sheriff."

He creates positions and brings in cronies. He brings in Michelle Sherfield to a position that never existed. He made her a bureau chief of the government community affairs unit. It's a bureau

chief of her. So now he's paying bureau chief salary to an employee, taxpayer dollars. She supervises no one. Her title has now changed to director, which is the equivalent of a major. Her salary is still around 78,000; it's in the bureau chief level, but she supervises no one.

Q. Is there a job responsibility?

A. We have no idea what it is. I'm sure there's something on paper that says what her job description is. He will tell you she quails riots. You know, we've had all these officer-involved shootings, and she talks to the community and, you know, we're not going to burn like some of these other places because of the work she does.

If you wanted to interview guy named Rich Lalonde. He sits in the office beside her. Walls are thin. He might have some information about she talks a lot about his campaign and things that don't sound like what she should be doing while she's working.

If you bring up her social media right now you'll see a whole bunch of Facebook lives that she's on the clock streaming from her office, which violates our policy -- excuse me, it's not ours anymore -- their that we've had members lose their jobs over.

Q. Specifically, is there indicia of the

sheriff's office visible in those posts?

A. There's not. I know the building, so I know the green paint on the wall and the ceiling tiles, and she's in the clothes that she wears to work.

When she first -- and we also created a position and brought in her son, who was hired immediately after Clovis took office.

Q. To do what?

A. He was initially in the PIO office, public information office.

Q. I understand. What's his name?

A. Brandon Johnson. That didn't last long, and now I believe he is in teen court.

BY INSPECTOR RIDDICK:

Q. Is he sworn?

A. He is not sworn.

So there was information given to OPS early on about the both of them. They had a very big social media presence, a lot of what our members felt were BLM and anti-cop sentiment on their website, which again, is a no-no as other members have gotten in trouble for. Instead of it becoming a counseling or an investigation, it just disappeared from their website, to my knowledge; but nothing ever happened to them. As of last night when I looked at it, she's

still live streaming from her office.

He created a chief-of-staff position, which is a new civilian position that we've never had before.

Q. That's held by whom?

A. Well, right now it's held by Lance Yaeger. It was held by Danielle Judd. Danielle Judd, if you go back and look at the history, is somebody how has been kind of a protege of Clovis throughout his career. She was with him at the City of Alachua. Her daughter was with Clovis at Alachua. She came over as his administrative assistant. She has since left and Ms. Judd has since left.

BY MR. KRAMER:

Q. And do you know why she's no longer there?

A. I do not know why. I can tell you some of the people that work for her have mentioned that her and the sheriff had a falling out.

BY INSPECTOR RIDDICK:

Q. Yaeger is no longer the major over CID?

A. No, sir.

Q. When did that cease?

A. As of yesterday, Sunday night. So Lance Yaeger is now the chief of staff; but when we had bargaining Monday, he's still wearing a badge and gun.

So it's a civilian position. I'm not sure how that impacts his high-risk retirement, but he is supervising civilians.

BY MR. KRAMER:

Q. How do we know that that's a civilian position?

A. He created it. It never existed before. He created it and filled it with a civilian. They do not have anything to do with operations. It's all the admin side, so accounting and budgeting, HR, dispatch center.

Q. I guess my question is too technical. I'm thinking in terms of -- because, obviously, like I can create a position for my agency.

A. Sure.

Q. I don't have this problem because I -- well, I do have sworn officers, but it doesn't matter in my agency.

But when they create a position, is there some kind of designation as to whether this is going to be a sworn position or unsworn position? Because I think that would matter to the PBA, right, if you're renting these folks?

A. Absolutely, because it would -- it moves them out of the bargaining unit, essentially.

So command staff is outside of the bargaining unit. They're not covered by the contract. So once they created a position for him that we'll get to, chief of detectives, he was out of the bargaining unit. He can still be a PBA member. So if he were to go out and have a critical incident, then we could represent him in that; but as far as the contract goes, they're now at the whim of the sheriff.

Q. Is there some designation that's in the process of creating new positions that the office makes to say this is only to be filled by sworn, this is only to be filled by unsworn?

A. I can't speak to that. That would be a Patty Justice question, or Rashawn Flanders.

Q. So they create this chief of staff position.

A. So Daniel Judd comes into that position. So a lot of -- in my opinion, funding that the sheriff had for FTEs was diverted to FTEs that weren't on the books, that he created. And again, I don't know what authority he has to create FTEs. That would be a Patty Justice question. But he created these FTEs, and now they're making six-figure salaries while we have deputies at that time, you know, starting in the low 40s.

Q. And so what about any other conflicts of

interest as far as his general counsel is concerned?

A. So he brought in Jake Rush. Jake Rush had been a deputy with us for a period of time. He left. I don't know where Jake went. You know, we don't run in the same circles. So he just appeared and became the general counsel.

And if you ask about any of these promotions, Bobby, George, Jake Rush, like we had no idea this was coming. This was just spur of the moment. The sheriff called me and asked me to do this. But Jake Rush was at his swearing in on the day of.

So Jake Rush is tied to Robert Rush. I don't know how -- you're obviously very familiar with Robert Rush.

I'm not sure how familiar you guys are with Robert Rush. He is a well-known attorney here in town. He makes a living with lawsuits.

Back in the day I was bitten by the K-9 making an arrest. Dogs don't know who the good guy and bad guy is. And I got a letter in the mail from Robert Rush. You know, hey, I understand you were recently bitten by the sheriff's office K-9. I represent and have represented victims of this. I'd like to represent you. So that kind of attorney.

He has ties to Clovis through a business that

Robert Rush is a part owner in, the CSI Academy. Again, this is all stuff that I've been told. When Clovis was in the house, they did something to facilitate that CSI Academy coming here to Alachua County. So now his son is the general counsel.

When we had a media campaign against the sheriff, Robert Rush would write letters against me saying what a great guy sheriff Clovis Watson Jr. is and, you know, how I'm wrong in my facts and figures. So there is still a connection.

Then recently, within the past year, he brought in a guy named Alan Henderson, who was with him in the City of Alachua. There's some great YouTube videos of a deposition with Alan Henderson. In the first eight minutes he admits to removing ballots from a ballot box when they had a city election because the woman came back in and said, "Hey, I ran into Clovis in the parking lot, and I voted for the wrong person. I made a mistake on my ballot."

So he opens up the ballot box, pulls the ballot, destroys it and allows her to revote. So he's now an employee with the Alachua County Sheriff's Office. He was brought on board when --

Q. In what capacity?

A. To replace Tara, Tara. So Tara, Danielle Judd's daughter, has left as his executive assistant. He is now sitting in Diana Jacobs' office managing special projects. Again, if you ask someone what that is, they will tell you they have no idea what he does.

It's my understanding there are some OPS complaints about him with inappropriate comments to female employees, so I don't know the -- he's obviously not someone we represent. I don't know what the status is, but he's still employed there.

The sheriff became involved in promotions and transfers, so that's not something that has ever been normal. And I've been involved in that process from sitting on hiring boards in the detective bureau, from being a team commander and selecting people to be on the team, going through a hiring process with them, interviewing candidates.

We started being told you got to put a picture with a file. You know, the sheriff doesn't know everybody, so he just wants to see a picture of who those people are. So I did have to do that for one of my dive team tryouts, but it never impacted me. I do have knowledge where it impacted other areas, one of which is CID.

Again, I'd been there since '99. At that

time CID was different. Somebody had to die or retire for you to go get a chance to go be a detective, and you had to have a pretty good amount of experience and background. You didn't have young people in CID; it's the way things were back then, but there's always been a hiring process. You need to come in, convince that board what you've done in your career that would make you be an asset to CID.

I had a guy named Cleveland Cox who interviewed for CID and was told by the board, "Hey, it's just not your time. Go back, get some experience, make some cases, develop a reputation, come back and see us."

Several days later Cleveland Cox shows up in a shirt and tie and says, "Hey, the sheriff says I'm a detective. Where is my desk?" kind of thing.

I believe Todd Kelly was the captain. It could have been Daryl Bessinger. We've cycled through several captains in CID. They were like, "We had no clue this kid was showing up."

Same individual, Cleveland Cox, tries out for SWAT. SWAT, dive, and bomb are kind of the Tier One special teams where you are put in situations where you got to depend on the person on your right or your left; it's just the way it is.

So for those teams, it has always been an unanimous vote from the team. The whole tryout is an evaluation. People are judging that person on how they interact with the team, how they carry themselves, how safe they are.

My understanding is when SWAT sat down to vote, it was a resounding, "We don't trust this guy to go through a door with us. He's not going to be on the team."

So word got back to the SWAT commander. "He will be on the team, and he will be an operator."

So there's different positions on the team; same as my team with the dive team. You might start out driving the boat and work your way up to getting in the water. SWAT commander did what I did, and he voiced his opinion and was transferred and relieved of command of the SWAT team; and this is a person with years of experience on the SWAT team.

Q. And we are aware of that, so let me move you along a little bit because we're aware of the situation with Lance Yaeger. Unless there's -- again, I'm going to reiterate if there's something you specifically know that was in your presence, I'd be interested to know that.

A. I do. I want to talk about Cox.

Q. Okay.

A. So obviously -- we'll get it out there -- race is going to be an issue with the lawsuits and with this.

One of the complaints from the members are, is that Clovis is promoting people by the color of their skin that aren't qualified. So people are going to maybe tell you, hey, Cleveland is competent.

I was an instructor at the agency. One of the things we do every year is, we do scenarios where we do force on force, direct threat. We put people in their full duty gear. They have sim rounds. We introduce stimulus through firing blanks, yelling, screaming, and they have to go handle a problem.

So this particular situation was a hostage situation in a school. So you had several people sitting at desks that were students. You had a bad guy in the room that is holding a person hostage. You have two teams of three or five that respond to that scene, and then they have to make the bad thing stop. So the other team had made entry into the room, stopped the threat with the bad guy, and were doing a secondary sweep.

So the role players were all wearing civilian clothes. The police officers are wearing their

training uniforms, BDUs, armor, so they've got a plate carrier that says -- at that time I think it said sheriff on the back, and that's what they're doing.

Cleveland Cox is on the second team, comes running into the doorway, wide eyed, heavy breathing, with a rifle. I'm one of the students sitting at the desk. He's fanning everybody in the room, looking at everybody in the room.

The other deputy that was already in the room wearing a uniform with a rifle starts to turn around, and I saw it coming. Cleveland fixated on that, and then he killed everybody in the room. He shot the hostages, he shot the other cops, he shot the bad guy, he shot the red-shirt safety officer in the room.

So the negligent decisions and malfeasance of putting people in positions --

Q. That's a failure, I would assume?

A. That's a big failure. In fact, that would almost be a, hey, you need to go home for the day, that was such a bad failure; and it's documented somewhere.

Q. Is it a failure in the sense that now he needs to go back for training? Or is it a failure --

A. He would go back and retrain, absolutely.

Q. And this is for SWAT?

A. No. This is every deputy runs through this every year, but he is now on SWAT.

Q. Right. So what you're saying is that someone who has failed the most basic training in the most egregious format that one could fail, instead of being sent back for retraining is put on the SWAT team.

A. He probably had a remedial that day; because we address it immediately like, Hey, you're going run that scenario again, and you might want to think of some things," but that person is still on SWAT.

Q. Understood.

A. So that's where I think some negligent decision-making on the part of the sheriff is that he's putting other officers at risk, he's putting citizens at risk. You know, God forbid he responds to a school shooting.

Q. I just want to --

A. And then did anything come up with Cox's internal affairs investigations?

Q. Yes, we've talked about it. Just for sake of time, unless you guys want to follow up on anything, I want to move -- because I think it's something we have not heard, is the retaliatory conduct towards you yourself as you're ending the end of your career where because of your -- what I'm perceiving is your role in

the bargaining process, the sheriff's office retaliated against you. Is that fair?

A. Fair.

Q. Could you describe what occurred in that regard?

A. So June 4th, 2021, by default I was the senior vice-president. Bobby is now promoted to a role where he cannot be president. I was the acting president for -- what's the term period? Thirty-five days, I believe. An election has to be held.

So Bobby comes to me and says, "Hey, look, man. I know you don't want this. You know, you've talked about getting out before. We're going to put Lance Cannon in this role."

So I again talked it over with my wife. As we're going to find out, she's a lot smarter than I am. She's like, Hey, look, it sounds like they're trying to get you out of there. Maybe you need to think about throwing your hat in for president," so I do.

Another employee at the time named Brandon Kutner, who there's some issues with him and some of the conduct -- have y'all talked about him?

Q. We're aware.

A. Okay. So he throws his name in the ring. He

pulls me aside and says, "Hey, I just want to tell you face to face, you know, you've got no chance in hell of winning this. You know, I know everything and everybody, and I'm going to be the PBA president."

Sometime before the election -- and this is a chapter-wide election, so Ocoee is voting, everywhere we have a member, 780-something members are voting on this. Kutner is promoted to the rank of captain and assigned to internal affairs.

I don't know if you've talked to Brandon, and I don't know what he's told you. What Brandon has said is that they promoted me so I wouldn't be the PBA president. That's why that happened. I have no knowledge if that's why that happened.

But I end up becoming the president, and we try to begin bargaining with Sheriff Clovis Watson Jr, and it started back in April of that year. It's now going into September before we even get to the table with him. It's Joel Decoursey, Danielle Judd, George Corine, and Bobby Stafford at the time, they're still there.

Again, what I feel is inappropriate and wrong of the sheriff to do, here he's now got Bobby Stafford and George Corine who had started this contract from the PBA side of the table sitting on his side of the

table bargaining this contract.

It immediately started with just not normal things. One of the articles said all deputies will move back into Alachua County, everybody will live in the county. That's some old-school deputy stuff right there. That hasn't been part of a hiring process or hiring requirement since the early '90s. And they were told, no, no. That's a mistake. It's just going to impact with the cars.

So that became an issue of trying to take home cars from our deputies. And we're explaining from our side of the table a bargaining point of, you know, we've got to recruit and retain the best that we can. If you're going to take away benefits and cars and things, we're going to lose people.

So that's how bargaining goes for months until we actually have to file an unfair labor practice; but going back into that to October, we had actually gotten to a tentative agreement where we signed articles. And I get a phone call and a letter sent to my email one morning at work. The sheriff as rescinded all articles.

I called, get Joe Decoursey. He's like, Hey, come over and see me." And he tells me, "Yeah, the sheriff walked in this morning and felt disrespected

because of the amount of time it's taken you guys to hold a vote, so he's rescinded everything. Everything is back on the table."

I've never heard of that before, and I've been a part of the PBA as a board member for over a decade. I've never heard of that before.

I'm, "Joel, what do you mean?"

It's been -- I think it was like nine days.

"He feels like this is such a great offer that he was giving you guys, you should have already voted it."

So I explained how big the chapter is. It's contract season. We're doing contracts in different agencies. It was a scheduling thing on our part.

"We didn't know anything about that. We thought you were just for the sheriff's office."

I think incompetence is something on the part of his command staff that leads to his negligent decisions that he makes. They don't know and they don't care to know anything about what it is they've gotten into to try to lead an agency.

George Corine is our major. He's our point of contact. He knows everything we're doing. George hasn't told us everything. I called George, and George is like, "They know everything that you know."

So who's lying? I don't know.

But we kind of get through that debacle, and it starts becoming a media thing. That's the day that Joel walked me in to where they were redoing the sheriff'S suite. I'm assuming you've talked about tat and how much it cost, but his comment that day was, "You know, if you go to University of Florida, and you meet with the president, you will know that you're in the president of the University of Florida's office. We want it so that when you walk into Sheriff Clovis Watson Jr.'s office you know you are in the presence of Sheriff Clovis Watson Jr.," and that's just their mentality.

So throughout the bargaining process they're just putting unreasonable proposals. They're not prepared. Their team changes because they lose people. But one of the statements that I think is important maybe for some of the things you're looking at, and Joel basically said this again the other day.

We had something they needed to make a decision on, and they're like, "Oh, we have to go out of the room and call the a sheriff. The only person who can make a decision at this office is Sheriff Clovis Watson."

So whatever decisions have been made,

according to his undersheriff, only the sheriff can make those decisions.

Q. So that occurs in October of 2022?

A. '21.

Q. '21.

A. We're coming in to 2022.

Q. And I believe, if I remember correctly, there's some public discourse over this process.

A. There is.

Q. As a result of that, did the sheriff's office start taking actions against you?

A. Yes. So as the president, it puts me in the position of having to be the spokesperson. And we made a decision -- and we haven't done that -- you've obviously been around a little bit. Very rarely are we out in the public having to result to a media campaign. Because of the egregiousness of what he was doing, that's where we went.

We started a media campaign. We started a social media campaign. As you drove through a intersection in Alachua County, you'd get a pop-up on your phone that basically said the sheriff is doing these things. If you disagree with it, hit this button, and then it would send an email to all of the county commissioners, sheriff's phone number, Ron

Desantis, Kat Cammack. It was a precanned message about -- we were trying to get someone to recognize what was happening in Alachua County, and that was one of the things that our members felt, that, you know, Tallahassee wasn't paying attention. Nobody who could anything really recognized what was going on.

So as a result of that, in the bargaining session that took place on April 21st, the state PBA president, John -- I always butcher his name -- Kadajian, he came up.

So the sheriff was in the building that day, and we said, "Hey, the state president is here. Would you like to meet with him?"

So we had a two-on-one with the sheriff, myself, Taz, and Clovis. The meeting was mostly the sheriff talking about himself and pointing out all of his pictures on his wall and then talking about me. And he referenced one of our ads, which was his picture on a milk carton saying "Have you seen the sheriff?" Because we hadn't seen him at the office. He's always telling us he's in Tallahassee, but his mileage and his gas doesn't reflect that.

His quote to me was, "Brandon, you put my picture on a milk carton, but I'm going to take care of that."

So that was the 21st of April. May 2nd, he had by this time created another position that never existed before, which is chief of detectives with the equivalent rank of captain. So he took a school deputy, Lance Yaeger, who had been removed from CID twice for his conduct and his disregard for procedure and constitution. He made him the head of CID, so he was now my boss.

Because of my position at the FBI I held, there is such as thing as a security clearance. I held a top secret FCI clearance. My supervisor also had to hold a clearance so that I could talk to them about what I was doing. He did not at the time have a clearance. That became an issue between Lance and I. He demanded that I -- I don't grant the clearance. That's the department of justice. It was a point of contention between us, but he started demanding that I meet with him every Monday to go over what I was doing?

I don't know if you've met Lance or interviewed with Lance. He very much wants to be bigger than what he is and wants to be in the know of things.

Q. Did that include asking you questions about matters that were under investigation by the federal

government?

A. Yes.

Q. Which you don't have the privy to --

A. Correct.

Q. -- share with people don't have the proper clearance.

A. Correct. So I would tell him what I could tell him, and I would not tell him or even bring up things that he didn't need to know about.

My job, I did travel across the country and across the globe. Early in Sheriff Watson's tenure, I flew to India. We arrested a terrorist and brought him back. I think the coolness factor for Lance was there until we didn't get along.

So that Monday, May 2nd, we meet. And he talks to me, and he says, "Hey, I need to bring something up. In the future, you need to do your payroll different than what you're doing." He's like, "You're doing your payroll at the end of the two-week pay period."

I had done it that way for sixteen years through, I think, three captains. I'd never had anybody really take an interest in what I did. As long as I did my job, they were satisfied.

But he's like, "that's wrong. It's again

policy, and I've recently had to write people up for that."

I don't know who that was. I don't believe there was anybody.

"So what I'm going to need you to do is, do it at the beginning of the pay period."

Policy says you'll do it every day by the close of business or the end of your shift. That's what he initially said, you're not doing it every day; that's against policy.

"I don't care if you do it at the beginning of the pay period, and if you just adjust it as you go," and that was the reason that I did it the way I did, because my hours change. I might work two days straight. I might come out in the middle of the night and then come back. It just depended on what we were doing. It had never been an issue. It had never been addressed. It had never been questioned. There was never an issue.

So, he tells me that. So, basically, he told me there to violate the policy he's telling me not to violate.

I left, called my wife and say, "Hey, my Spidey senses are kind of tingling. I just had this conversation with this guy. It was really weird, and

he talked to me about payroll."

My payroll could only be entered from my ASO laptop, which I was not allowed to have in the FBI space. So whenever I did anything, I would have to go down to my car in the parking lot and work on it or work from home.

Again, she's smart. She agreed. She's like, "Yeah, something is going on. Do what he's telling you."

I went to the FBI office, sat in my car and entered my payroll for whatever was left of the pay period, submitted it and was done. Two days later I had to leave. I was traveling. I have a daughter in college at (unintelligible). So I was making fun-filled drive up the east coast, and I got a call from somebody who said, "Hey, this just happened. Lance Yaeger called OPS, pulled a tracking number on you."

So there's different levels of investigation. So a tracking number is --

Q. We understand.

A. -- the top end of "I've done something bad."

"He's pulling a tracking number on you over your payroll."

I'm like, "Well, that's weird. We just had a

discussion about it, and I did what he told me to do."

It was just a heads-up this is happening. Brandon Kutner has told him he doesn't think it's OPS level, but Yaeger is insistent that this happen.

So I go to DC, come back for a Monday morning meeting. "Hey, Captain. Is everything good?"

"Yeah, Jody, everything is good."

"Anything we need to talk about? Anything I need to know about?"

"No, not that I can think of. What do you got going on this week?"

"We're doing this, this, and this."

"Before I go, anything we need to talk about?"

"We're good."

I have yet to be told that I am the subject of an investigation. It is an active investigation still there.

Q. Meaning that there should be a tracking number at ACSO which is in your name.

A. It is there.

Q. But you've never been served with a notice?

A. I have never been served with a notice.

So that started festering with me, and that's kind of when I made the decision I'm not going to

finish DROP. I had one -- August of last year was one year. I got one year of DROP. I left four years and a very substantial amount of money that I feel I worked for on the table.

Their favorite tactic is to begin progressive discipline and fire people. We all know if you get fired in the state system, they could go after my pension. I'm not an investment. I am a pension as far as employee.

So I made the decision that I'm going to retire.

So going back on that, February 1st, without warning, in the middle of this media campaign I was transferred out of the task force for the first time. Really, it ticked off the FBI. It goes against the MOU. In the agreement, they're supposed to get 60 days' notice. I was pulled --

Q. Because you're in the middle of investigations.

A. Exactly. I was pulled out without warning as well as the other task force members. So I believe, based on all of my experience with him, that that was a retaliatory thing.

Q. Where were you placed? Where were you ordered to go?

A. Back to CID. So then I was told, "Well, keep working over there, but you're going to have to come to CID once or twice a week." And then I was told, "Move all of your stuff out of the FBI and put it in a cubicle here."

It was, again, I think, incompetence. They pulled that trigger, but they didn't know what to do with me or Jason Francis. They didn't know when the FCC of the FBI is calling them going, "What are you doing?"

He's never met with them. He's refused to meet with them.

One of his first tasks that he gave me back -- I'm skipping, I know -- was, he wanted a bug sweep of his office. He was like, "Hey, you work at the FBI. I need you to come over here and bug-sweep my office." We don't do that.

So I got pulled back February 1st. That lasted a couple weeks, and then we were allowed to go back and resume our duties.

So the OPS investigation against me. Kutner leads the agency. Brett Rhodenizer was put in charge of internal affairs, OPS. I know Brett Rhodenizer. I was his FTO. He called me. I said, "Hey, look, I know this is there. I've never been served, but I've

been told it's there."

"I'm going to talk to them. Just let me handle this."

I was like, "I want copies. I want to know what I've been accused of." Per 112, you should have noticed me that I was the subject of an investigation; it hasn't been done.

Brett is a good guy, and he's just like, Let me talk to him." And he's like, you know -- I don't believe it was told to me. Someone else in internal affairs told me that Decoursey called him after he took the position and said, "This investigation is setting there on Branaman. You're going to do it. I want it done."

I believe that it's for insubordination because that's what their go-to is. It's a Level Five, which means it's a fireable offense, and that is their go-to with everybody. When you looked at me funny, it's insubordination.

Brett, it's my understanding, had a meeting with the sheriff, and he said, "Hey, it's gone."

I don't care. I want it. It's gone. I never got copies. I can tell you the number, and we're going to do a public records request for it.

22 --

INSPECTOR SNOWDEN: FC-29?

THE WITNESS: So you've heard this?

INSPECTOR SNOWDEN: No. You've got it written down here.

A. Oh, sorry.

But it's an active investigation to this day, I'm not even an employee anymore.

So that's what made my decision to leave. I submitted a retirement letter May 23rd along with three months of leave requests and said, "Hey, I've got this much time on the books. I have to get it off or I'm going to lose it. I'm already leaving a few hundred thousand dollars of DROP money. I'd like to at least get my time off."

I have a copy here of what was sent back that said -- you know, it's immediately accepted by Joel and the sheriff with notes of "You will be informed as to what your leave will be."

So then I'm told, "No, you can't take this leave the way you requested it."

I gave them names of people that have done it. People have done it since I've left; therefore, I believe I was treated differently because of the position I was in. They allowed it before, and they've allowed it after, but I was not allowed to do it.

"You're an essential part of this detective bureau. We're short-staffed. I need you here."

And I can be pretty direct, and I can -- me and Tic did not get along, so, you know, the conversation was, "That's a bunch of BS. I want to take my leave. I don't want to leave this. You know, my daughter's birthday is in here."

"You're an essential part. You need to be here."

What do you think I'm going to be doing? I'm not starting an investigation into Tiffany Sessions. I'm ending my investigations. I'm wrapping -- and it's going to take weeks to wrap up what I have at the FBI. Some of these FBI investigations are decades. Like there are some that are still ongoing that I worked on in 2006 when I got there. It's just the nature of what it is.

"No, if I need you, I'm going to assign you cases."

So I was a little put out with that, that I wasn't being allowed to fund my leave. He was making me come to work.

I don't think I put it in here, but there was one day he called me in and made me come to work after he had been exposed to COVID the night before. I

contracted COVID, and then I was out on sick day; which sick leave is a payout that I didn't want to burn, but I had to burn like nine days of sick leave because I kept testing positive.

So it wasn't that they needed me. It was he's going to prove his point by making me come to work.

Again, my daughter's birthday. My leave slips were put in. So our policy is that whoever gets their leave slips in first, they get that day off. There were, I believe -- we'd have to pull the records -- three other people that submitted for leave after I did. They were given the day off. I had to work. So, again, I 100 percent believe that I was singled out.

July 11th, Yaeger calls me into the office and hits me with a corrective counseling. So under our contract, if he does a corrective counseling, it's not a grievable discipline. And they started doing -- and maybe you've heard this before.

Q. Sure.

A. So they've started doing this. They're giving my numbers corrective counseling so that there's not a grievance that we can file, but it begins with progressive discipline.

I know he was doing did this. And if you talk to Scott Anderson, when Scott was at the courthouse, he started progressive discipline on Scott. Scott has integrity. Scott is an outspoken person, and he was bucking the system.

So I was brought in and presented -- I had quit meeting with him without a witness. So initially my witness that I requested was a guy named John Schabruch, also someone with integrity that I trust.

After the first meeting when John tried to mediate over these days off, suddenly the witness was a guy named Billy Beck. Billy Beck is a recently promoted lieutenant who works for Lance Yaeger, and they have a history of working together throughout. Billy Beck never said a word in any of our meetings. He sat there and stared at the floor, so he wasn't much of a witness or an arbitrator regardless.

The corrective counseling that he is providing me for is for not answering every bullet point in an email, for not telling him that I had responded to a dive call.

So the CID captain is not in the special operations chain of command. He would not have been notified that I was on a dive call. I've never had to notify the CID captain unless it was something for

CID. Per the MOU, my direct supervisor was the squad supervisor at the FBI. I notified my squad supervisor where I was and what I was doing.

Also, that's the same person who would approve my leave. He's a former UPD guy, Dave Collins. You know, you had a good run, enjoy your days off, man. We'll work with you to wrap your cases up, but best of luck. Get your days off. And then ASO sided with Lance to deny those days off.

So not answering every bullet point on an email and not letting him know where I was. So I asked to go speak with my representation before I signed anything. Initially, he was going to deny that I do that.

It got heated, like "banging on the fist" heated. Like, "You're going to sign this. If you don't sign this, I'm going to pull a tracking number for insubordination and begin progressive discipline.

My response was, "You've already pulled one tracking number. Let's talk about that one."

That's a -- all of the command staff, when you challenge them on something, they just deflect and move one. They never answer a direct question.

So I reached out to our counsel. She said, yes, she'd go in there and sign it. If there are

places to write comments, write comments; there was, and I went through each one of his things.

"You're telling me I'm not responding to your emails. I can give you six emails where I emailed you, and you haven't responded to me. So what's the difference here? I want to attach those. I want it in writing."

"I don't have time for this shit. You're either going to sign it, or it's insubordination."

I signed it, left, and that's -- it wasn't -- the leave at that point wasn't worth me staying there and getting more discipline and potentially losing my retirement, so I made the decision to go into what we call "transition leave." It's something that I helped create with the old administration of burning that leave, but you keep all of your gear, your car. I was actually the example when we did it with Chief Huckstep, who was the chief deputy at the time, of, "Hey, you know, Jody, when you get time to go, we're going to let you take your leave; but if I have a plane crash in Newnan's Lake, I'm going to call you, and you're going to go take the dive team and take care of those needs.

When I turned in my transitional leave slip, it was -- the expression -- and this is me being petty

and personal, but Lance Yaeger was about to wet his pants, he was so happy, and he ran down the hall. It was immediately -- which is funny because stuff goes to Sheriff Clovis Watson Jr., and it sits there for months or you never get a response. Mine were signed the day that I turned it in, and it was -- they wanted me to bring in everything the next day.

I believe this was like a Wednesday. And we had an unfair labor practice suit against them that week, so I was actually taking leave. And he's like, "You need to bring everything in tomorrow."

I'm like, "I can't go find a tie tack from 1994 overnight." You know, there's stuff -- I had three pages of property. You know, you accumulate stuff over time that you put in a box. So I was given until the next Monday to turn everything that I owned in to the Sheriff.

So he went so far as to call the FBI and tell them, Jody has to be -- something called being "read out." So when I lost my clearance, I was "read out" my sign saying if I ever write a book, make a movie, I mean, a whole bunch of legal caveats of the knowledge that I had.

And they're like, "Jody is good. We'll get that before."

"No, Sheriff Watson wants this done tomorrow."

And they're like, "We don't work for Sheriff Watson. We'll do this."

But that's just kind of their mentality of where they went with this. They wanted me gone right away. It's very different than how anybody else has ever been treated.

So that Monday at about 8:00 in the morning Lance is calling me. "Hey, where you at? You here yet?"

"No, I got to go to the FBI and do some things. I'll be there."

"As soon as you get here, let me know when you're here."

So I got on property, and he was waiting at the back door. "Where is your stuff? I want your stuff."

I'm like, "I turned my stuff in."

It was just -- the process in the way I left was ridiculous, over the top, not the way that I ever expected or would expect anybody to go into retirement.

The way he treats people when they leave, if they're not kissing the ring, is the term everybody

uses, it's ridiculous. You can see it with Linda Brown recently.

But I had to take my laptop to IT. I had to take a radio to the radio shop. He wanted to know where I was every second of the day. "I've got to escort you out. I've got to escort you out of this building. Once you sign as my CID person, you and I don't have to talk to each other ever again. You know, I need your firearm. I need to take your gun. I need to take your badge." It was just very improper the way he did it.

So he took that badge to the sheriff. The sheriff did let me keep my gun. I had to sign my dive team equipment back in. Who's going to sign for that? I am. I'm the team leader. You can't do that. It's not in your chain of command.

HR is like, "Jody, sign the paper and be done with it."

So while I was filling out my final paperwork in HR, he's calling HR, "Is he done yet? Is he done yet? I need to take him to see the sheriff."

I asked HR, "I've still got my door swipe. I want to go say bye to people. I'm still employed until August." That was the big thing, was I should have kept all of that until August.

So HR is like, "We'll leave your door on." They go, "You know when we leave, he's going to make us turn it off."

I get it. So I walked out to go to the sheriff's office, and he was extremely irate that I still had a door pass. Walked into the suite, didn't see the sheriff. Rarely do you see him. I was given my gun by his secretary, and I walked out. He was literally following me down the hall, wanting to know where I was going and what I was doing.

It's kind of long story, petty, but it's just -- it just goes to show the way that I was treated by him.

I took my stuff -- I left my stuff on a desk in CID, went to say goodbye to people. When I came back, it was gone. He had taken it and give it to HR because, "Joe, you need to get out of this building. You don't need to be here," so I left.

By the time -- I don't know if y'all have been to the sheriff's office. There's a Food Lion plaza that's a block away. Before I made it to the thing, there's an email. "Jody Branaman no longer works at this agency, no longer has access to the building. It was just very petty on their part and very, I believe, targeted in the way that they did

that.

I didn't get to enter my final payroll, which I think is got to be some sort of violation. "I'll fill out your payroll for you and sign it." So from that day to the end of August, or the middle of August, when I was out, I had no clue what my payroll was. I'd lost all access to the system, couldn't verify it.

Q. Did you suffer a financial loss because of not being able to take the leave, or does --

A. I did.

Q. -- the other type of leave cover that?

A. I had more leave than I had days to work, so yes. I left -- I'd have to go back and pull that, of how many days I actually left on the table that was use or lose.

I chose to leave; but had it not been for feeling this way, I would not have left. I lost about $320,000 of DROP that my and wife and I -- because, you know, if I didn't have to be at Resilience Government Services right now, I would not be there. I would be doing woodworking or on a boat; but I left my DROP money for my health as well. I mean, I don't know.

If you talk to Tuck, there was one day Tuck

made me get in the truck and go to the ambulance barn and have my blood pressure checked, and it was ridiculous just over -- every time you dealt with Lance Yaeger, it was just a contentious, argumentative thing.

Q. We are a little bit behind. I hate to rush you, but we're --

A. Can I run through these other members real quick?

Q. Let me look at these, because a lot of these we are aware of.

A. Michelle Swilley being put on a shift opposite of her husband by Lance Yaeger after he told her he was going to do it?

Q. That one I'm not aware of.

A. All right. So Michelle Swilley was a detective, a very good detective. Her husband is a K-9 officer. We work 12 -- they work 12-hour shifts, so Team One, Team Two. If you're on Team One, you're never going to see the Team Two person.

Michelle was targeted. Michelle was a board member with us. She was continually harassed by Yaeger when she was a detective, wanted out of CID. He initially refused to let her out of CID. In one of their conversations he said, "Well, let me ask you

this. What if I put you back on the road, and I put you on a shift opposite your husband and you never saw each other? How would that be?"

And she goes, "One of us" -- "both of us would probably leave the agency." Then that's exactly what he did, and she left the agency. She went to UPD.

We had an officer commit suicide a few weeks ago. They did an escort to the -- we were very involved with Nick. So they do an escort to the ME's office. Michelle was there representing UF. Tic walks up to her, tries to shake her hand, and she's like, "I'm not going to do that."

He calls complaining to UF's command staff saying that their officer acted conduct unbecoming by refusing to shake a command staff member's hand of another agency.

BY INSPECTOR RIDDICK:

Q. Is "Tic" Yaeger?

A. I'm sorry. He is Yaeger. His nickname is Lunatic because of a lot of things he did. Like I said, he was removed from CID twice that I'm aware of.

Frank Williams. You probably have hear ad nauseam about Frank. One of the those you may not have heard was Frank was going to take over the dive

team from me. My understanding is, someone was in the room when Lance Yaeger said, "We can't give him that position because Jody recommended him, and he's associated with PBA."

Frank Williams is also -- was one of our bargaining team members. He was fired over a Facebook post.

Chuck Drake, one of my board members, bargaining team members, was subject of an OPS investigation of how he applied Capstone in a training scenario the same way they've always done it. He's been transferred several times since then.

David and Becky Butcher. David Butcher has been transferred several times. He's one of my bargaining team members.

Scott Anderson, one of my bargaining team members. He's now been put in IA, so he's exempt. He can't participate in bargaining. He's also been the subject of discipline.

David; his wife, Becky; and Scott Anderson, they're leaving DROP to get out of there as well. So they're retiring early based on the climate there.

Richie Watkins, he's a jail lieutenant, or was. He's one my bargaining team members. He was demoted to sergeant within his -- you have a year of

probationary period. He was demoted for no reason.

Beck is a PBA member. He was a captain. He probably should be the jail director. He was demoted along with Watkins in that same time period, and a completely incompetent captain, John Hoover, who had left the agency in lieu of for, I believe, honesty, is now back and is the captain of the jail.

Glen Stanley, bargaining team member, subject to discipline.

A.J. Brahmi. Mr. Kramer is probably familiar with A.J. He's a traffic guy. He'll write you for 56 in a 55. He's just that guy. He pulled over Chad Scott. There's a video of him pulling other Chad Scott in his patrol car speeding. Chad never completely stops. He just kind of rolls down his window. Brahmi pulls up beside him and is like, "Oh, hey. I couldn't" -- he turned on his blues. "Didn't recognize the car."

Chad is like, "Hi," and keeps on keeping on.

Two days later, Brahmi is transferred out of the traffic unit to patrol, no explanation given.

Michelle Clements. Have y'all talked about Michelle and the radio?

Okay. GPD came up on our channel. It's confined communications. He starts targeting Michelle

Clements for discipline.

Jacksonville Sheriff's Office flying in to my airspace?

Q. Yes.

A. Okay.

INSPECTOR RIDDICK: No.

BY MR. KRAMER:

Q. No.

A. So a detective from JSO -- JSO is a much bigger agency than us -- comes over and says, "Hey, we've got a cargo theft, marine. They're chopping everything up in Alachua County. We've already done the work. We've flown it. We've got aerials. We just need somebody to write a search warrant, get the state attorney on board, and let's get it.

It goes up to the sheriff. The sheriff -- even I was told this. Number one, you don't go out of the county without getting the sheriff's permission. You don't talk to another agency to include going to lunch with GPD. You know, we would go to lunch like, "Hey, what are you guys seeing? Car burglaries?" You don't talk to anybody without permission of the sheriff.

As the dive team commander, in the past, if Levy County called me and said, "Hey, man, we've got a

boat in Cedar Key. We need to get out there," mutual aid was just understood, and we would go. Now the sheriff of Levy County has to call the sheriff personally and ask him.

The biggest example of that is Nassau County. They had the officer that was shot and killed -- have you heard this?

Q. Yes.

A. Okay. So this one was JSO.

BY INSPECTOR RIDDICK:

Q. We've heard that the SWAT wasn't allowed to go.

A. That is correct.

Q. Do you know why?

A. Because the sheriff wanted that sheriff to contact him personally. I believe it was a lieutenant. You'd have to ask Josh or Rich Howell this.

Their SWAT team commander was basically like, "Dude, he's going to the hospital. They're going to harvest organs on this deputy. We need to go."

"Not until he calls me personally."

Called Marion County, within 15 minutes they had a full SWAT team northbound.

Just his narcissistic behavior is

unbelievable.

So the JSO incident, it went up. "You need to have the sheriff of JSO request personally, and I want a letter of apology for coming into my county with his airplane without my permission."

You know, that poor detective was like, "I've never even seen the sheriff. We're huge."

So they very rightfully reached out to FDLE, and I believe it was state-wide. I don't know if y'all got involved or not, but they got it handled with the sheriff's office.

Q. If they got a warrant, we were involved.

A. So I don't know. It wasn't my thing.

Did y'all get into DTF and the way they raided it in the middle of the night and took all their equipment back?

Q. We're aware of it. Only if you have direct knowledge.

A. You'd have to talk to one of the DTF guys that were there.

Q. Well, listen, that's a lot of information.

A. I'm sorry.

Q. We promise you that we're not going to get back in touch with you and ask you to come back to us and give us more specifics on some specific issues,

but unfortunately we just have more people scheduled for today.

A. Okay. wherever you need me.

MR. KRAMER: Do you guys want to follow up on anything else before we close for today?

BY INSPECTOR SNOWDEN:

Q. There was no active investigation other than the one that you were not told about?

A. I don't know. We were going to do public records request for any and all discipline involving me. If someone hadn't broken the rules and talked out of turn -- you know, as a detective, I would be ticked off if somebody was leaking my information, but I'm very grateful they didn't because I would have never known that this was there and potentially would have been fired.

MR. KRAMER: Okay. Thank you. We're good.

(The statement concluded at 3:00 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that JOSEPH BRANAMAN, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this June 30, 2023.

Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named JOSEPH BRANAMAN, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this June 30, 2023.

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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$3,500 (20:8)
$320,000 (59:19)

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15 (65:23)
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1994 (55:13)
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1ST (46:12)(47:18)

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20 (17:7)(17:13)
2006 (4:10)(50:16)
2012 (17:12)
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YOUNG (20:12)(29:4)
YOUR (3:8)(3:16)(5:5)(6:15)(7:25)(8:5)(9:5)(11:14)
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(45:20)(47:4)(49:18)(53:6)(53:7)(53:8)(54:3)(54:16)
(54:20)(56:17)(57:9)(57:10)(57:16)(58:1)(59:4)(61:2)
YOU'RE (6:8)(8:5)(24:22)(26:13)(33:3)(33:8)(33:24)
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(60:19)
YOURSELF (8:20)(33:24)
YOUTUBE (27:14)
YOU'VE (20:7)(29:7)(34:12)(35:2)(35:10)(38:5)(39:14)
(41:20)(45:22)(49:2)(49:3)(51:20)(53:19)

FDLE interview 26 APR 2023

- 2020 Election
  - PBA board meets with Watson and Darnell
    - Darnell is selected for endorsement
  - A few days later Corwine and Stafford reach out to the board
    - They had met with Watson and DeCoursey outside of the board
    - Tell the board that they believe we should look at Watson as a candidate
    - Are told by the board it is inappropriate to have meetings outside of the board
  - Stafford calls me to convince me to endorse Watson
    - States that he believes people are afraid to go against Darnell
    - Cannot provide names of members wanting to endorse Watson
  - Board meeting via phone
    - Asks to have a new vote
    - Tell board that he has talked to members and members are afraid to go against Darnell
      - Cannot provide names
    - A vote is held with myself and Drake voting not to change the vote – Tuck Abstains over his disagreement of what is happening
    - Stafford wants a unanimous vote
    - Stafford and Corwine provide partial results of a survey monkey sent to the members
      - The results show the members want endorse Darnell
    - It is revealed by Corwine and Stafford that the results are not complete because it will cost money to have the full results
      - I move to pay the fee to obtain the full results -Unknown second, probably Drake or Tuck
      - The full results show the members want to endorse Darnell
      - Stafford states that he feels the survey is inaccurate because he believes members are afraid to go against Darnell
        - He cannot provide names
    - Stafford calls for another vote
      - I suggest that we do not endorse either candidate
      - Castronova makes a motion that another vote is held and that we have to pick a candidate – unknown second
      - A vote is held with myself and Drake voting not to change the vote – Tuck Abstains over his disagreement of what is happening
      - The endorsement changes to Watson
      - Stafford admonishes the board not to discuss how the endorsement process occurred. Stated that no matter how we got there, the endorsement was for Watson and we needed to be united in the decision and messaging to members

4/26/23
Joseph Branaman
EXHIBIT
1

        - Members find out the next day and are furious.
            - Members new from talking to each other the survey monkey was for Darnell
            - Members begin accusing the board of going against them
    - Corwine and Stafford have an unknown number of meetings with Watson and DeCoursey
        - Are actively working on the campaign
        - Host member meetings with Watson
        - Drake and I are cut out of the loop
    - June of 2020 Robert Brinkman enters the race as a NOP candidate
        - This cuts the Republicans out of the August vote
        - August 18th Clovis wins the majority of the Democrat vote
        - August 28th Brinkman drops out of the race
        - Brinkman never raised funds or campaigned
        - Brinkman had a Watson sign in his yard when he was interviewed
        - Brinkman did the same thin in the 2012 District 20 race for the State House, allowing Watson to win that race
    - Between August and January Corwine and Stafford continue to meet with Watson
- Watson takes office in January of 2021
    - Corwine is re-hired at ASO with the rank of Major
    - Stafford is promoted to Lieutenant
    - Within weeks Stafford is promoted to Captain of the Patrol Division
    - By June Stafford has been promoted to Major and assigned to the Department of the Jail as the Director
        - Stafford is not corrections certified
        - Stafford has never worked in the jail
        - Stafford has no supervisory experience above the squad level
    - Removes "Sheriff" from patches (3K)
        - *There is only one Sheriff* ~ Joel DeCoursey
    - Transfers of members who vocally opposed Watson take place
    - Abnormal / narcissistic behavior
        - Hey young man – transfer of Levy
        - Good Morning Sir – verbal counsel for not addressing him as Sheriff
    - Watson brings in Michelle Sherfield to a position that has never existed and makes her a Bureau Chief of the newly created Government and Community Affairs Unit and a direct report to the Sheriff
        - She is a Bureau Chief (Lieutenant) of a unit comprised of herself
        - She is now the Director (Major) of the same unit with no staff
    - Watson hires Brandon Johnson (Son of Sherfield) to the PIO Office
        - He is now in the teen court unit
    - Both Sherfield and Johnson had content on FB that would see anyone else in OPS
        - Content was reported
        - It was removed, but no action was taken

        - Sherfield currently has content on her personal FB that appears to be taken in her office while at work
    - Hires a Chief of Staff (Daniele Judd) to oversee civilians
    - General Counsel Rush
        - Father has ties to Watson
            - CSI Academy
        - Has violent rape fantasies online
    - Henderson from APD
        - Brought in as Executive Assistant
        - Now over special projects ?
        - Vote in alachua
- Sheriff becomes involved in promotions and transfers
    - Cleveland Cox
        - Interviews for CID and is not selected
            - Shows up in CID and tells the Captain he was assigned their by the Sheriff
        - Attends tryout for SWAT and is not selected
            - Watson appoints. Him to the SWAT team
            - Team leader is relieved and transferred
        - Cox has OPS with findings
            - Not sent to CJSTC
        - Cox violates social media policy
            - Verbaly counseled and content removed
        - Example of Cox's abilities
        - Cox was promoted to Sergeant
    - Mandates pictures be attached to selections
    - Creates Chief of Detectives position
        - Yaeger is a personal friend of General Counsel
    - Demotes Yakubsin because he liked a post on Ray Swallows FB
        - Removes Yakubsin as Honor Guard Commander
    - Promotes Eric Hutchinson as an "Acting Lieutenant" even though he had not tested for the position and was not eligible to test.
        - Returned him to Sergeant until he tested and then promoted him over higher scoring candidates
    - Currently has promoted Scott Bonifide to "Acting Lieutenant" of the Civil Bureau
        - Bonifide is close friends of Stafford
        - Bonifide is a PBA board member and was one of the board members who voted to change the endorsement
        - Bonifide has never served in the Civil Bureau
        - Bonifide is not on the current list of promotable Sergeants
        - Bonifde has not taken the Lieutenant's promotional test, and was not eligible (time in grade) to take the last test

        - Bonifide has stated that he intends to serve in the acting capacity until the next test at which time he will pass it and be promoted
        - 7 eligible sergeants are currently on the list to be promoted
        - Mike Richardson has been promoted to Sergeant and assigned to Bonifide's position. (there is nowhere for Bonifide to go back to)
        - Social media posts of SCWJR congratulating Bonifide on his promotion to Lieutenant were changed after complaints were made. FB now says Acting Lieutenant, Instagram still shows Lieutenant.
        - A grievance has been filed, ASO through GC Rush has responded that they do not "believe" there is a grievance that can be filed
- Spending (D. Jacobs)
    - All signage has SCWJR
        - Many have been repainted several times to meet his liking
    - Uniforms (D. Jacobs)
    - Vehicles
        - High Countrys for him and DeCoursey
        - New Tahoes for Majors (Stafford, Blizzard, Scott)
            - None purchased in Alachua County
        - Two new ones to be picked up
            - Louisiana and A Carolina
        - Low miles for low miles while deputies have high miles
        - Switched leases for DTF and CID from Gainesville Chevrolet to Nissan
            - Son is the head of sales
            - Lease vehicles are parked with miles left on them
        - Radios x 3 in vehicle
    - Office renovation
        - Space that once held an entire OPS squad
            - *When you walk into the office of the Sheriff you should recognize you are in the office of the Sheriff* ~Joel DeCoursey
        - Exotic hardwood furniture
        - Used staff to transport mementos ?
    - Gas issue ? (D. Jacobs)
    - Salaries and Positions
        - Govt Affairs
        - Chief Detective
        - Colonel
        - Chief of Staff
- Sunshine Law
    - Nothing in writing
    - Personal devices not connected to WiFi
    - Bug Sweep
    - App not loaded to ASO devices (Shelpman)
    - Radios

- Keys to vehicle
- GPS and door access requests denied

- Hiring, staffing, and promotions
  - Unqualified employees
  - No process for some
    - Coppack – no process
      - Recent poly?
    - APD Officer – no process
      - Was terminated
  - Alan Henderson
  - Over 300 employees have left
  - Staffing is now a public and officer safety issue
    - Courthouse starts at negative 12
    - Patrol is at or below critical staffing
  - Candidates are failing polys or other hiring processes and still being hired
- PBA Bargaining, ULP, and targeting of members
  - I took over June 04, 2021
  - No bargaining until 09/2021
  - Stafford is chief negotiator for ASO
    - Is now bargaining against articles the he opened as President
  - Rescinds TA'd articles
    - *The Sheriff walked in this morning and felt disrespected you are taking to long to vote on the contract he is giving you* ~ Joel DeCoursey
    - Claims there is no communication, and that Corwine has not relayed information
  - Bargaining with ASO
    - ASO team frequently changes
    - ASO team does not appear to understand the process
    - ASO puts forth unreasonable proposals
    - ASO does not empower their team to make decisions
      - *Only the Sheriff himself can make decisions at aso* ~ Joel DeCoursey
    - Media campaign is initiated by the PBA
  - April 21, bargaining session – PBA President John Kazanjian and I meet with Watson
    - *You put my picture on a milk carton, but we are going to take care of that ~ SCWJR*
  - May 02, 2022 I met with COD Yeager
    - Tells me that I cannot enter payroll at the end of the period
      - This had been past practice for 16 years due to the assignment I was in

        - Tells me that I can enter it at the beginning of the pay period and adjust as needed
        - I left the meeting and immediately entered payroll as directed
    - May 04, 2023 Yeager contacts OPS to open an investigation on me over my payroll entry .
        - Kutner tells him to handle it at the divisional level
        - 22 FC 29 is still active in the OPS system
        - I have never been notified that I am the subject in an investigation
        - I have asked Yeager directly about the investigation – he ignores the question
        - I have asked for, and never been provided the documentation
        - DeCoursey contacts Rhodenizer and tells him OPS will investigate weeks later
        - Rhodenizer meets with Watson and halts the investigation?
    - I was pulled without warning from my assignment twice
    - I submitted retirement on May 23, 2022 along with leave requests
        - Retirement was immediately accepted
        - Leave as submitted was denied
            - Numerous other employees under Watson were allowed to burn their accrued leave
            - I was told I was essential and needed at work
            - MOU states leave is approved by the FBI Supervisor
            - Forced to work on daughters birthday
                - Others on leave that submitted after me
    - July 11, 2023 Yeager presents a corrective counseling to me
        - Will not allow a written response
        - States that if I do not sign he will open an investigation for insubordination
    - Transferred back to CID that night by VM
    - July 12, 2023 I request transitional leave
        - Accepted immediately
        - Informed that my last day will be July 18, 2023
        - Informed that I will have to turn everything in on that date
        - Demanded I be read out by the FBI
    - July 15, 2023 ULP hearing
    - July 18, 2023 processed out
        - All property turned in
        - Access to building and network ended
        - Payroll going forward was entered by Yeager
            - I was not allowed to view or sign
    - August 12, 2023 – last official day
- Other members targeted
    - Michelle Swiller – PBA Board member

        - Swilley asked to transfer from CID because of Yeager
        - Denied numerous times
        - Was asked by Yeager "what if you transfer to the road and are put on the opposite shift of your husband?"
            - Swilley advised that either she, her husband, or both would probably leave the agency
        - Yeager transferred her to the road opposite of her husband
        - She left the agency to work at UPD
        - Yeager tried to file a complaint at UPD when She did not shake his hand recently
    - Frank Williams – PBA bargaining team member
        - Not assigned as the Marine Operation Commander
            - Yeager states in a meeting with Watson and DeCoursey
                - We can not give that to him because he is a PBA guy and Branaman recommended him
        - Fired for a FB post
    - Chuck Drake – PBA Board member, bargaining team member, voted to endorse Darnell
        - OPS investigation
        - Transferred multiple times
    - David Bustcher – bargaining team member
        - Transferred multiple times
        - His wife, Captain Bustcher is subject of discipline and potentially will be terminated
        - Retiring early
    - Scott Anderson – bargaining team member
        - Subject of progressive discipline
        - Transferred to an exempt position
        - Retiring early
    - Richard Watkins – bargaining team member
        - Demoted
    - Beck – PBA member
        - Demoted
        - Subject of discipline
    - Glenn Stanley – bargaining team member
        - Subject of discipline
    - AJ Brami – Member
        - Pulled over Chad Scott for Speeding
        - Immediately transferred from the traffic unit

SWORN STATEMENT

of

JONATHAN SCHABRUCH

DATE TAKEN: April 26, 2023
TIME: 3:11 p.m. - 3:26 p.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

Cynthia F. Leverett, FPR
Certified Stenographic Reporter
Notary Public, State of Florida
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Chiefland, Florida 32644
386-256-1457

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Office of Executive Investigations
2331 Phillips Road
Tallahassee, Florida 32308

WHEREUPON,

JONATHAN SCHABRUCH

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. So, Captain, you've provided me an email. We're continuing you from the other day. You provided me a copy of an email where it appears this is referenced to the deletion of the investigation against Sergeant Pam James. And if I understand correctly, on November 18th, 2022, about 8:35 in the morning, you informed Major Keith that the undersheriff has instructed you to remove the tracking number for Sergeant James. That's what the email is saying here?

A. Yes, sir.

Q. And that you're being told it's invalid because of previous orders that he gave to Sergeant Stafford?

A. Major Stafford, yes, when he was major. Yes, sir.

Q. And, of course, I think we've covered this before, but you don't know what "invalid" means?

A. No, I -- I mean, I would assume that he meant that the investigation should be canceled or terminated. You know, I explained to him over the phone that I can't delete items or the tracking number or pieces of evidence that we had already collected, all that was going to be preserved; but that I would notify the chain of command of his direction, and that's what I did.

Q. Was he asking you to delete the items from the tracking system?

A. No. He -- when I said -- because I said those words, that, you know, we have evidence that can't be deleted, he said, "I'm not asking you to delete any evidence. I'm just telling you that the tracking number is invalid."

Q. And then the remainder of the email is you asking Major Keith -- or essentially informing her that you're not going to be able to talk to these people's chain of command and inform all the people of this decision-making because they don't work for you and it's not an OPS investigation.

A. That's correct. We were not investigating the investigation; James' command was. They were working for Major Keith, so I was asking Major Keith to inform his undercommand of what the undersheriff's

directions were.

Q. And the final email here is her responding that she's essentially done that?

A. Correct.

Q. Understood. Okay. Is there anything else of reference in regard to incidents between you and mainly Keith in reference to the Sergeant James investigation that you needed to share with us?

A. No, sir.

(Exhibit 1 was marked for identification.)

BY MR. KRAMER:

Q. And then the thing that I think we wanted to -- you've provided me with three documents. And in the order which it appears they were created, on April 26th, you -- of 2021, you were a lieutenant at that time. You were a board member of the hiring board, and this was in reference to CID positions?

A. Correct.

Q. And if I understand correctly, you don't know how many positions or you don't recall how many positions you might have been interviewing for.

A. Correct. I don't recall how many vacancies we had at the time.

Q. And as a part of that interview process, each potential candidate would have a recommendation form

filled out?

A. Correct.

Q. And the one that's in front of me is for Cleveland Cox?

A. Yes.

Q. And in that form there are multiple persons, including yourself, Sergeant Anderson, and a number of other individuals who are either sergeants or lieutenants at the sheriff's office, all of whom rate Cleveland Cox as not recommended?

A. Correct.

Q. Then on April 29th you send an email -- excuse me, a memorandum, an inneroffice correspondence, telling human resources what has occurred and requesting Deputy Greg Smith be transferred to CID. And then it ranks the candidates that you interviewed -- there were at least 13 or 14 of them -- and ranking Deputy Smith as number one, correct?

A. Correct.

Q. And it indicates three individuals, one of whom is Cleveland Cox, who are not recommended?

A. That's correct.

Q. And then approximately almost 30 days later, 25 days later, this is from Todd -- an email to you

from Todd Kelly indicating that you are losing Sandy Myers along with six other CID officers.

A. Right.

Q. And how many officers are there in CID, deputies?

A. Well, it's different now than it was then. We had more at that time. We probably had at that time close to maybe between 20, 25 detectives. We're down to about 12 now.

Q. So you would have been losing a quarter of?

A. That sounds about right.

Q. And some of these detectives, including Sandy Myers, would have been the most experienced detectives?

A. Yes. She was a sergeant, I believe. She's a detective sergeant. Absolutely. And she was over the persons squad, which would be homicide and robberies, and absolutely very senior.

Q. And highly effective?

A. Yes.

Q. So they're removing a quarter of your staff, including one of the most seasoned detectives, and replacing them with ten detectives. Ten people would then become detectives?

A. Right.

Q. Which did include Smith, Greg Smith; Jacob Barlow; Feraro; Parsons; Atkins. It included somebody by the name of Cooper. Who's that?

A. That's Michael Cooper. He was the sergeant. He was a sergeant that was coming in.

Can I look at that real quick? Because I -- the formatting might be a little bit -- okay.

Yeah. So it says we'll lose Myers and O'Quinn; these were two sergeants. So Myers was persons, and O'Quinn was property.

So down here we are getting Pardue as a sergeant and Cooper as a sergeant. So those two are the sergeants that replaced Myers and O'Quinn, and then the rest are detectives. And I believe Smith, who was our number one selection, was the only one with previous investigative experience.

Q. And Cox is not recommended, and there's another person who wasn't even asking for the position, if I understand this correctly.

A. I don't recall. I'd have to look.

Q. No, maybe that's it. It looks like these other people may have been on this list, other than Cleveland Cox. And are you ever provided any reason why Cleveland Cox is being added to a unit for which he's not recommended?

A. No.
Q. Is that unusual in your experience?
A. Yes.
Q. Is it potentially detrimental to the agency?
A. Very. There are really good reasons for not recommending Cleveland Cox.
Q. Is one of them because he had engaged in highly questionable conduct towards a former -- a person who's the mother of one of his children?
A. Yes.
Q. Including threatening conduct, which would have caused you concern?
A. Yes.
Q. Would that conduct also concern you that he wouldn't be able to maintain his proper temperament and control in a dangerous environment?
A. Absolutely.
Q. Were all those reasons one of the reasons why he wasn't recommended?
A. Yes.
BY INSPECTOR SNOWDEN:
Q. Any of the individuals that were transferred, do you believe that was retaliatory in any ways?
A. That would be hard to say at that time. I really don't know. At the time it was very shocking

to have all those people.
BY MR. KRAMER:
Q. It's been suggested that the individuals who transferred out of -- CID individuals, at that point, which would have been 2021, within about six months of the election those were the individuals who had expressed some level of support for Sheriff Sadie Darnell. Do you know?
A. I really don't know the answer to that. I'm not on social media; and I really do stay kind of separated from that kind of thing, so I can't say for sure.
Q. Is there anything else we talked about that you feel like you need to clarify or provide further information?
A. I just wanted to clarify on the previous time that we spoke you asked about providing things in writing, if I've been asked to not provide things in writing.
I was working under Lance Yaeger for a while. He was the chief detective captain over CID, and I was his lieutenant. And then also I've worked for him as the chief detective and he being the major. He has told me on multiple occasions that the sheriff does not prefer things in writing because of public record

issues, that he would prefer verbal briefs and/or to have documents read to him as opposed to passed to him or sent to him. And so he -- that's on multiple occasions I've heard him say similar things like that.

And then in one particular instance that I thought of later was for one of our victim advocate positions. They work under us in CID. We had a number one candidate, a person that we wanted -- I don't recall if she was number one at the time, but she worked in another area. She worked in the jail, I think in classification or something like that. Her last name is Georgieva.

So her name was submitted as someone to be selected as a victim advocate. She wasn't moved. She wasn't transferred or appointed to that position, I think, potentially due to jail staffing; I'm not sure, but several -- so when I moved over to OPS, and then I came back to CID, Lieutenant Beck -- I believe it was Lieutenant Beck came to me. And he actually forwarded an email to me and said for these reasons he thinks that some staffing has improved at the jail, and that's the only reason he could think of why she maybe wasn't allowed to transfer over; but he said he was strongly recommending that if we still have an opening in victim advocate, that we reach back and select her.

I was actually on the board when she was interviewed. I remembered her from my previous stint in CID. I agreed. I thought she would be a great fit.

So I took his email, and I sent that to Major Yaeger at the time. And then Major Yaeger called me and asked me to come and speak with him in his office. And he basically explained to me that she was not going to be selected, and that there were reasons for it. And, you know, in the future I should maybe come and have a conversation with him before sending him an email like that because he might know -- he might be privy to things that I'm not privy to, and we should resolve these things with a conversation.

Q. With the inference being -- or the actual statement being that whatever these reasons are why we're not going to make this transfer, change, or promotion, we do not want to reduce them to writing because it will create a record?

A. That was my interpretation of it, yes, sir, and that he just preferred to have a conversation about these things ahead of time so we didn't look bad when we submitted things that we knew weren't going to get approved. We're submitting these things to the sheriff.

One of the reasons that he mentioned for her potentially not being allowed to come besides staffing at the jail was that she apparently, in the previous time after she had not been selected, had reached out to another entity, another job somewhere in the county, applied somewhere else, and so he felt that that was maybe a slight to the sheriff's office. Or I don't know if he was saying he felt that way personally or if that's how the sheriff felt, whatever the case may be, but that was potentially part of the reason.

Q. And a reason he would not want it reduced to writing?

A. Yes.

BY INSPECTOR SNOWDEN:

Q. What was her name?

A. Her last name is Georgieva. I believe her first name Dayana. I think that's right. I know Georgieva is her last name. She works at the jail.

MR. KRAMER: Anything else?

THE WITNESS: No, sir.

MR. KRAMER: That's it. Thank you.

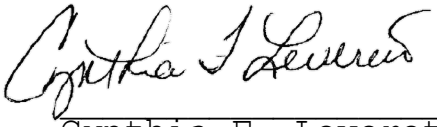
(The deposition concluded at 3:26 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that JONATHAN SCHABRUCH, who produced a ACSO Badge as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 5, 2023.



Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named JONATHAN SCHABRUCH, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 5, 2023.

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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1 (5:10)
12 (7:9)
120 (2:4)
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18TH (3:13)

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26TH (5:15)
29TH (6:12)

3

3:11 (1:5)
3:26 (1:5)(13:23)
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4

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8:35 (3:13)

9

9-27-24 (14:13)

A

ABLE (4:18)(9:15)
ABSOLUTELY (7:16)(7:18)(9:17)
ACKNOWLEDGED (3:3)
ACSO (14:5)
ACTION (15:10)(15:11)
ACTUAL (12:15)
ACTUALLY (11:19)(12:1)
ADDED (8:24)
ADVOCATE (11:6)(11:14)(11:25)
AFTER (13:4)
AGAINST (3:12)
AGENCY (9:4)
AGREED (12:3)
AHEAD (12:22)
ALACHUA (14:3)(15:3)
ALL (4:6)(4:19)(6:9)(9:18)(10:1)
ALLOWED (11:23)(13:2)
ALMOST (6:24)
ALONG (7:2)
ALREADY (4:5)
ALSO (9:14)(10:22)
AND/OR (11:1)(15:13)
ANDERSON (6:7)
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THOUGHT (11:6)(12:3)
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TRACKING (3:15)(4:4)(4:10)(4:15)
TRANSCRIPT (15:7)(15:12)
TRANSFER (11:23)(12:17)
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UNDER (10:20)(11:7)(15:13)
UNDERCOMMAND (4:25)
UNDERSHERIFF (3:15)
UNDERSHERIFF'S (4:25)
UNDERSIGNED (14:5)
UNDERSTAND (3:12)(5:19)(8:19)
UNDERSTOOD (5:5)
UNIT (8:24)
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UNLESS (15:13)
UNUSUAL (9:2)
UPON (3:4)

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VERBAL (11:1)
VERY (7:18)(9:5)(9:25)
VICTIM (11:6)(11:14)(11:25)

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YES (3:18)(3:22)(6:5)(7:15)(7:20)(9:3)(9:10)(9:13)(9:20)(12:20)(13:14)
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YOUR (7:21)(9:2)
YOU'RE (3:19)(4:18)
YOURSELF (6:7)
YOU'VE (3:8)(5:13)

Schabruch, Jonathan R.

From: Keith, Dorian
Sent: Friday, November 18, 2022 2:48 PM
To: Schabruch, Jonathan R.
Subject: RE: Sgt James Investigation

I told Captain Beck this morning after you and I spoke. Captain Beck has already informed Lieutenant Scott. I'm not sure if Sergeant James knows - She is off on Friday

Thank you

-----Original Message-----
From: Schabruch, Jonathan R. <jschabru@alachuasheriff.org>
Sent: Friday, November 18, 2022 2:26 PM
To: Keith, Dorian <dkeith@alachuasheriff.org>
Subject: RE: Sgt James Investigation

Major,

Would you mind letting me know when your chain of command has been informed of the Undersheriff's direction so I can update our records?

Thank you,

Chief Inspector Jon Schabruch #555
Alachua County Sheriff's Office
Office of Professional Standards
Office: (352) 491-4411
Cell: (352) 538-6406
jschabruch@acso.us

-----Original Message-----
From: Schabruch, Jonathan R. <jschabru@alachuasheriff.org>
Sent: Friday, November 18, 2022 8:35 AM
To: Keith, Dorian <dkeith@alachuasheriff.org>
Subject: Sgt James Investigation

Good morning Major Keith,

As a follow up to our conversation, the Undersheriff instructed me that the tracking number that was pulled for the current investigation on Sgt. Pam James is invalid because of previous orders that he gave to Major Stafford. Please let me know if you need anything else.

Thank you,
Chief Inspector Jon Schabruch
Office of Professional Standards

Sent from my iPhone

4/20/23
Jonathan Schabruch
EXHIBIT
1

ACSO Hiring Board Recommendation Form

Detective –CID	Cleveland Cox	April 26, 2021
Position	**Candidate's Name**	**Date**

Board Member Name & ID #	Member Signature	R - NR
LT J. Schabruch 555		NR
LT Scott Anderson 355		NR
Sgt. [illegible] Braind 620		NR
Sgt R Howell 538		NR
LT Todd Tuck 754		NR
SA. S. Myers 3246		NR

Board's Majority Recommendation: ☐ **R** – Recommended – majority or unanimous

☒ **NR** – Not Recommended – majority

Specific factors that affected the boards vote for a NR:

☒ **Prior work history**: Dismissals for cause, disciplinary history, indiscriminate job hopping, etc.

☐ **Drug use history**: Excessive usage, recent usage, use of heavy narcotics, dealt drugs, etc.

☐ **Other**: _____

Human Resources Representative Present:

Name: _____

Human Resources Comments: _____

_____

_____

_____

_____

_____

Schaubruch

ALACHUA COUNTY SHERIFF'S OFFICE

April 29, 2021

INTER-OFFICE CORRESPONDENCE

TO: Human Resources Bureau

FROM: Lieutenant Jonathan Schabruch
Criminal Investigations Division

VIA: Chain of Command

RE: Detective Selection

Detective interviews were conducted on April 26th - 28th, 2021. The interview panel consisted of myself, Lt. David Tuck, Lt. Scott Anderson, Sgt. Rich Howell, Sgt. Karyn O'Quinn, Sgt. Sandra Myers, and Sgt. Nancy Marzouk-Brainerd. Deputy Gregory Smith is the first choice for the position. There is currently one open position in the Property Unit. There will be an additional Property Unit vacancy when Det. Randy Enos retires in July and a vacancy in SVU when Det. Monica Herrera is officially promoted to Sergeant in May.

I respectfully request that Deputy Gregory Smith be transferred to the Criminal Investigations Division as soon as possible.

The rank of all the candidates is as follows:

1. Gregory Smith
2. Jacob Barlow
3. Luis Forero
4. Gabrielle Hunter
5. Lloyd Smith
6. Travis Parsons
7. Michael Adkins
8. Ivan Useche
9. Gregory Guzman
10. Caroline Whittington
11. Andrew Martin

Not Recommended

- Cleveland Cox
- Clinton Ferguson
- Christopher Miller

JRS/jrs

SWORN STATEMENT

of

STEPHEN MAYNARD

DATE TAKEN: April 26, 2023
TIME: 3:39 p.m. - 4:26 p.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

Cynthia F. Leverett, FPR
Certified Stenographic Reporter
Notary Public, State of Florida
www.NatureCoastReporters.com
Post Office Box 2392
Chiefland, Florida 32644
386-256-1457

APPEARANCES

STATE ATTORNEY BRIAN KRAMER
kramerb@sao8.org
Office of the State Attorney
120 West University Avenue
Gainesville, Florida 32601
352-374-3670

INSPECTOR DAVID SNOWDEN
davidsnowden@fdle.state.fl.us
Florida Department of Law Enforcement
Office of Investigations
Orlando Regional Operations Center
400 West Robinson Street
Orlando, Florida 32802

INSPECTOR KEITH B. RIDDICK
keithriddick@fdle.state.fl.us
Florida Department of Law Enforcement
Office of Executive Investigations
2331 Phillips Road
Tallahassee, Florida 32308

WHEREUPON,

STEPHEN MAYNARD

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes, I do.

DIRECT EXAMINATION

BY MR. KRAMER:

Q. Could you state your name, please?

A. My name is Steve Maynard. I'm a captain here at the Alachua County Sheriff's Office.

Q. Captain, could you briefly describe your experience in law enforcement?

A. I'm coming up on close to 27 years. I supervise multiple bureaus here at the Alachua County Sheriff's Office; that includes both courthouses, criminal and the civil courthouse. I supervise the civil bureau, I supervise the training bureau, and I also supervise the warrants bureau; so it's multiple areas.

Q. Have you served in other roles in the Alachua County Sheriff's Office?

A. Many.

Q. Is all of your law enforcement experience with the Alachua County Sheriff's Office?

A. It is, the entirety of almost 27 years.

Q. So I want to start by asking you whether or not you are involved in any aspect of the discipline actions that have been going on against Captain Rebecca Butcher?

A. "Yes" is the answer.

Q. What was your involvement?

A. So initially, which you probably already know, it resulted in a corrective counseling where Lance Yaeger, or Major Yaeger, provided a corrective counseling to Captain Butcher. I was not privy to any of that, never saw it, never saw the statements, haven't read it and don't intend to.

Sometime later -- and I had heard through the, you know, the "water cooler" type thing that the allegations against Captain Butcher were based on her demeanor and her tone in the middle of a conversation and a corrective counseling. That was kind of strange, you know, that someone would be -- that an administrative investigation would be launched because of someone's tone and demeanor. Typically, you would look like it would be something that you said, you spoke, some action, something, not necessarily a tone and demeanor. So that's what I heard through the "water cooler" type thing.

I learned that Major Yaeger was going to

launch an administrative investigation. He came to me, and he told me that, "Hey, I'm going to have an administrative investigation against Captain Butcher, and I want you to stand in as a witness in me providing the paperwork, the administrative paperwork, to Captain Butcher."

That was the first I heard of it, so I said -- I didn't say yes, no, nothing, no response. He left. He went off to do, you know, additional work, and then my brain started reeling. Okay.

I made -- you know, I saw that this was going to head down a very dangerous area of the sheriff's office for a variety of reasons. I saw that it was going to be potentially bad for the sheriff's office. It was going to be potentially bad for a 30-year veteran, Captain Butcher. It was potentially bad for Major Yaeger. It was potentially difficult or dangerous for a variety of reasons. It didn't sound to me like it was a good idea.

So I decided to take -- which is the only time I've ever done this, but I asked Major Yaeger to come to lunch with me. I said, "Let's go to lunch together. I'll buy."

So I took him to lunch, and I asked not to have this investigation. I said, "I don't think it's

a good idea," and I gave him a plethora number of reasons why I thought it was a bad idea to launch an administrative investigation on someone over their tone and demeanor. He listened quietly. You know, I told him all the reasons I told you. I said, "It will be bad. It's going to" -- bear with me. I'm looking at my notes here.

I asked him to stand down with his investigation, is the actual way I said that. I told him that it was going to be bad for the sheriff's office. It was bad for the command staff. It was bad for -- you know, again, for Captain Butcher, for him, and especially given what I had heard about the allegations.

I said -- and this is a quote: Please reconsider. This investigation will tear the command staff apart, end quote.

Major denied my suggestion and requested -- and request and went on forward with his administrative investigation.

I told him I didn't want to be part of his investigation, that I could sit in as a witness; however, I didn't want to read the investigation, I didn't want to be privy to any of his witnesses, I didn't want to be privy to any of the statements that

were made by other captains, I didn't want to see any evidence, don't want to be a part of it. I told him that.

Despite, he had, I guess, a conversation with the sheriff and made a decision that I was the guy that was going to sit down as a witness while she was provided her administrative paperwork.

I didn't feel like I had a choice to whether or not I could be a witness. Frankly, they were running out of captains to talk to. I was the lucky one.

By the way, I'm personal friends with Captain Butcher and have been for almost 30 years. That's part of the reason I didn't want to be in the room.

Major Yaeger told me that he had no plans to question or interrogate Captain Butcher. He told me that -- made that crystal clear to me, "Listen, I'm not going to interrogate her. I'm not going to ask any questions."

That kind of put me at ease a little bit. Okay. He's not going to ask her questions, blah, blah, blah. I said, "You're just going to provide the administrative paperwork, right? The normal confidential" -- you know, I think you have to sign that, you know, here's the allegation, yeah, yeah,

yeah, boom, boom, boom, that's it. "That's all we're doing, right?"

"That's all we're doing."

"Okay. Very good."

I was simply in the room while she was being provided the administrative investigation paperwork and acknowledging of receipt, basically, that she was getting the paperwork.

When she was taking receipt of the paperwork, I noticed Major Yaeger was visibly nervous. I could tell he was very -- like most people are, like I'm nervous now. I mean, he's nervous while he's trying to do the -- you know, to provide the administrative investigation because he doesn't do those all the time. In fact, I don't know that he'd ever done one before ever. So it may have been his first; I don't know. And he was reading the investigation paperwork verbatim, including the administrative investigation response form.

So, obviously, in our packet it gives the subject employee an opportunity, if they choose, to make a statement unless it's a compelled statement. It gives them an opportunity, if you want to make a statement, if you want to do something, you know, verbally, in writing. You know, you want to do it

recorded, that's fine too, whatever. So I was prepared for all of that. You know, again, no big deal. Nothing was alarming at that point.

When I walked into the room I knew that Becky was going to be -- I say "Becky," Captain Butcher was going to be alarmed because -- you know, what's this all about? She had no idea she was being, you know, bam, just hit this coal flat-feeted, basically.

And right before she went in, I actually looked at her -- which he could see, by the way. There's a window he could watch -- this little mirror, rather, and watch us. I looked at her, and I said, "Deep breathe."

So I was trying to calm her down because I knew she was going to be very angry, and I was concerned that she may respond in such a way that could cause her to be fired or some other further damage that could happen. So I was trying to visibly calm her down as best I could, but I couldn't look at her and tell her that because, again, there's a mirror there where he could see while I was seated right next to her.

Anyway, we're back in the room again. So he's reading this paperwork verbatim. So I witnessed him tell Captain Butcher that this was only an

administrative investigation, and it was not a criminal investigation; he said that multiple times.

Despite this, Major Yaeger read Captain Butcher Garrity warning, and it clouded things. When that happened automatically, and he started reading the Garrity warning, I'm thinking, you know, a better way of saying this is was probably: Hey, I'm going to provide you response statement. You can choose it if you want. If you want to, you know, make a statement, that's fine; if you don't, that's fine too. If you want to, you can do it recording, you can do that, you know, in written. It doesn't matter. It's up to you. "It's your option" type thing.

That wasn't crystal clear, and she was provided Garrity at this meeting. So that put me at -- you know, at that point I'm thinking, okay, but he's still saying other things in the room. He's saying she's going to have an opportunity, she may, she choose. So in my mind I'm thinking, okay, he's giving enough to make sure that she knows that she has the opportunity to make a statement but doesn't have to make a statement, but he didn't say that. I wish he had made that more clear. And I think that was just because he was reading aloud in the administrative packet rather than speaking, saying,

"You can make a statement if you'd like. I don't have any questions, but here's the form if you'd to," you know, that type of thing.

So that kind of put me -- you know, I wasn't 100 percent comfortable with all of that; but again, it was done. I made a statement on the record while I was there that I was concerned about becoming part of the witnesses where, you know, she -- now I needed to provide an additional witness statement because I was there in the room.

So I made, you know, something out loud and said, "Hey, listen, I'm just here, Captain Butcher. I've never read your investigation." I still haven't, by the way. "I haven't read it. I haven't seen the statements from any of the witnesses. I'm only here as a witness to make sure that you're afforded all this" -- "the paperwork and make sure that you have your rights, your rights are afforded" as a way for me to try to correct myself -- not to say "correct," but protect myself in the room, basically.

So then as we moved forward, General Counsel provided an affidavit, which again, I wasn't necessarily -- I didn't really necessarily think that that was coming. So when he just brought it to my desk, said, "Hey, I have an affidavit here for you for

you to look at. Read it and make sure it's correct," blah, blah, blah, "because you have to get it notarized, and it's part of the affidavit for the investigation," I said, "Okay. Thank you. I'll look at it. I'll review it" type thing. That's why I asked for additional information. I said, "Do you have the transcript? Do you have the recorded portion of what happened in the room? I'd like to see all of that so that I can make an informed decision on that."

And ultimately he did, he provided everything.

Q. Let me just ask you this. The affidavit that he provided to you, the things he wanted you to swear to, he had never conferred with you about them prior?

A. He provided it to me. He provided it to me, yes, but we hadn't talked about it or discussed it, no. He just provided me the affidavit for me to read and look at it.

It was almost like he was standing there with me, waiting for me to go ahead, you know, and read it quickly, and that's not the way I work. I give it to the 20-minute rule. I like to look at it. I want to read about it. I want to think about it. I want to -- you know, if it's not an emergency -- at least it wasn't an emergency for me -- I wanted to read it

and think about it a little bit, so I did.

Q. Is that the affidavit that you originally were provided that you've marked with the word "draft"?

A. Correct.

BY INSPECTOR SNOWDEN:

Q. Just so I understand, when Major Yaeger got with you about sitting in on Captain Butcher's investigation, was that the same day?

A. No, I don't think it was. I'd have to look at my records 100 percent, but I don't think it was the exact same time. I think it was a day or two after that.

So I'd had that lunch saying, you know, I don't think it's a good idea. Let's not do this. You know, it's not -- at this point the shot hasn't been fired. Let's not have an investigation for somebody, a 30-year veteran's, you know, tone and demeanor. Maybe give her some time to kind of calm down, whatever. You know, we bring other people into the room. We talk about it like grown men and women, and we have a conversation but not launch an administrative investigation for something over -- a 30-year veteran's career on tone and demeanor.

If somebody had launched an administrative

investigation for my tone and demeanor in my time here at the sheriff's office for 27 years, I probably wouldn't be employed anymore.

Q. I just wanted to clarify. You wanted to review the recording. You said that you announced yourself in the room. Was that being recorded?

A. It was. It was recorded.

BY MR. KRAMER:

Q. So there's a third page attached to the affidavit?

A. Yes. So the third, that is my records, but I'll show you.

So what I did is, I saw this, and I wrote draft on it to make sure that this didn't leave the room. Well, you know, I'll shred that. No, actually, I think I'll take that, because I had already signed it at that point. I said, no, I'll hang on to this, get a little more clarification on this. Let me read it, that type of thing.

I came back to him with another draft of what I thought was more correct in what I thought.

Q. This would be -- what's on the third page would be a replacement for paragraph 6?

A. Yeah, but this is not -- again, this came out at my house; because this, there was no third page on

this. It's 1 and 2.

What I did is, I went home, I read it. I listened to the recording of it. I looked at the transcripts carefully, and I read all the way through it to see what type of language he utilized to make sure it wasn't a compelled statement.

So I did, I went all the way through the transcripts. And as I'm going through it, as I read through it, before I signed it, I wanted to see what the specific language was.

So I did. I went through it and looked at the transcripts where he says, "I'm going to give you an opportunity."

I actually looked in the description -- or the -- the Websters to see what opportunity, what does it actually mean? What's opportunity? Opportunity gives somebody a choose -- a choice, right? It's not a compelled order. You know, you can only have one thing you can do. These are opportunity. So I wanted to look at that, and I wanted, before I signed it, again, to make sure, hey, did she have an opportunity, or was she ordered to provide a statement.

So again, I read all the way through it. "If you" -- "if you," and I looked at "if you" in the transcript. Well, "if you" is again giving her an

opportunity. If you want, you know, you can have a recorded statement or a written statement.

So it was somewhat clouded. Again, the better way to have written this -- I know what he was trying to do. What he was trying to do is to provide her a response, an opportunity to provide a response. In my heart, I don't believe that he was trying to order her to do anything. That's the reason I looked all through, to see if, you know, there was language in there that shows, you know, that he didn't order her. I don't think he tried to order her.

So I looked all -- if you want. "If you want" is not an order. "If you want." That's a choice. That's an opportunity. The type of language I looked to make sure that I was going to be okay with signing this affidavit. Am I okay saying that she wasn't ordered. That was what I was looking at, the two-prong thing, you know, was she ordered and compelled, and was she questioned and interrogated.

Was she questioned and interrogated? No, she was not. Was she ordered? Again, there needed to be some clarity. It should have been a little more; but what they did is, instead he used language like "if you want, you can have an opportunity to make a response," that type of thing. That was my concern

with the affidavit.

So what I did, I went back to him, and I said, "Hey, I have a problem with the affidavit. I would like for you" -- and this is General Counsel. "I would like for you to amend Bullet Number 6."

I have no problem with the rest of this stuff. It's all factual. Number 6, I'm a little concerned. So I struck through it while I was in his office. It basically says "I observed Major Yaeger tell petitioner multiple times that she was not being ordered."

Well, that's not technically correct. As I read through it, that language is not there. What's there is "opportunity, if you want" type language. So I drafted this and said, "This is what I'm more comfortable with."

He read it, and then he, you know, being typical, you know, attorney-type thing, I think, he was trying to wordsmith it so that it was maybe a little more grammatical correct. What he did and he came up with, he goes, "How about this? Is this okay for you?"

"I observe Major Yaeger clarify to petitioner multiple times that it was her option to provide a statement."

I read it, again read that, read this, read this, and said, "Yeah, I'm okay with that. I'm okay with that statement. I'll sign that." So I signed it. This is my copy that I was signing.

Hopefully, that clarifies what happened with the affidavit.

MR. KRAMER: Understood.

Is there other questions on that?

BY MR. KRAMER:

Q. The next issue that I'm aware of to discuss with you is Travis Devinny. Are you familiar with who Travis Devinny is?

A. I am.

Q. He is a deputy sheriff?

A. He is. He's a deputy sheriff here at the Alachua County Sheriff's Office, has been for a long time.

Q. Is he under your command? Or not at the moment, but at the time we're about to be talking about?

A. Normally, he's not. I can kind of give you a little bit up front so that you can kind of understand what happened and how it happened type thing.

So we are dangerously low staffed at the sheriff's office, in my opinion. Across the board,

we're anywhere from 30 to 36 percent. I've seen -- it depends on where you go to other bureaus. And our staffing is not good.

Part of my responsibility is making sure the judges, people that come into the courthouse, whether it be witnesses, whether it be victims, you know, attorneys, judges, etc., part of my responsibility is making sure that place is safe and secure, that it runs the way it's supposed to. When I'm short staffed as bad I am -- and I'm down 11 sworn positions, and I'm down three civilian positions currently.

Q. The green coats?

A. Green coats, yeah. But I'm down 11 sworn deputy sheriffs; those are gun toters. So I always -- what I look at, what really matters to me, to be honest with you, I hate to say it that way, the green coats have a very vital position; they do, but there's no substitute for what's at the front door and what may happen when someone comes through the front door and is an active shooter. I have to have a gun toter there, and I have to have a certain -- in my mind, it's my responsibility to make sure the right number of people are at the back door -- because we have duty stations all the way through where I need at least one here, I need at least three here, I need at least two

there. I have -- every judge and bailiff, I have to have a gun toter. If a judge is on the bench, I'm going to have a gun toter there.

So because we're short staffed, I have to pull other people from the across the entire agency to be able to staff those deputy positions to make sure the courthouse is safe. I'm not going to complain about it; it is what it is, but I'm going to get the job done. That's what I do.

So we send out an email. It goes out agency-wide for all sworn personnel, and we provide them an opportunity to sign up for nonprotected -- because that's important, nonprotected overtime.

Q. I don't know what that means. If you can, explain it to me.

A. I can. So there's two different -- so you have protected overtime, which is like extra duty. So extra duty is protected, and so it doesn't -- it is -- will always be time and a half no matter if you take time off, no matter if -- you could be off the entire two weeks, but that extra duty will always be paid at a time-and-a-half rate.

Q. Understood. If you haven't worked enough time in a pay period to get overtime, if you do this job, protected overtime, you're getting time and a

half no matter what.

A. Correct.

Q. Okay.

A. And I've asked to have that protected, but it was -- it's been denied. So the overtime at courthouse, both courthouses, is not protected, so people sign up knowing that. In other words, if they took, you know, eight to twelve hours off of leave during that pay period, they're not going to sign up for me because why would they? Because they're not going to get time and a half. So they know that it's protected or it's not protected.

So now we get back probably to what's your actual question. I just wanted to make sure and explain about the overtime and how we got here.

Q. How does Travis Devinny fit into this?

A. So to that, Travis Devinny is one of a handful of deputies and supervisors that routinely sign up to participate for voluntary overtime. It's not -- they're not mandated to do this. They volunteer to do it.

We send out this email. They respond to us, and they say, "Hey, I'd like to sign up." If I need three people that day, you know, "I'll be one of them." He does that routinely, anywhere from two to

three, maybe sometimes four times a month, and he's one of my -- and I've never had a problem with him. He's always on time. He provides, you know, good -- you know, it gives me some -- I'm trying to find that right word, but he does a good job for me.

So he's one of -- like I said, anywhere from two to four shifts per month he signs up.

Q. Okay. And at some point -- well, let me ask you this. Is your understanding that restricting either protected or unprotected overtime from an employee is a form of discipline?

A. I think that's a problem; I do. I think that if a person -- and I can tell the whole story. If you'd like me to go --

Q. Sure.

A. -- back to it, I can just tell the whole story of what happened.

So Travis signed up. He signed up. I saw him on my roster, blah, blah, blah. He's going to work with me, boom, boom, boom.

I got a call from the major, Major Yaeger, who was my direct report at that time. He called me into his office, closed the door. He tells me, "I don't want you to allow Travis Devinny to sign up for overtime in the courthouse anymore".

So I'm thinking -- you know, again, I was just trying to wrap this over my head. Okay. I said, "Is there something I need" -- so I asked, "Is there something that I need to know about Devinny? Did he do something in the courthouse? Is he under investigation? You know, can you provide me some reasoning as to why I couldn't" -- "that he doesn't sign up anymore or can't sign up anymore?"

He said -- this is a quote. He says, "Travis is a cancer here at the agency, and I don't want that cancer to infect other employees in the courthouse."

So I asked him, I asked Major Yaeger, "Can you give me an example of where he's said something?"

So what I'm looking at, in my mind, okay, did he say something to trash the administration and/or the sheriff, whoever? And if so, can you give me a date and time, because that's actionable, where I can actually investigate that? Potentially there's a violation there, that type of thing.

He said, "No. He's just a cancer, and I don't want him there anymore."

And I said -- I told him, "I'm not comfortable with that, Major. I'm not comfortable with that. I'm not comfortable with disciplining somebody if" -- "you know, you're telling me there's

no investigation, there's no" -- blah, blah, blah. "So you're just going to tell me to not schedule him anymore?"

He said, "Yeah, that's exactly what I want. I want you to not schedule him anymore."

I said, "Okay. So I'm going to go to him, and I'm going to tell him that he can't work overtime anymore at the courthouse?"

And he said, "No, I don't want you to do that."

I said, "Well, don't you think that that is the right thing to do, that he's owed an explanation as to why he can't work in the courthouse anymore?"

He said, "No, I don't want you to do that. I want you to just make sure that he's not scheduled anymore."

And I have a sergeant that does the scheduling in the courthouses. Her name is Karyn O'Quinn. I was -- and part of my responsibility is to make a decision on who actually does the schedule and who doesn't. So I decided that I wanted -- and Karyn O'Quinn is about to retire, Sergeant O'Quinn is about to. So my decision was that I wanted Lieutenant Gunn, who supervises the courthouse, he is the supervisor over Karyn O'Quinn, I want Lieutenant Gunn to do the

scheduling from that point on.

So I have a telephone conversation with Karyn O'Quinn. I was kind of -- I wasn't comfortable with what happened with this whole conversation where we're not going to schedule him anymore. I read the contract. I read the deputy's contract, and I read directives to see if I felt like that there was a violation of some sort where I could restrict someone from doing overtime; and as I read through it, I didn't see anything. I couldn't see anything that would, you know, allow me to prohibit someone from voluntary overtime.

I told Major Yaeger, "We need to be very careful. You need to be very careful because you're taking pay away from an employee without doing any kind of investigation."

It was problematic for me. I wasn't comfortable with it.

So I had a conversation with Karyn O'Quinn on the phone, and I told her, "This is what happened. I've had a conversation with my major, and he said he doesn't want Travis Devinny to work the overtime anymore at the courthouse."

She said, "Well, that's a problem because he's one of the go-tos that always signs up. I really

need him. In fact, he's on the schedule right now coming up tomorrow."

I said, "I understand that. That came from my boss. It came from the major, and the major decided that that's not going to happen. He's not allowed to work overtime anymore."

So she said, "I don't like it."

And I said, "Yeah, I don't like it."

She said -- she said this to me. She said, "Can I get that in writing?"

And I said, "Let me think about this." I said, "I'll get back with you."

So I decided to make a decision. My decision was to take the scheduling away from Karyn O'Quinn, give it to -- which I was going to do anyway, and give to Lieutenant Gunn.

I had a conversation with Lieutenant Gunn. Lieutenant Gunn is closer with my rank. So I wasn't super comfortable with having this conversation on how this is going to proceed with a sergeant when I'm at the rank of captain, but I will have that conversation with Lieutenant Gunn.

I confided in Lieutenant Gunn and told him exactly what the major said. He said, "Well, don't you think that he" -- he had the exact same questions

that I would have. "Don't you think that that's wrong?"

And I said, "Yeah, I don't like it either." I said, "This is what we're going to do."

I said, "I got a direct order from my major who says that we're not going to schedule him anymore." I told Lieutenant Gunn, I said, "I'm not going to violate that direct order, but here's what's going to happen, and here's how it's going to play out, and this is what you're going to say, Lieutenant Gunn."

I said, "When he does question why he's not on the schedule, and Travis says, 'Well, you don't need me anymore? Why aren't you scheduling me?'" -- because he will. He will because -- it's going to come up because he is regular. He helps, you know, two to four times a month. It's going to come up. It's not going to just go away. I told Lieutenant Gunn to tell him that Captain Maynard told me that I couldn't schedule you anymore on the overtime, and tell him to call Captain Maynard.

And I did that intentionally because I knew that what would happen inevitably is, Travis Devinny is going to call me or he's going to email me, and he's going to be, "Captain, you know, how come I can't

sign up for overtime anymore?"

And my response would be, "Because the major said that you're a cancer to the agency, and that you cannot be scheduled overtime anymore," and I was going to lay it out.

And I knew how it was going to play out. I knew that that was not going to -- that's not going to be kosher. That would cause problems in the agency, but it was the lesser of the two evils. It was, you know, buck my supervisor and tell him, you know, I'm not going to do your order, what your order is, or do I let this thing play out and let it -- see how it rides. I know how it's going to play out.

I even told Major Yaeger, I said, "This is going to play out bad; I'm telling you, it will."

And he said, "I'll own" -- this is his quote. He said, "I'll own this. When it comes up, I'll own it."

And we'll see. We'll see if he owns up because he -- he told me that.

Q. So did all this happen?

A. So ultimately, no. So he -- he was scheduled. Lieutenant Gunn or someone -- it doesn't matter. It really doesn't matter to me; I don't care, because at the end of the day it was going to play out

one way or the other -- told Travis Devinny this, and told him that he was being singled out and he would not be -- he's not able to sign up for overtime anymore. Everybody else is, but he can't.

So he lodged a complaint. He lodged a complaint, and that complaint -- at the time I didn't know he had lodged one, but I was waiting because it was a matter of time, it was coming. He lodged a complaint, and it went, I guess, to Colonel Scott.

Colonel Scott called me into his office and said, "Captain, did you tell Travis Devinny that he couldn't sign up anymore for overtime at the courthouse?"

And I sat there, and I said, "No, sir. No, I didn't. Not only did I not say that, but I warned Major Yaeger that that was not a good idea, that I thought it was unethical and it was not proper."

You can't single out a single person and say that they can't do something that everybody else can do without an investigation or some sort of sanction. There was no sanction at that time that I'm aware of. He was doing a good job for me.

Again, I told all of this to Colonel Scott. I said, "He's doing a good to job for me. I haven't had any problem. I'm not aware that he's trashing the

agency in front of the courthouse" -- "in the courthouse in front of other people. If they can give me a specific date and time of what happened, maybe I'll investigate it," I said, "but I told him that's not a good idea, and it shouldn't happen."

And the colonel had some choice words.

Q. To you?

A. Yes. Not directed to me, but some choice words like, you know, "Is he stupid?"

Q. Who is the "he" in that statement?

A. So that is Colonel Scott making a comment about Major Yaeger.

Q. Understood. And then what transpires? Does Devinny ultimately stay on the list, or is Devinny removed from the list?

A. The colonel made the correct decision that you can't do that. He's able to work overtime. He still -- he can sign up today anytime he wants. So it was remedied but through some navigating, you know what I mean, where -- you know, where I'm trying to convince my boss that that's not a good idea, and I'm trying to protect you, blah, blah, blah, don't do this.

And then I had to tell my lieutenant, "Here's how it's going to play it. It's a matter of time.

Just let it roll how it's going to go. And then when it comes to me, put it completely on me, and I in turn am I going to turn and say, 'Uh-uh, not me. Major Yaeger said that.'"

Q. How does the correction get communicated down the line back to Lieutenant Gunn, maybe the sergeant, moving on to Travis Devinny, the correction of Major Yaeger's erroneous direction?

A. I can't answer that because I don't know. All I was privy to is that the major said, you know, he's able to sign up whenever he wants.

So I in turn called my lieutenant and said, "Put him on the schedule. Put him on the schedule anytime he wants. He's welcome just like everybody else."

So it was corrected.

Q. What do you think the time frame is between the notification to -- I guess the first notification is to Karyn, to the sergeant, to the time that he's back on the schedule? Is it a day? Is it a month? How long is that order standing, I guess, is the way to put it.

A. I'm speculating because, again, I don't know. I'd have to do some research, but I -- maybe a week. I'd have to look.

BY INSPECTOR SNOWDEN:

Q. Did he miss out on some overtime days of work at the courthouse?

A. That's possible.

BY MR. KRAMER:

Q. It seems like he would have because you're indicating that he was on the schedule the next day, so he would have at least missed that one.

A. Well, he didn't -- I don't think he missed that one because it was too late for us to even make notification.

It's a big deal when I have somebody who's filling a spot and then all of a sudden I have to remove them, and I have a spot. Now I've got to stop and interview -- or, I'm sorry, stop, you know, potential trials, etc., etc. because, again, I'm short staffed. So I need everybody I've got. I don't have extra. I don't have any extra floating around anywhere. So it was too late, I think, on that one schedule that we're talking about.

I'm pretty sure the captain, she said, "Well, he's already" -- "he's supposed to be here in the morning."

I think that was too late. So I think he wound up working that last, but he may have missed out

on the opportunity to sign up for other. Because I can't remember how long that time span went, I can't say that 100 percent.

MR. KRAMER: Understood. Is there anything else that you brought for us that you are concerned about, that you're prepared to talk about today?

I don't know if you guys have any follow-up questions on this, the Travis Devinny or other issue.

BY INSPECTOR RIDDICK:

Q. Not really Devinny, but as far as how short you are in the courthouse. And apparently you've had to cancel stuff before. Has the chief judge expressed anything about this?

A. Yes, I have expressed -- we have a security meeting. The security meeting, typically it's Judge Colaw that sits in on the security meetings. And I've made them aware that we're short staffed, and it's a difficult situation for us right now.

And what happened with COVID, and I think it happened probably for everybody, you're backed up. So we're backed up. With subpoenas, we're backed up. With trials, we're backed up. So we were trying to -- while being short staffed and people being sick and

resigning and, you know, retiring, blah, blah, blah, with all of that, they're trying to get caught up.

So while they're getting -- there's more trials than ever; but between the courthouses, we would have as many -- I've seen as many scheduled as five in a week. That's a lot. That's a lot for our courthouse to try to swallow and deal with. Now, we know that some of them will likely go away, but, you know, I have to plan for all of them.

So the way I plan, and the way we have planned, is for the worse case scenario; and that's just the way you do the scheduling, and then you have to be ready in a moment's notice to pivot at some point, if that answers the question.

BY MR. KRAMER:

Q. They may not understand. Maybe you can help them understand. Would it be fair to say that Judge Colaw is not tolerant of delays in his trials?

A. He's not.

Q. So part of the stress to you would be that you're going to have a judge who's going to order you to make this happen even if you don't have adequate people to do it?

A. So Judge Colaw doesn't -- has never said that, or the chief judge has never told us to, you

know, "make it happen" type thing.

I have made recommendations through the administration multiple times in separate types of mitigation strategies, if you will, to deal with when we're short staffed. Things like let me communicate with court admin and say, hey, listen, we're short staffed this week. I got three out for COVID. Can we maybe delay this trial? Can we, you know, maybe schedule and finagle, you know, and move this hearing here or do this to try to help with that? And I was denied to do that. I was told --

Q. Denied by your administration, not by Judge Colaw?

A. Correct. Judge Colaw would never do that. He would facilitate, and he's always been very fair and reasonable; and also, frankly, court admin is. They're -- you know, they're trying -- we're all on the same team. We're all trying to get the exact same accomplished, but I was asking for a little accommodation, for an opportunity to communicate first with court admin and say, hey, here's the circumstance. It's difficult for me to make this happen.

And they have actually told me that they would work with me; they would. There's no problem.

But I have to be super careful because when my administration says that you're going to make it happen, you're going to make it happen; so I'm going to make it that happen.

BY INSPECTOR RIDDICK:

Q. One more question on the Travis thing. Was Yaeger ever disciplined or anything done with him for his obvious improper order as far as you know?

A. As I know it, no, there was no discipline; but again, I can't speak to that. I wouldn't see a corrective counseling. I wouldn't see, you know -- I could go look at, just like everybody else, public record and see if there was something documented, but no, sir, I'm not aware of how he was disciplined at all.

MR. KRAMER: Thank you very much for your time today. I can't guarantee that we won't bring you back, but I thank you for your time today. This concludes your statement.

(The deposition concluded at 4:26 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that STEPHEN MAYNARD, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 7, 2023.

Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

NOTARY PUBLIC STATE OF FLORIDA
CYNTHIA LEVERETT
Commission # HH 036051
Expires September 27, 2024
Bonded Thru Budget Notary Services

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named STEPHEN MAYNARD, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 7, 2023.

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

TRAVIS DEVINNY

DATE TAKEN: May 16, 2023
TIME: 9:08 a.m. - 9:50 a.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

Cynthia F. Leverett, FPR
Certified Stenographic Reporter
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- - -

WHEREUPON,

TRAVIS DEVINNY

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes, ma'am, I do.

EXAMINATION

BY MR. KRAMER:

Q. Sir, could you state your full name, please?

A. My name is Travis Edward Devinny.

Q. How are you currently employed?

A. I'm a deputy sheriff with Alachua County Sheriff's Office.

Q. And you're a sworn law enforcement officer in the state of Florida?

A. I am.

Q. How long have you been a sworn law enforcement officer?

A. May the 26th will be 25 years.

Q. And not necessarily in chronological order; but ending with whatever your last assignment was, can you review for me your work history and what you've done as a law enforcement officer?

A. Currently I'm in uniform patrol. Going back to -- you want to go backwards or forwards?

Q. It doesn't matter.

A. I have to go forward. It's like saying the alphabet backward; I can't. I started with City of Clearwater Police in May 26 of 1998, spent one year there. I was a uniform police officer.

I came up here to Alachua County June 7th of 1999. I was in patrol for about a year. I went to the special operations traffic safety bureau for two years. I left the traffic bureau in 2002, went back to the road as a field training deputy for about a year and a half.

I went to the drug unit in January of 2004. I stayed in the drug unit until April of 2014. Eight of those years I was assigned to drug enforcement administration. I left April of 2014.

I went to our full-time warrants bureau from April of 2014 until July of 2017. I went back to the road as a field training deputy.

I got sent to juvenile resource bureau in September of 2019. I came back to the road sometime in '21, maybe February of '21. I stayed on the road until August.

I got sent back against my will again, back to the juvenile relations bureau. I stayed there until February of last year, where I'm back on the road as a uniform patrol.

Q. You mentioned that you were sent to the juvenile relations bureau against your will. What does that mean?

A. I got a phone call the second time, and it said, "How would you feel about going back?"

And there was some issues with why I left -- and I'll say it. It's my -- whatever. I was at the time going through a divorce; and it was super bad, so I asked to leave the bureau.

Four months later they said, "How would you feel about going back?"

I said, "That's a terrible idea." I said, "I don't want to. I got to make some phone calls. Please don't do this to me."

And then I called them back to tell them no, and he said I was transferred.

Q. Who was the person you were referring to when you said you spoke to "them"?

A. The one I spoke to on the phone was Lieutenant Richard Malone, but I knew that he was in a meeting with some other command staff.

Q. Is that unusual in some regard, or did you regard that as being for some reason done to you as a form of punishment?

A. Yes.

Q. What was your basis for feeling that way?

A. I'm not -- I'm not 100 percent sure. Part of it at the time was -- what I believe was because of lieutenant -- I think she was a captain at that point, and then probably because of Chad Scott. We have history back from 2006, '7, when he got terminated from the sheriff's office.

It's no secret that I did not like being in the school, like I said. And I believe that they sent me there out of sport, for fun, and it was pretty awful.

Q. Okay. So let me ask you this, or at least start with this. At some point did it become a problem in the sheriff's office that the deputies who staffed the courthouses, that there are an insufficient number of them?

A. Yeah, I think part of -- I worked there part-time some off-duty. I think they're like somewhere between ten or fifteen positions short.

Q. And once that occurred, did you -- did it become, I guess, known through the agency that you could -- I'm not sure what the technical terms are, but what I would call pick up a shift, an extra shift there?

A. There's emails that come out monthly about,

hey, here's the shifts that we have available. Here's how many deputies we need for this day, either the civil courthouse or the criminal courthouse. This is what we need. If you want to work an eight-hour shift, just send an email back, and we'll put you on.

Q. And did you accept that inquiry and --

A. I did. I've worked in there for about a year on most of my off-duty days.

Q. Is that -- I don't know that it matters, but so you can earn additional income?

A. Yes. I'm in my high five, trying to stack my retirement.

Q. Is that important to you?

A. Very.

Q. And is there any kind of -- that you're aware of, sort of filtration or screening? Or is it if you apply, and you're available, you get to work there?

A. It's for -- the way I understand it is, when the email comes out, the first person -- everybody -- everybody gets to work. So the first person that says, "I want May 16th from 8:00 to 5:00. I'll work the criminal justice center," they'll say, okay, Travis is on 8:00 to 5:00.

If you send another one, they're like, sorry, it's already filled. Do you want another one?

So it's first come, first served, and whatever days are available.

Q. Up until your most recent suspension from the agency, had you ever been denied an opportunity to work there?

A. Prior to this?

Q. Yes.

A. Never.

Q. All right. So I want -- I don't want to talk about whatever happened that caused them to -- whatever the incident was that they are using as a basis to suspend you. I'm not asking you any questions about that, and I don't want you to provide any information about that. So if you think my question calls for that, it doesn't. I just asked you a bad question.

A. Okay.

Q. So at some point -- and I don't know the sequence of events, but my understanding is, is that there is -- around the same time there is a complaint against you for something that happened, and you make a complaint to the agency regarding the command staff.

A. Yes.

Q. First of all, can you give us the sequence of events timing-wise as to what occurs?

A. So my complaint against the command staff, it starts on February 21st. I had a conversation with another employee about a friend of mine who killed himself. And I had some issues -- we -- the day that everybody found him when he died.

So we all go over there to his apartment. Some command staff showed up, the sheriff showed up, Colonel Scott showed up, Lance Yaeger showed up, and a bunch of other people. And then they all dismissed us, they made us go away so they could do whatever they wanted to do. And then we came back, and then we took Nick to the ME's office.

So part of the conversation that I had on the day of his funeral was because of the day at the ME's office. We were standing there. They were unloading Nick to bring him on the inside, and for whatever reason, you know, they line the hearse with deputies and uniform personnel.

So I saw the sheriff, Colonel Scott, and Yaeger make their way. They pushed the crowd. Everybody was standing there, all of his friends. They have no idea who this dude is. And they went up, and they put their hands on him; which was completely disrespectful, is what everybody thought. So that kind of set the tone for me. I was super, super

angry.

And then on the 21st, the day that he had his service and all that other stuff, I had a conversation with Victor Pino-Diaz. And I was super angry, and I said some things to him, that I thought it was disrespectful that they touched my friend; that they have no idea who he is.

Anyways, he calls Yaeger, tells him what I said. Yaeger calls my boss, and then we start going from there. Because of that conversation -- I'm trying to think what day that was.

Q. Dates are not important.

A. Okay. So fast-forward like a week or so. I get called by my captain and my supervisor, Rob Townsend. He tells me we're going to have a meeting.

So they start talking to me and do this -- we have a process called a fitness for duty to make sure, one, that you're mentally healthy enough to work and blah, blah, blah. So they start taking me down this path.

Everybody realized we said what we had to say. I did not get fitness for duty, and then we left it. It was a very long conversation.

The next day we were -- me; my boss, Rob Townsend; some other deputies were having breakfast at

The Mill restaurant like we do every day that we work. We were all finished, standing outside, and Rob tells me that -- command staff pulled up. He looks. He goes, "Oh, man. It's Yaeger. This is going to be super awkward because of" -- I'm missing something inside there. I know that I'm missing something.

There was, I think, just a conversation and -- I'm missing something; I know that I am.

Anyways, so I just stood facing Rob. Rob was facing out. Yaeger gets out, goes inside. I don't say a word. We leave.

Rob calls me and says, "You need to come meet with him again."

So I go meet with him. He says, "I was called by Lance Yaeger. Lance Yaeger says that I'm to verbally counsel you because you didn't address the senior command staff member. He said that was completely disrespectful. And if you don't" -- whatever. If he catches me not addressing a command staff member, that he'll write me up. If he hears that I'm not addressing citizens properly, that bad things are going to happen.

So we leave there, and I'm like, this is getting ridiculous. So I do a complaint intake form for a hostile work environment on Lance Yaeger.

Q. Let me just make sure I understand. Prior to The Mill restaurant, there's been no communication from Lance Yaeger to any of your command staff saying, "Hey, you know, what's going on with Travis?" or anything of that nature; but he's aware that you feel he has disrespected your friend who has died due to suicide because you communicated that to people who know him.

A. Right.

Q. And that when he walks into this restaurant that you simply don't say anything to him?

A. It was actually a parking lot. We were in the parking lot.

Q. You're in the parking lot, but he's walking into the restaurant. Do other people acknowledge him?

A. I think Rob did. And there was -- Pillar was there, Pennant was there. I don't know that they acknowledged him. They may have given him a head nod, but I wasn't looking at them.

Q. But you said nothing, you did nothing.

A. Correct.

Q. You didn't make any comments to anyone?

A. No.

Q. You simply stood quiet.

A. Right.

Q. And it is shortly thereafter that your commander, whoever your next change of command is, gives you a verbal counsel that your failure to acknowledge the presence of Lance Yaeger is going to subject you to discipline?

A. Correct.

Q. All right. Continue.

Oh, but that is the basis of your first complaint, that he's creating a hostile work environment?

A. That is.

Q. So continue. What happens next?

A. I filed that. That was a Thursday, whatever date that was; maybe March 2nd, I think. So I file a complaint intake form. It goes up to OPS, our office of professional standards, or internal affairs. I also requested a meeting with the colonel, with Colonel Chad Scott.

So I have a meeting with Inspector Scott Anderson and Hutchinson on the following Monday, like the 6th, March 6th, I think it was. And I also have a meeting with Chad Scott at whatever it was, 1:00 or 1:30.

Q. Can I interrupt you just for one second? I apologize for interrupting; and I shouldn't, but I

want to make sure of something.

Is there anything in the rules and regulations, for lack of a better term, that I understand of the sheriff's office that requires you to acknowledge the presence of a senior command staff officer, that that does violate some rule at the sheriff's office?

A. It's on a broad spectrum, yes. There's something in there about chain of command and something else, but there's not -- not expressly for that.

Q. So there might be something that says you have to act like a respectable deputy sheriff, but there's nothing that specifically says you have to acknowledge Lance Yaeger -- you don't have to salute him.

A. Absolutely. That's correct.

Q. I apologize for interrupting. You can continue. You've set these meetings now.

A. So I wanted to make sure -- once I had my meeting with our internal affairs, office of professional standards, that meeting, I said, look, I have a meeting with the colonel at whatever time -- I think it was supposed to be at 1:00, and it changed to 2:30.

I said, "Am I allowed" -- because I signed Garrity. I said, "Am I allowed to talk about this with the colonel, or am I going to get whacked with some discipline for speaking about it?"

He said, "Let me figure it out, make some phone calls. I'll let you know."

So later on that day Anderson calls me and says, "We were told that this investigation is going to the colonel, and he's going to handle it. So you are allowed to talk to him because he is a part of the investigation."

We have that conversation; that's on the 6th, and then it's done.

Then we fast-forward. I get called by Captain Levy, and he wants to give me -- I go into his office, and he gives me an IOC that was authored by Lance Yaeger. It was on March 7th, and it details -- that's the first one that I'm aware. It details what he thought with me in the disrespectful and calling Townsend to have me counseled. I'm trying to find that. That was on the 7th.

Apparently, that goes from Lance Yaeger to Colonel Scott, but it goes to OPS first the day after I testified at OPS about him. So he launches his own OPS thing. OPS declines to investigate it. It comes

back down to the -- Captain Levy writes his IOC back up the chain in response to Yaeger's IOC.

So then I forget what actual date, whatever date on the captain's IOC is whatever the day the meeting was, because he finished it right in front of me. And then -- whatever date is on there. I'll get that in a second.

So we finish up with that, and I think you were asking me about the courthouse stuff.

Q. Correct. I'm aware of what happens at the courthouse situation. I don't know if that was ever communicated to you, that these communications about your participation in the courthouse is being potentially limited by the administration. I don't know if you ever received that communication.

A. Not because of them. I got a phone call on a Monday; I forget what date, but from Sergeant Karyn O'Quinn. She told me, "Just so you know, this is happening to you. It came down that you're no longer allowed to work the courthouse. I asked for an answer they couldn't give to me; so as far as I'm concerned, since I didn't get an answer, you're free to work tomorrow," like I was supposed to.

So I did, I show up. Lieutenant Marvin Gunn and her bring me to an office and said, "This will

probably be the last day that you're allowed to work inside here. It came down from Yaeger, it went to Maynard, and then to us that you're no longer allowed to work. You're not allowed to ask any questions about it. It is what it is. So after today, that's it for you."

So I sent a series of emails up asking for clarification, and I have those if you'd like them.

Q. Can I just ask, are these all copies that we can keep?

A. Yes. I have the emails.

But essentially, I ask why. I'd like clarification. It goes up through my chain and goes to Jason Levy to Colonel Scott. Scott said that he has no idea. He defers it to Maynard. Maynard says it's rectified at the colonel's level.

They still haven't provided me an answer as to why I'm not allowed to work in the courthouse, just only that it's rectified.

Q. And do you in fact work additional days after that day that you have a conversation with Karyn O'Quinn?

A. That was a Monday. I did work the Tuesday, and that was the last one.

Q. And is that because they suspended you?

A. I got suspended April 6th, so --

Q. Let me rephrase. So you work that Monday. You work that Tuesday. Were you scheduled to work any additional days, but the suspension stops you from working additional days?

A. Suspension did stop me from working a bunch of days, but I don't know if I had it prior to the suspension. That might have been before the last day I signed up for it. I don't know if the new list had came out yet or not.

Q. As was your regular course of practice, having requested additional days, you either didn't work them or you didn't receive permission to work them because, before you could work them, you were suspended?

A. There's an email that I sent asking for clarification from Marvin Gunn, and he says that I'm now allowed to work any of the days I want. I put a whole list of them that said I am allowed to work whatever days. I did sign up for them. I can't remember if I worked in that list or not. I don't know where --

Q. We can figure that out. And you may be able to just provide us the emails, and the timeline can be created from them. But here's my question.

A. Yes, sir.

Q. Again, without telling me anything about what happened, where in this timeline does the incident for which they will ultimately suspend you occur?

A. I think it's March 31st.

Q. What day do they suspend you?

A. I'm sorry. March the 26th is when it happens. I get suspended April 6th.

Q. And, if you know, when from the date of the incident is there the initiation, if it ever happens, of an IA complaint regarding that incident?

A. I think it was a Tuesday. I got suspended on a Thursday, and I think I either got served the 4th of April, or they notified me of the complaint maybe the -- either Monday or Tuesday. I think it was Tuesday.

Q. Let me ask you this. Was the command staff, your command staff, aware that the incident for which you were ultimately suspended had occurred prior to the IOC complaint, or the OPS complaint?

A. Yeah. The way I understand it is that they -- of the incident, notifications were made up the chain, going through Colonel Scott, that said, hey, this is what happened.

It got through my sergeant, my lieutenant.

It got to Captain Levy. Captain Levy asked the question, does he need to be suspended; they said no.

Q. And did you continue to work from after that, the date of that Tuesday -- or excuse me, the Sunday, did you return to service after that incident?

A. Yeah, I did. I worked -- that's April 3rd, is the actual complaint. I worked all the way up until April the 4th, is when -- I got suspended on the 6th, but I think I was off. So off on a Wednesday. Thursday was my normal days off. And I worked -- that Tuesday was my normal workday, so that's the day that I worked. It's probably, whatever, the 26th through the 6th, is how long it took.

Q. And I don't know if you can answer this question; if it's beyond your knowledge, please feel free to say so. Is a suspension normal or customary when this type of complaint has been made against an officer?

A. It can be. It's not -- suspensions are pretty uncommon. In my 25-year career, deputies being suspended is a pretty unique event. It's not something that normally happens; let's say that.

Q. Let me see if I can rephrase the question this way. Are you aware of incidents of this type where officers have been allowed to continue to work

through the full completion of the OPS investigation while that type of complaint is pending?

A. Yes.

Q. Is that commonplace?

A. It is commonplace.

Q. Have you ever heard of anyone being suspended for this level of alleged violation?

A. No.

Q. And what's the current status of that investigation?

A. I was notified Thursday that the inspector is done writing it and it was pending a review at the captain's level, which is, I'm assuming, where it's at today.

Q. And have you had your opportunity to go in and review all of the evidence with regard to the case?

A. I did.

Q. And have they disclosed to you whether or not they intend to discipline you?

A. They have not.

Q. Okay. Now, during the course of that investigation, or if I'm wrong about what investigation it is, are you -- are you under the belief that any official document within the sheriff's

office was improperly altered as a result of that investigation or during the course of that investigation?

A. So I have -- I have an email from Inspector Anderson from the 24th, because he is the lead inspector; and he notified me of the 45-day window for complaints per OPS policy manual, blah, blah, blah, and in that it kind of details about this is where your investigation is at. I believe it says that the undersheriff verbally told Captain Jenkins to make the case go away; he wasn't going to do that.

Q. I'm sorry. I need a little clarification. Are we referring to your complaint against Lance Yaeger now?

A. Yes. I'm sorry. Yes. Not the one that I'm suspended for. This is the Lance Yaeger. This is all -- that email and this IOC that I'm about to show is all about the Lance Yaeger investigation.

Q. Understood.

A. So we get that, that is April the 24th, from the lead inspector of our OPS section; but then the day I was suspended, I have this IOC. This was authored by Hutchinson. It was given to Captain Jenkins, who delivered it to the undersheriff in a meeting between him and the undersheriff and Jake

Rush; the three of them were in there.

He delivers his OIC. He said that this investigation -- I'll let you read it -- needs to continue. It shouldn't be made to go away. It is detailed, it is thorough, it is legit, it is righteous. It needs to be investigated.

I was told this Thursday, the day I was suspended -- before I give this, I was told on a Monday when everybody came back to work that Hutchinson wasn't there this day; that Hutchinson asked, "Why is Devinny suspended? I'm running this investigation," and that Kelvin Jenkins openly, in the middle of OPS, on the floor, says, "I delivered this IOC. It needs to be investigated."

The undersheriff came unglued and said that deputy sheriffs should not be sniping command staff members; it should never happened, and it won't happen. "Is Devinny working?"

And Kelvin Jenkins said, "I'm not sure. I'm not sure what the schedule is."

He says, "No. Why isn't he suspended? You suspend him immediately."

So Kelvin called, talked to Scott Anderson. He said, "Draft paperwork, go to his house, and go suspend him."

This is the IOC that I was given. Not I was given, but that is what was given to the undersheriff. We got that on a public records request.

The way I understood it from --

Q. On the document you've just given me there, whose handwriting is that?

A. There is -- I'm not sure on the top. This is Undersheriff DeCoursey's. The green writing is the sheriff. This is allegedly Kelvin Jenkins with the circle and the arrow.

The way I understand it, those comments were not on there as he delivered it; otherwise, he would not have delivered it to the undersheriff saying that the investigation needs to push forward.

Q. At some point, the question is, is there anything that is changed from what was written to what ultimately you -- goes into the records at the sheriff's office?

A. Correct. Captain Jenkins brings an IOC to the undersheriff saying this needs to be investigated, and now there's comments on there that says he found -- "he" being Captain Jenkins found it unsubstantiated; and it shouldn't be going forward, which is not -- it's not what happened.

Q. So what you're saying, if I understand it

correctly, is that Captain Jenkins goes up the chain to his command, the undersheriff or what have you, and says complaints against Major Yaeger need to be investigated?

A. Correct.

Q. He goes in a meeting, and they then say that's not what this is going to be. It's going to be that everything is unsubstantiated?

A. Correct. And I get suspended literally in the same sentence.

Q. As a result of that meeting, you are suspended because -- essentially because you have made a complaint against the major?

A. Yes.

Q. Got you. Understood. All right. Now, I just want to clarify something. Is this the only complaint you've made about or against Major Yaeger?

A. Yes.

Q. Are you aware of anyone else who's made similar complaints?

A. Oh, there's a bunch of people.

Q. I mean, formally made complaints through the office of professional standards?

A. That I don't know.

Q. And so would I be correct that an OPS number

would have been drawn on the complaint against Major Yaeger?

A. It should be.

Q. And that it's ultimately taken over by Colonel Scott?

A. Oh, you talking about my investigation? It says there is a tracking number associated with that, yes.

Q. But Colonel Scott ultimately is the one who handles the entire investigation?

A. Well, it goes to -- this is the way that I understand it. It goes to Colonel Scott. Colonel Scott tries to pass it off to somebody in patrol, gives it to Jason Levy. Jason Levy tries to give it to Lieutenant Joe Paul Hood. I think they declined and said that, "I don't think a lieutenant should be investigating."

It goes back up to the colonel and then back to OPS.

Q. And so ultimately the investigator is Eric Hutchinson?

A. Yes.

Q. Who then reports to Kelvin Jenkins?

A. Yes.

Q. And then that goes back to the colonel?

A. It goes straight to the undersheriff.

Q. Straight to the undersheriff. Do you know what the recommendation is coming out of Eric Hutchinson's hands?

A. It said from like the last sentence inside the IOC that it needs to be -- this needs to be investigated.

Q. I'm just confused, and maybe someone can explain it to me. I'm not sure why they're -- if they accepted it, gave it a tracking number, and then it went through all these people, and there's all this information with regard to it, what -- it seems like it is investigated.

A. It is investigated. Well, they did an interview, like it says on there, with Sergeant Rob Townsend. They didn't do any more interviews because they got verbally told to tank it by the undersheriff. That's why they wrote a thorough IOC saying here's what we have. It's legit. It needs to be investigated. That's when Eric Hutchinson gave it to Kelvin Jenkins. Kelvin Jenkins hand-delivers it to the undersheriff saying that we need to do this. He comes unglued. I get suspended, and then there's comments on it that say it's not substantiated. Then why would you bring it to the undersheriff? That's my

question.

Q. Is there something else you wanted to share?

A. No. I just want to make sure that -- in the IOC it says they proceeded with the investigation. They talked to Rob Townsend. He said whatever he said. It looks like, because of his interview, then they were told to stop after the interview, because they have to report every step of every investigation up the chain. There is no secrets, apparently. They said stop it. They said, no, we're not going to stop it.

So that IOC is based off my testimony and Rob Townsend's testimony.

BY INSPECTOR RIDDICK:

Q. You were suspended for the allegation of excessive force, right?

A. (Nods head.)

Q. Was there an actual complaint made by whoever you arrested?

A. No. It was a -- I self-reported, because we have reporting documents for any time that we have to use force at all.

Q. So you did the normal use of force?

A. I did the normal use of force. My boss reviewed it. He did his use-of-force paperwork and

went up the chain. So there is no complaint. It's just the use-of-force policy that says it has to be completed.

Q. So how did that get to where you're suspended for excessive use of force?

A. That's a great question. That is a perfect question, but I would defer to the IOC offered by Eric Hutchinson and delivered by the captain to the undersheriff about sniping command staff members as to why I was suspended.

Q. So the review of the use of force, everything was -- the captain agreed that it was within the policy on up the chain?

A. I respectfully have to decline to answer that.

BY MR. KRAMER:

Q. Let me ask if I can ask this: That investigation is essentially complete other than going through the executive process of whatever they intend to do about it?

A. As far as I know. As far as we know, that is.

Q. And, again, I hope you can forgive my ignorance. I'm guessing that you've used force in your 25-year career before.

A. I have many times.

Q. And you followed the exact protocol as long as it's been the protocol when you've had to use force?

A. That is correct. I mean, not only that, but I'm also a use-of-force instructor. I'm a defense tactic instructor. I train outside of work. I'm almost at an instructor level in that practice, and I've never in 25 years had a use-of-force complaint, ever.

Q. And to this day, that remains true because there is no complaint here?

A. Yes.

Q. There is no human who is complaining against you?

A. That is correct.

Q. You have simply followed the sheriff's office procedure which you teach to others in that if you use force, you report that use of force?

A. Yes.

Q. And that that use of force, to your knowledge, went through the normal process of how use-of-force incidents are dealt until it reached the command staff, who said suspend him?

A. Correct.

Q. Other than this, is there anything that you're aware of that has occurred at the sheriff's office that is illegal, that's happened that's unlawful that you'd like to share with me?

A. I would not, no.

Q. Is there anything else that you think we need to cover?

A. No, I don't think so. I don't think so.

MR. KRAMER: Then that's it. We'll go off the record.

(The statement concluded at 9:50 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that TRAVIS DEVINNY, who produced a Florida Driver's License as identification, personally appeared before me on May 16, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 27, 2023.

Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named TRAVIS DEVINNY, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 27, 2023.

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

ARABELLA BLIZZARD

DATE TAKEN: May 16, 2023
TIME: 10:01 a.m. - 10:59 a.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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- - -

WHEREUPON,

ARABELLA BLIZZARD

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: So help me God, yes.

EXAMINATION

BY MR. KRAMER:

Q. Could you state your full name, please?

A. Arabella Blizzard.

Q. At any point in your life have you been a sworn law enforcement officer?

A. Most of my life, yes?

Q. How many years of your life?

A. Twenty-eight years.

Q. Could you tell me what agencies in the state of Florida you have worked for?

A. Just the Alachua County Sheriff's Office.

Q. While you were at the Alachua County Sheriff's Office, can you review for me the positions you held, ending with what was your last position when you were there?

A. Okay. And this is rough because I don't have my resume in front of me. I was a deputy on the road for approximately six years. Then I became sergeant. There was a detective stint in there and a narcotics

stint in there. Then I finally got sergeant.

I was a sergeant for something like five years, and then I became lieutenant; and that was 11 years. That was a long time. I didn't think I was going to get picked out of the basket, but I did.

I got acting captain. I was only covering for someone that was doing the jail, so I came back to lieutenant. And then I got captain in 2016. I did that for six years, and then I was promoted to major a year ago this last July. So it would have been July 2021, I guess, and I did a year as a major.

Q. All right. So when Sheriff Clovis Watson comes into office you were a captain?

A. I sure was, special operations.

Q. And then once he takes office does your role stay the same while you're captain, or do you move around? Because I know there's more than one thing captains do at the sheriff's office.

A. They left me alone, surprisingly. When they came -- I don't know if y'all are aware -- you probably don't want to hear all this shit; maybe you do.

I worked for Sadie Darnell for all her terms. I was in all the campaigns she had. I was the front person in her last campaign, which she lost to Clovis

Watson Jr. I was on Facebook. I was on the news. So I was left alone.

He came to several of my command posts, and he was very complimentary on the job that I did, et cetera, et cetera. I really didn't see much of him at first.

We had a call where a guy basically blew himself up, burned himself, and I was the commander of that. That's what I specialized in, was command post work. So I go out with the SWAT and all the teams, and I basically make decisions.

They came to a particular scene, and it was out in Fairbanks. And they always parked their vehicle -- like they never got out. They would park and just watch.

And they had me come over, and I was telling them, hey, you know, this is three different scenes. We ended up having the fire inspector scene. We had the FDLE scene. And then we had the shooting scene, and we also had the scene of original crime, which is domestic violence. That was a lot. And FDLE is out there. It was a lot.

So I told them I can't keep coming back over here. I have to stay at the command post. If you need me, you have to text me. I can't run anything by

anybody. We're going to have to make decisions in a minute because this is getting hairy. And they were, like, fine.

So I went back over, and like it went like -- I mean, it was quick. First it was like we shoot gas in there. Then the guy sets the place on fire, and then we deal with all kinds of other things. So it lasted about maybe -- in the heat of it, maybe a couple hours.

So when we were done, I went back over to the truck; and I took out the phone and said, "Hey, this is what the scene looks like from the units, the SWAT team that's right up front to the house. This is what happened."

They was like, "We heard on the radio. That was great," yah, yah, yah. And then probably -- I don't know which month that was, but in July I got promoted.

Q. So when you become a major, what are your duties and responsibilities?

A. I had at first -- because George had left. I worked with George, and then George resigned. When he resigned, I had everything. So I had patrol, I had, you know, judicial services training, I had CID, basically the entire -- everything.

Q. So there was no other major at that point?
A. No, not for a while.
Q. Was there an acting major?
A. No. Uh-uh.
Q. And was now Colonel Chad Scott in the agency at that point?
A. No, not yet.
Q. So the command structure would have been the sheriff, the undersheriff, then you?
A. Uh-huh.
Q. And where was now Major Yaeger at that point?
A. At that point Major Yaeger was a deputy sheriff on the road.
Q. So at some point you -- I guess, they hire -- how does someone else become major, I guess, is my next question.
A. I have no idea. I can tell you how things transpired, if you'd like.
Q. Sure.
A. So I was a major, like I say. I hate it that I don't have like a lot of timelines for you guys, but I was a major for maybe, I would like to say, a few months. And there was a lot of moves going on, which I had no say-so in.
Daryl Bessinger -- during that time David

Clark died. I'm sure you guys -- that's been brought up in here, David Clark died. I had gotten his job, if that makes sense, because Simmons and Clark were the majors under Darnell. And so all that transpired where they were put down ranks, which sheriffs can do.

Q. Sure.

A. And then I got his job. Well, he died shortly thereafter. So when he passed, he moved some people. Daryl Bessinger came over, and I'm pretty sure he came over before Clark died; yeah, he did, because I'm the one who notified him of Clark's death.

He worked real hard for me. He had already been there and moved out twice, I think. He was moved out already by Clovis Watson. Then he was moved back by Clovis Watson to my absolute happiness because he's a great commander.

So I had him for a short time until David Clark's funeral when he used the word "redneck" when he was describing -- he was up on the podium, and he was talking at the funeral, saying, "Yeah, we were all just a bunch of rednecks when we started. Now look at us."

I guess they got offended by the word "redneck," but no one will say that's why he transferred. But he was transferred into David

Clark's office, his dead best friend, and given David Clark's truck; and I tried to stop it, but --

INSPECTOR SNOWDEN: Given David Clark's what?

THE WITNESS: His vehicle.

INSPECTOR SNOWDEN: Oh, okay.

THE WITNESS: So he's basically -- that was his best friend.

So then, not even two weeks, I think -- I don't know, timelines are messed up -- between David Clark passing he was transferred. Then --

BY MR. KRAMER:

Q. With all these transfers are occurring all these moves are being made. You've been with the agency at that point 20-plus years --

A. Yeah.

Q. -- and you're probably the most experienced command staff person. Why are you not being consulted about how -- who should run what and who has the skills and abilities to run what?

A. I asked my boss that many times.

Q. What was the answer?

A. He said, "Clovis Watson is a new sheriff in town. He doesn't know these people. He needs to get to know his job. He needs to decide who he wants to put in these places," and that's basically it.

Q. And are you given the opportunity to explain to the sheriff and the undersheriff who in the agency has which skill sets to do which jobs?

A. I went down there myself. I was never asked to explain anything. I went down there after every single transfer to say, "Hey, why are you transferring this person?"

I was difficult. I was the one that went down there and said, "Hey, this isn't right."

I did that with David Bessinger, and I was told the sheriff wants to go another direction. That's kind of what they told everybody, "We're going another direction. We're reorganizing. We're doing whatever."

I'm like, "You do realize that you're giving him" -- because what they do is put people at the jail. They put Michelle at the jail. They put Daryl at the jail. They put David Clark at the jail.

You see the pattern there? It's kind of like out of sight, out of mind, which sheriffs do; I get it, but they did it more to see if they could get people to leave or if they could break them and make them upset, which works in all four of those cases.

Q. I want to come back to that, but I just want to clarify something with you. Being a commander and

having this level of familiarity with the agency, do you know the training and the skills of the various officers within the agency?

A. Absolutely.

Q. And are you advising them things of the nature of you're placing someone in a position for which they are untrained?

A. Yes.

Q. They do not have the proper training, they don't have the proper skill set, and they don't have the proper ability to do the job that you're giving them?

A. Yes. I can give you several examples if you want. I don't want to interrupt.

Q. No. No, please.

A. So when Daryl Bessinger was moved, he was very upset, very upset. He had already been upset about his friend dying.

And one real quick thing about the friend dying. His shotgun is still sitting in property because an IOC was written by Paul Hinson wanting to give the shotgun to David Clark's son, and they said they wouldn't approve it.

So I held onto the IOC, and I went downrange with it three or four times; each time I was told no.

I handed it back to Chad Scott, so he's still going to have that somewhere. To this day, it's never been approved.

And the wife came and got the gun from property; and when she got his gun from property, it started a show because they said she had to come to the sheriff and get his gun. Well, she didn't want to go to the sheriff and get his gun. She hated him. She didn't like him. She blamed him for David Clark's death.

So when property gave her the gun, this big thing blew up. We had to get a new form. There was people that got talked to about it. I was asked did I know about it. Of course, I didn't know that he came to get the gun; and if I had known, it really wouldn't have bothered me that his wife came to get his gun, you know.

Q. Can I clarify one thing?

A. Yeah.

Q. The gun is in the property of the sheriff's office?

A. Yeah, it's his service weapon.

Q. Oh, okay.

A. He was there for like 30 years.

Q. Right.

A. Well, if someone dies in the line of duty, they obviously have a ceremony. They give all that stuff -- if someone dies -- like he didn't die in the line of duty, so it wasn't normal for any kind of ceremony with the gun or anything like that; but for the wife to come up and get the gun is not unusual. Does that make sense?

Q. It does. I just -- it would be of greater concern to me if the property they were attempting to hold wasn't sheriff's office property.

A. And the shotgun was sheriff's office property too, but there was no reason that -- he was like, "If she wants the shotgun, she's going to have to come get it."

Well, she didn't want to come get it. And it was the same thing with the shadow box. She didn't want to come get the shadow box. She didn't want to step foot in there. And finally, Kenny Holt went in there and had some words with them and was able to get the shadow box. No, that was Daryl Bessinger.

So the shadow box in this case, David Bessinger, my ex-captain that had been moved out to the jail -- he hadn't been moved out yet. Gosh, there's so much shit.

He hadn't been moved out yet. He went and

got the shadow box, took the shadow box to the funeral, to the church. When the sheriff got to the church he noticed the shadow box was in the front and said, "How did he get the shadow box?"

I didn't realize David had taken the shadow box; but even if I had realized it, I wouldn't have had a problem with it. You know what I mean? Like it's a funeral. This is kind of sad. I'm not going to ask his wife to come get a shadow box. So I had no problem with it even if I had known about it. So that was another reason that I think that Daryl was transferred to the jail.

I know this is all kind of confusing because it all runs together, because right after the Daryl thing came the Yaeger thing. So now you can touch on that.

Q. What happens with Lance Yaeger?

A. Well, one day I'm told that Lance Yaeger is going to be acting chief detective, to which I replied, "What's a chief detective?" because we've never had that rank.

He was a deputy. He never took the sergeant test. He never took any of the promotional tests. He didn't even take one and fail it. So I was like this is going to go over with a bang, and I told him that.

"No. Sheriff wants him there. You need to train him. You need to show him, you know, the ropes."

And I was like -- I thought it was a terrible idea.

Q. Well, let me ask you this. How long would it take to train someone to be a captain if they're coming out of being a deputy?

A. It was a complete and utter frustrating experience, because I've been through all the ranks, I've taken all the tests. So the first thing I did with him is, I sat him down. I said, "Look, no one is going to respect you here. You're going to have to work extra hard with your people because you didn't take the test. There's people who have taken every test, failed it and gone through the ranks; and here you are showing up, and you're instant captain, even if it's acting."

He said, "I want your job." He wanted to be a major.

I said, "You can't do my job." I said, "You haven't done any kind of investigations. You haven't" -- "I'm not talking about criminal investigations. I'm talking about employee investigations. There's certain things you do in

employee investigations to protect people's 112 rights. You prepare everything. You know, sometimes they will object; and when they do, you have to get up, you have to go to the sheriff. You have to tell the sheriff, hey, PBA, or even the employee, objects to this line of questioning, whatever it is. There's things you have to do. You have to have that experience. You don't have the command post experience as a commander. You don't know how to supervise people. I mean, you don't know how to do the paperwork." I went on and on. I said, "I have a lot to show you," I said, "and I can't give you experience."

He was like, "Well, I was in the military."

I don't know. He just kept taking about all his leadership in the military, how many men he led and all this other stuff.

And I said, "It doesn't matter here. This is civilian law enforcement. It doesn't matter here. Nobody cares about all that stuff that you did."

And he didn't like that. He didn't like anything I said to him, actually.

At one point his wife -- I took that day off, and his wife put a post on Facebook about me; and I knew it was about me. And I took a day off, and I

had -- I worked all the time, the phone rang all the time.

I'm laying in bed, and I'm looking at my Facebook when I woke up. I just checked the news and stuff, and I see a post about, oh, you can try to break somebody down. It just shows that you're -- I don't even remember what it -- just -- it was obviously about me.

So I blocked her, deleted her, did all that stuff, made sure that I got rid of it. I didn't want it coming in no more. And I called him on the phone, and I said, "Hey, what's up with your wife?"

He said, "What do you mean?"

I said, "Let me tell you something. If you have something to say to me, you need to tell me, not your wife. She said some passive-aggressive crap on Facebook about me."

He goes, "Yeah, that was about you."

I was like, "Dude, yesterday when we were talking you never said you had an issue with the things I was counseling you on. I have to try to make this work with you. I don't have a choice with this."

And he says, "Well, I just went home and told her. I can talk to my wife."

And I said, "You need to control your wife."

I was mad.

So the next day I came back in to work, he apologized. He told me he told his wife not to do it anymore. I said, "Well, it doesn't matter. She has no access to my life now because I got rid of it."

So that's the kind of stuff -- he would look at me in my face and act like he was okay, and I was giving him good counsel. I was telling him, hey -- he wanted to move the secretary's desk in front of his office. Well, she's everybody's administrative assistant. She's in CID, so she's -- all the detectives use her for all kinds of different things. She's not just his -- but he wanted that. He wanted the importance of having an administrative assistant right there in front of his office. I said, "No way, you're not doing that."

There was several times he tried to write people up for honest mistakes. I said, "No way. You're not doing that." I'd tell him no. "No, you're not doing that," and he would get really mad.

And then -- I could see it was really -- it was really difficult, but I knew I had been tasked with it. I was trying, for the best of the agency, to try to school him up as best I could.

I'll give you another example. Judge Wright

and him are friends, I guess. And he wanted Yaeger to do the, whatever, like "all rise" at the swearing in of him. Okay? I don't know if you remember that whole thing.

Q. I was there.

A. Yeah, so you remember.

So Yaeger, I call him on the phone and said, "Hey, you need to go home and get your dress uniform on."

He's like, "Can't someone else do it?"

I said, "Let me tell you something. If you don't go up there in your dress uniform -- haul ass to your house, look spiffy and good and polish everything you have, you're not getting promoted. You can't just say no to a judge, and you can't say no to a sheriff who's already said that you have to wear your dress uniform. Are you kidding me?"

So he goes home; he's complaining about it. He comes back, standing at the front, right? Josh Crews, who is ironically -- they replaced me three times. He's my third replacement. He was in -- he's lieutenant at the time. He's in the courtroom because he's in charge of the courthouse.

When I walk up, he's like, "Well, where is his brass? Why doesn't he have any brass?"

I had to go get the property to get his brass because he didn't have it. So I gave it to Josh Crews. Josh Crews is dressing him and everything. It's like -- he didn't understand like what that means. He didn't -- it's just like a no-brainer.

Like when you're law enforcement, if you're an upper-ranking person, you have to go to these things, and you have to look good, and you have to be nice about it. Don't complain, right?

So he does that. So basically the whole time I spent with him was just like that. It was just like pulling teeth, pulling teeth. And I would go down to my boss -- I'll give you an example.

So the DTF -- I'm trying not to curse. The DTF --

Q. So the DTF thing is the sheriff pulling out of the drug task force --

A. Oh, yeah.

Q. -- and the burglary?

A. Yeah, that whole thing. If you went to some of the meetings, you saw him posturing. Basically, he's a gun without bullets. I mean, I know that's an awful way to say it, he's a gun without bullets. He's like what are you going to do? What are you -- what are you going to do? You don't know what to do.

So the DTF thing. This is an example of the way he thinks. So Brian Jones -- this is like when there was a big riff. We were not allowed to ask for backup from them even though they were right there. So as it was, we had two K-9s on that unit.

Q. Let me clarify that statement. You said "we were not allowed to ask for backup from them." The "we" is the sheriff's office, and the backup is the Gainesville Police Department?

A. Yeah, on the interstate. That group on the interstate.

Q. Let me flesh that out just a bit, if you will.

A. Okay.

Q. So under normal circumstances, if an officer needs backup, one would call on the radio and say, "I need backup"?

A. Yeah. If Jolly the Green Giant shows up, it's all right.

Q. Whoever is closest and most available does that backup work because it's an officer safety issue?

A. Correct. Yeah.

Q. But in your scenario, what you were working under is that the sheriff of the agency has said that you cannot allow Gainesville Police Department --

A. Correct.
Q. -- to back up an Alachua County sheriff's officer who may need help on the interstate?
A. Yes.
Q. Now, is the interstate a dangerous place to --
A. Oh, yeah. When people are hauling drugs and sex trafficking, yeah, they'll kill you.
Q. So did you as a senior command staff officer consider that order to be unsafe?
A. Completely.
Q. Did you consider it to endanger --
A. Yes.
Q. -- the life, the safety, and the welfare of Alachua County --
A. I did.
Q. -- sheriff's deputies?
A. Uh-huh.
Q. And did you do or make any effort to convince the command staff that that was unsafe?
A. Yes, we talked about it in meetings that we had. And I also told my boss, I said, "Who are they supposed to get to back them up?"
Which comes to another point I'm making about the same thing. We have two K-9s up there, right? So

what we were doing -- because we had a vacancy because we had a guy named Jay Stephenson leave. We had a vacancy, so basically, one of those dogs had to sit at their house. They were single-purpose dogs. They weren't apprehension dogs, but they're still dogs. I mean, they still have a psychological effect on a traffic stop.

So one of the dogs was home because they had to transport someone. So if they have two people and one dog at the house, and say they're together, and one of them makes an arrest, that transport unit has to go. So now you got someone all by himself, which basically is ineffective and unsafe. Okay?

So I say let's fill that slot because we're not using these dogs. They're expensive. The dog is not working. It's sitting at their house. Every day it sits at the house, even though they go back and forth, the dog is becoming ineffective. Those dogs have to work. They didn't want to hear it.

Then I found Stadnicki, who's up there now. I said, "I have a third person. He passed everything. He did this and that. He can go up there."

They were like sheriff never met him. Sheriff doesn't know him. He hasn't come by here to say hi or anything.

Here's the thing. They like people to come by and introduce themselves if they wanted to get promoted or to a position or something like that. Like, I'm old school. Even as a major, I would go, and I would go by the sheriff's office -- I don't report directly to him. I report to the undersheriff. So I would actually say, hey, man, can I go speak to the sheriff? Because I am old school, and I have respect. You get what I'm saying?

They expected people to come and see them; and when they didn't, they get offended.

He goes, "Well, we didn't get a picture of him."

We have to have a picture of everybody that wants to go places. We have to do an IOC, attach the pictures of everyone -- you've heard this before. We have to attach a picture of everyone who wants the job.

Q. Why?

A. I have no idea. I asked him. I said, "Why do you need these pictures?"

They said, "Because the sheriff doesn't know anybody. He just wants to see who it is."

That's what he told me on several occasions, actually. Because I kept having to kick back the

IOCs, so my commanders were getting pissed; and they were getting very, very frustrated because they were like, in the past when you wanted someone, and they were specialized, like you said before, you knew they could do the job, they had the skills -- I grew up with these people. I know what their weaknesses is, their strengths. Even if I don't personally like someone, if they're good at their job, and that's the job they're good at, they deserve that job. I don't put personal anythings into my selections. I go with skills, skill level; that's what I go with.

So he didn't want to give me Stadnicki. So we had a meeting one day, and the sheriff was there. He was talking some moves. The only meeting he's ever invited me to, the only meeting, where he was talking about moves and promotions. And Chad was there, I was there, Bobby was there. It's the only one, so I was amazed I was invited because normally I got called, "Go demote this person. Fire this person." I was never included in any decisions.

He was getting ready to get up, and I said, "Sir, what about Jeff Stadnicki?" Which a lot of people would think it's pompous, but I was getting desperate because it's an officer safety issue.

He was like, "Which one was that?"

And I said, "Well, he's the one that I wanted to put up there on the interstate because we only got two people. It's an officer safety issue."

"Oh, I don't want to do that today."

So I had to tell the sergeant, who was Brian Jones, that we weren't going to do that again; and he was counting on that guy because, again, it's an officer safety issue.

So back to Brian. Brian is up there alone some weeks later, and he makes a traffic stop with 45, I'd like to say, kilos or pounds of cannabis. I think it was pounds, because kilos aren't cannabis.

He stops them, and he asks for backup. And Michelle is going to go all into it, because that's how Michelle got her ass reamed. And I was there for that scream session. But basically, he got really like angry because Brian asked for backup, because a GPD officer was right there. And now you've stopped somebody with all that cannabis. What are the chances that that person is going to open fire on you? You can't put him in your truck. You have a dog in there. Your other guy is gone. What do you do? You got to have backup. If you call for a deputy, the deputy is coming from probably Archer Road. There's not time. I would have done the same.

He called for backup after he was told he's not allowed to call them for backup. He didn't call them specifically. He just said he needed backup; they heard, and they came. Cool, right? You would think.

The dispatchers at this time are also upset because they felt it was an officer safety issue, and I'm sure Michelle will touch on that.

So Michelle dispatched the GPD guy. She dispatched him, so he went. And, you know, I was like awesome. I'm not even thinking why did you call the guy from GPD. It didn't even cross my mind. I was like, "That's great."

Well, it crossed their mind, because they called -- it was a really big thing -- and they asked me, "Why did GPD go back him up?"

And, of course, Michelle is the one that actually asked him to, which bravo for her because God knows what would have happened to our guy. Our guy is the most important thing.

So Yaeger comes in my office and says, "That's insubordination. I'm pulling a tracking number." Insubordination.

Q. He's pulling a tracking number on --

A. He said he was going to pull one on Brian

because Brian asked for backup and GPD showed up. Totally nuts.

I told him, "I will not do that." I got pissed. I said, "You will not do that."

"It's insubordination, the sheriff said. The sheriff said."

I said, "He's alive. So you think" -- "what's more important here?"

It's like he had trouble differentiating commonsense things. Like everything went to paper. Everything went to "you disobeyed my order" instead of like, okay, what's the whole picture? Which is what a commander does.

A commander has empathy. They're intelligent. They have experience, and they have job knowledge. So they look at everything as a whole. They don't just look at this person did something after they told them not to. Well, why did they do it? He doesn't have that capability because he has no experience, which is back to what I said.

So Brian, his lieutenant is Josh Crews. So Josh Crews comes in my office completely hot and says, "You can't let this happen. You can't let this happen."

I said, "Don't worry, Josh. Sir, I got it

handled. I told him he can't do it."

He said, "I think he's going to try to do it anyway."

So probably about the last four months of my tenure he started going around me. The administrative specialists down there, they knew me. They would call me on the phone and say, "Hey, Lance is down there with the sheriff." That happened several times.

So I would say, "Hey, why are you down there with the sheriff? What are you doing?"

And he was like, "Oh, well, he just called me. What was I supposed to do?"

You know, it was like a -- it was like a -- that was his due. Does that make sense?

Q. Yes.

A. And I started realizing that he didn't call me down there because I wouldn't do what he wanted me to do. He was calling Lance down there because he would do what he wanted him to do, and I wouldn't do it because it wasn't right.

So I went down to see my boss that day, after Josh came in my office, and said, "Listen, I know that Lance comes down here. And I want you to understand that if you do this, if you allow Lance to do this, that it's not right."

And I also told him, "He's never going to get one more marijuana seed for you up on that interstate. What would be his motivation? What would be any deputy's motivation to do anything proactive after they're given an insubordination charge, which is points? It's serious stuff. It's like days off, and you're going to do this to this guy?"

And then I kind of appealed to him and said, "And besides" -- this is awful, but I said this to save my guy. I said, "GPD, you know, they're going to see, man, you've got all this dope." You know, you got all this dope, and we showed them type of thing; and that got -- that appealed to him.

So he said -- talking about my boss, the undersheriff. He says, "Okay. Then you don't have to. Yeah, it's fine."

I said, "So I don't have to write him up?"

He said, "No."

So I immediately went to Josh and said, "Give him corrective counseling, discuss the incident."

Q. But corrective counseling is a form of discipline.

A. He didn't get a corrective counseling. He got a verbal counseling. I call it corrective counseling, but he got a verbal counseling. Discuss

the incident.
BY INSPECTOR SNOWDEN:
Q. Because that would count as a counseling that nothing else --
A. If you discuss the incident with someone, you cannot discipline with a corrective counseling or anything else. It's a 112 thing, which Yaeger was not familiar with; and we'll get to that in a minute.
BY MR. KRAMER:
Q. Let me just make sure I understand. So the reason you go to Josh and say go discuss the incident with him is because you understand, once that occurs, he can't be given a corrective counseling, which is an actual form of discipline?
A. Because I didn't trust Lance not to go do it anyway. And I called Lance and said, "I went to the undersheriff. You are not to do that."
Q. Can I just ask one clarifying question? The officer from GPD that responds is a task force officer who's working the interstate; or is it just he's some GPD officer who happens to be close by, and the communication center knows that, so they just send that, whoever that random officer is, to help the deputy who's conducting a major drug interdiction operation?

A. You're going have to ask Michelle that, but I will tell you I was under the impression that it was a drug task force GPD officer that was right there in the area; but again, she would know because she got in trouble for that. She got in a lot of trouble for that.

Q. I will clarify it with her, but I just want to make sure I understand. The sheriff is saying that no GPD, whether they're on the task force or not on the task force, because GPD has its own task force, can back up a drug interdiction officer on the interstate?

A. Yeah. He said we cannot ask any of the GPD -- if you did a public records request, you'd probably see some emails. I don't believe they'd be from me, but I know that there were some emails for clarification on the point. They told us to please stop in writing; I did it anyway. I'll tell you a little later what I did.

BY INSPECTOR RIDDICK:

Q. Major, did they say it's just the interstate -- the interdiction team that couldn't ask for a backup, or was it ASO-wide?

A. No, just the interdiction team; because he was having an issue with -- I went to all these

meetings.

You were in some of them.

He was having an issue with the state attorney's office. He felt like they were going behind his back getting this task force together when in essence he was welcome to join the task force. He chose not to join the task force, and he was being difficult. And it's the same thing with the drug task force, not the regular interdiction team, but the drug task force. It was a very dramatic thing where I felt like I was going through a divorce. By then, Chad Scott was there, so I only had my area. I didn't have patrol too.

So when I had my area, I was at every meeting, and I would just sit there. I don't know if he ever looked at me. I was just disgusted. I'm like why are we not -- why are we -- like this isn't New York City. We all know each other. Why can't we just have a task force? Why can't we just work together? You know, why does it have to be this way?

So this is the worst part of it; and I'm sure Josh would be upset that I said this, but I'm going to tell you. This is how much this man stressed people out.

So Josh was so stressed out about him getting

this write-up, his lieutenant was so stressed about it. I come in, and I say, "Hey, no problem. It's not going to happen." This is right before I told him, "Hey, go talk to Brian." And he gave me a hug, and he cried.

And that was a day in my office I was like this is a SWAT commander crying. What's going on? You know what I mean? And that was the first of five, six, seven deputies coming in my office crying. It just breaks you down mentally. It's -- and for me, that was kind of the beginning of the end for me. I started getting more angry about the things that were going on.

But Brian didn't get written up. He got out of that one.

Q. I just want just to clarify, when this officer, Brian -- what's his last name?

A. Jones.

Q. Brian Jones?

A. Sergeant Jones, yeah.

Q. Sergeant Jones. He doesn't request GPD. He just requests backup.

A. Yeah, but he knew that there was nobody -- there could have been an ASO person.

Q. Right. Some ASO deputy could have been

cruising by somewhere near him, but he couldn't possibly know that. He doesn't have that information available to him, right?

A. Yeah, and as a cop, you can't -- Nothing is planned as a cop. Nothing is planned. You can never say, okay, I'm always going to have this place I'm going to eat at. I'm always going to have this person to back me up. I'm always going to drive my car. They don't even know if they're going to go home. You don't know what's going to happen.

So for someone to say you can't ask this entity for backup, you can't do that because you can't ever say things for sure.

BY INSPECTOR RIDDICK:

Q. Does ASO have a consolidated dispatch?

A. They do, but these guys had a different channel.

Q. But still you've got ASO dispatch for GPD?

A. Oh, yeah, Michelle was dispatching that day.

Q. And they would know better than anybody who is the nearest backup?

A. Correct. Yeah, and Michelle knew that there was somebody there, and the person happened to be a GPD officer.

BY MR. KRAMER:

Q. But Sergeant Jones can't look on a computer. He can't look in his car.

A. No. He's trying to watch this guy, this runner that's probably going to get killed whenever whoever it is finds out that he lost all their dope. So that guy is nervous, so he's looking at that guy, justifiably.

Q. I just want to ask you this. As best you can, can you help me identify who would -- how would I identify within the agency the emails that would indicate that the sheriff was not allowing GPD to back up the task force?

A. I would look at Yaeger's emails, because Yaeger probably put something out telling them not to do it.

Q. Was Yaeger in charge of the task force at that point?

A. Yeah. Because I had Yaeger, he's my CID guy. So he had detectives, he had the task force, he had forensics. Like he has that whole section. And Steve Maynard, who you probably already talked to, good guy, he was one of my captains that had the courthouse. And when we get to that, that's another thing I got to tell you about that was not okay.

But yeah, the task force thing was insane.

It was just -- it was so -- to me, it was ethically wrong, I felt.

Q. Right. It was endangering lives of police officers.

A. Yes. I felt gross about it even though I did everything I could. I kept him from getting written up. There was a meeting. I was at my office. And Ms. Judd comes down to my office, and she basically was like, "Oh, you got to come down to the sheriff's suite right away." She's like panicking.

I said, "Sure. What's going on?"

She wouldn't tell me.

So I get down there, Michelle is in there. Judd is Michelle's supervisor. She doesn't work there anymore. She quit too. We were all at this table. It's the undersheriff, Chad Scott, the sheriff, Michelle. I think Chad was there. No, maybe he wasn't. So you got Michelle, the sheriff, Judd, and me, and the undersheriff.

And she's like letting her have it. He's like pissed at her. She's crying and stuff. I'm like, what the hell is going on?

So I sat down, and I quickly realized that he's upset about her dispatching the GPD officer, the closest backup. So he's going, you know, "There's

nothing we can do about it. There's nothing we can do. Is that what you're saying?"

That's kind of what I walked in on, and she starts crying. And she was just like, "No, because I would do it again," basically, is what she said to him.

And then he basically was -- just basically just giving her shit over it. So she gets up; she runs out, and it's just me and him. And I'm just sitting -- and Judd. And he goes, "And this is something in your area. Don't worry. I fixed it" to me; because I guess he was bothered, and he had to let somebody have it.

I looked at him, and I'm like, "Oh, yeah? What was that?"

And he goes, "Don't worry about it," and he like walked over to his desk.

And I said, "No. You brought it up. If I'm responsible for it, I want to know what exactly you fixed and why I wasn't asked to fix it. I would like to know."

Basically what he was talking about was the -- her dispatching the person and my guy asking for backup; which I had already handled, and he didn't even know it because his undersheriff didn't tell him

that. Does that make sense?

Q. Yes.

A. In his mind, I just didn't do anything about the whole thing; and so he was pissed at me, but the whole thing was insane.

So I was just sitting there going like, really? She comes -- she comes back in. I hear her just raising hell. He's like -- and when he's done with you, what he'll do is, he'll go over to his desk. He's done with you. He'll just start doing stuff.

So I said, "Okay." I said, "I'll see you later, Sheriff."

He didn't answer me. So I leave, and I go out in the hallway. I hear Michelle going, "I will not put up with this." She's yelling.

I was like, "Michelle." Because, to me, don't lose your job without getting another job, you know. Don't do that. So I pushed her into the chief of staff's office. She's crying, "I will not be spoken to that way."

It was pretty hellacious. He really was lighting into her for doing her job, which is to get backup, nearest backup, for an Alachua County sheriff's deputy.

Q. And she's telling him, "I'm not going to" --

A. She pretty much told him, "I'm not going to do it. Next time I'm going to have to dispatch the nearest person." Because he wanted her to say it's never going to happen again, which she didn't want to say because then she's not doing her job. She's basically not taking care of the deputies, which is her job.

So if I ask for backup and there was a GPD officer a street away, and she was to promise him that it would never happen again, I'm getting my butt kicked while waiting for ASO who's 15 minutes away. She's not willing to commit to that.

BY INSPECTOR RIDDICK:

Q. So if we pulled the emails from Yaeger and probably the lieutenant, Josh Crews --

A. Yeah, Josh was against it too.

Q. And Brian --

A. Brian Jones too. Brian probably wrote back and said -- in writing and probably said: And so you're saying that -- I bet you.

Q. Because it would have had to have been communicated from Yaeger to them --

A. Yes.

Q. -- in some way, shape, or form?

A. Yeah. I bet you'll find something. That was

pretty atrocious.

Now, I can't remember whether or not, in the end, if we had two separate channels. We did have the same channel for a while; but I think it became two separate channels, and that's why Michelle had to do what she had to do. And she'll be able to tell you that.

BY MR. KRAMER:

Q. Thank you. That -- because we're just going to run short of time. Is there other incidents of that nature where the command staff is endangering the --

A. Yes.

Q. -- safety of officers by their orders?

A. Yes.

Q. Can you explain?

A. Okay. The courthouse was -- really, all my areas, including patrol, was running extremely short to the point that there was a -- I think there was a gun missed. An attorney had a gun. He had brought it in by mistake.

But the courthouse, they were literally -- Captain Maynard was working shifts at the courthouse as a captain; that's how bad it was. So they're telling me, the major. So I'm like going, shit, I've

got to go down there every day and talk about this. Talk about, hey, this is dangerous. Hey, my warrants unit has had enough. They don't -- they were down to one team, one team, because they were all leaving or they were getting transferred or whatever.

So I told my people, "I want" -- "every day I want you to send me a report, to include Yaeger" -- you'll see that if you look at my emails, and Yaeger's and Steve's. "Give me a flowchart of how many are leaving, how many people are still there, what you're supposed to have, and what you have."

Because we were hiring overtime at the courthouse, right? But no one would work it -- which is why Steve had to do it -- because the sheriff would not allow them to wear their uniform of the day.

So to expound on this, the disputes -- we designed before I left a tactical uniform. I was the project manager on that. And we did it so that the deputies would have comfort in the summer and they weren't wearing the polyester and all that kind of stuff, and the deputies really liked it.

Well, the road deputies had to take their vest out of the carrier into the other carrier, put that on, put on a tie and long-sleeve shirt to work the courthouse. Now, who's going to do that when you

have to work the next day?

So they couldn't get anybody to work the courthouse, so I went down there; and I had a meeting with Steve and the undersheriff, and we brought a sheet of paper where we said, hey, we're having real issues. It's an officer safety thing. Steve says he still has the piece of paper. It has everything on it. We gave him four options. We said surely one of these options will work for you guys.

Number one, allow them to wear their duty uniform if they work patrol.

"No, absolutely not. If they want, the sheriff will put them all in long sleeves and ties. We'll just have them wear that on the road every day if they have a problem."

So I just quickly shut up because, if I had said anything else, he was going to make them all wear ties and long sleeves on the road. You can get a stroke with that.

Secondly, I said, "Let's talk to the chief judge. Let's see if the chief judge can change some of" -- because it's at the COVID rush, you know, of course. "See if the chief judge can schedule fewer jury trials so we don't have to have as many people."

Well, first, he said, "Let me talk to the

sheriff."

And then I said, "Well, can we pay them protected overtime? Because right now, if they take annual leave, they're getting straight time. There's no incentive."

He said, "No, absolutely not. In my day, I was a police officer for this many years." They both knew everything. "Oh, in my day, we did this. We worked for free. We did this. We did that."

Well, it's fricking 2022 at the time. Like, that's not true anymore, you know.

And I'm trying to think of what the other one was. That's pretty much the ones that we had. And they didn't like any of the options, right?

So I said, "Well, when are you going to talk to the sheriff about the chief judge thing? Because if you could get that done for me, that would help me a lot."

Steve's sitting there, and he says, well, you know -- we handed him the sheet, and then Steve kept it. I said, "If you could do that, yeah, that would help me out a lot."

Within five minutes, he calls me and says, "Sheriff says no because he didn't want the chief judge to know how understaffed he was," and that's

dangerous. It's dangerous. And it was the same way in all my areas.

I had detectives that were having to let people's burglaries sit at their house. If your house got broke into, would you want somebody to look into it? Nobody was looking into it. We had the shootings that were going on at the time. Crimes against people were more important.

And one last thing on Yaeger.

So yeah, that was dangerous. The staffing was dangerous. We kept saying it. Becky kept saying it from patrol side, saying it, saying it.

Yaeger, I had three of his employees in one week come see me before he got promoted; three. They came in my office -- one of them was a secretary, one of them was Scott Anderson, and one of them was Josh Crews -- telling me that he was treating them bad, talking to them disrespectfully. Nothing that would warrant an OPS investigation, but just doing the things I told him not to do.

I said treat people with empathy and respect. That way, you'll get respect, you know, that whole speech I gave him a million times. So I did an IOC, and that should be clerked in. The sheriff's secretary clerked that in; I made sure. And I wrote

it to him, Yaeger directly. It's in his file forever.

I didn't give him a corrective counseling on purpose, and I didn't give him anything else on purpose. I gave him an IOC, which he signed; and it basically says: I've had these three people in my office this week. You need to watch how you talk to people as we discussed, basically.

And I made sure that it was clerked in because I didn't want him to treat people badly, because I had already told my boss he was treating people badly. So I went down to my boss, and my boss got a copy of it. Of course, he didn't care.

Next thing you know, the sheriff calls me down there and says, "Do you think I should promote Lance Yaeger?"

I don't know when he called me. I'm sorry. I didn't --

Q. That's okay. No worries.

A. He said, "Should I promote Lance Yaeger?"

I looked at him, and I said, "Well, I tell you, you're going to get work out of him. He's going to work those people to death, he's not a leader, he's not kind to people, he's not empathetic, nobody likes him, he hasn't earned it," et cetera.

So he sits back in the chair, and he looks

like of kind offended; because if you don't -- you know, I should have said, oh, yes, promote him, great choice.

I said, "I've been training him all these months. He doesn't get it. He doesn't have experience. He hasn't gone through the ranks. He doesn't understand it. He doesn't get it."

And he looks at me, and he said, "What about his military? He has this wonderful military record."

I said, "All due respect, Sheriff, nobody cares about that. Nobody cares about his military record. This is civilian law enforcement."

And again, people have taken the sergeant's test, lieutenant's test. They've sat for 11 years before they made captain. They've done all these things.

There's a process to being a command staff member, and that process is going up stairs. Sometimes people fall down the stairs several times; but they go up stairs, and that alone is worth the respect of their rank. If they don't climb the stairs and they don't even take the test at all and fail it even, they don't get anybody's respect because they're basically being put in a position that they didn't earn. And what they're doing is disrespecting people.

You're not even a good leader. You're not even doing a good job.

So he said, "Thank you. I appreciate it." And then he promoted him probably a week later.

Q. From the effective rank of captain to --

A. Acting chief detective to chief detective.

Q. Okay. Understood. So essentially, acting captain to captain.

A. Yeah. He was acting. I was supposed to be training him, which I done the best I could; but to be honest with you --

Q. Essentially, as I understand it, to put it very succinctly, he becomes an acting captain. Your job is to train him to be an actual captain.

A. And it's hard.

Q. He is a total failure --

A. Yeah.

Q. -- to all the training that you've given him.

A. I feel like it.

Q. You report his total failure in his training to the sheriff, who then responds to that report of failure by promoting him to actual captain.

A. Yeah. And he called me down there. I didn't ask to see him because I had already told my boss -- but by that time he'd been coming down there on his

own, doing things on his own around me. And they didn't want me around because I was always objecting, and they didn't like that.

INSPECTOR RIDDICK: Yaeger was always coming down there?

THE WITNESS: Yeah, by himself.

BY MR. KRAMER:

Q. And so, now, is this getting towards the time you were getting ready to leave the agency?

A. This was probably a couple months before.

Q. And so he becomes now a captain. Is he still in that position when you leave the agency?

A. Uh-huh.

Q. So did they just essentially give him your job?

A. No. My job was vacant for about six months. I wish you had more time because there's some really bad shit.

Q. We can make more time.

A. Yeah, and I'll try to hurry.

Q. We can come back.

A. Yeah, but it's fresh in my mind; and I'll try to hurry if I can tell you.

Q. You can give me like a summary, but that doesn't mean we can't come back.

A. Yeah. I was just fixing to give you a brief, slow summary, yes.

So when I left, I couldn't take it. I told them that I -- it was my time and all this other kind of stuff; but in reality, starting in May of '22, I was just so -- I just -- I felt like things were going to go bad. I didn't want to be associated with it. Ethically, he was -- everything he was doing was gross; I didn't like it. I didn't like calling people to demote them, fire them, and I didn't even know what happened. I didn't know what they did.

I called Matt Yakubsin to tell him he's demoted, and I didn't even know what he did. And I asked what he did, and I was told the sheriff is reorganizing. I didn't even know what he did.

And I fired Denise Scott, who is Chad Scott's ex-wife but the mother of his kid. So he's in his office. And I had the papers to fire her. I didn't even know I was firing until I got the papers. So I had my lieutenant and Yaeger get a conference room, and I went in to see Chad.

I said, "Hey, Chad, just so you know, like, I'm about to fire your ex-wife."

He's like, "What? What?"

I can't believe they didn't tell him as close

as they are. And I fired his ex-wife, and I did it away from his office. But that's the kind of shit I used to do.

And the memorial, I'll touch on that real briefly. We had a meeting about the law enforcement memorial, and this was 2022. This wasn't the year we put it on. This was the year after.

So Michelle Romas and her sister always have The Sheriff Walk. It's America. Great. You're the survivor of a terrible thing. You should pick who -- and I know the family very well.

So they called Kaylie Biel; Frank Kinsey, who was the commander because he took the honor guard away from Yaeger when they demoted him; which I don't know why they demoted him. And he looks at me, and he says, "Sheriff Clovis Watson. He's the sheriff of Alachua County. He will walk down."

I said, "Respectfully, I was an honor guard commander for 11 years." I said, "That's not how this works."

He said, "Clovis Watson Jr. is sheriff." He did it again.

I looked at him, and I said, "You're supposed to get with the organizer. The survivor picks the person that they would like to walk them down the

aisle. It's up to them."

He was like, "Do you have a problem with what I'm asking you to do?"

I said, "I'll tell you what. I'll call the organizers and the survivors."

He said, "No, you won't call anybody. You're just going to do it."

Now, you can tell how uncomfortable Frank Kinsey was.

So I leave the room. I called the organizer, Tracy Thunderbird. I've known her for years. I didn't tell her any of this. I just said, "Hey, I need to get in that group there."

I called Michelle Romas. I said, "Yeah, you know, if you don't mind, I'd like to see y'all again."

I felt terrible about that. I felt like I did something bad; but I knew that if I didn't do it, I was going to get in trouble or demoted. But I did it my way. Does that make sense?

Q. Yes.

A. But I still felt disgusted, but I had to do it. I had to do it. And when I got there, they made sure the whole time to make sure I wasn't speaking or looking at Sadie Darnell. I ignored her like she was not there.

And then the other thing --

INSPECTOR RIDDICK: Is that normally who would walk somebody down the aisle?

THE WITNESS: They usually have one escort. This year, if you noticed -- I watched the memorial. They asked me to take the retiree flower down, and I said it's too soon. I didn't do it.

I watched it on TV, on Facebook. They injected Yaeger this year to stand by Sadie Darnell to make sure that there was that imprint.

BY MR. KRAMER:

Q. We may decide to come back and continue this discussion, but I do want to ask one question before we close.

So you've notated a lot of transfers within the agency that were not within the normal course of business and may have been inappropriate. You worked for Sheriff Darnell for many years. Did you work in the sheriff's office before Sheriff Darnell?

A. Uh-huh. I worked under Sheriff Oelrich. And then, also, we had an interim sheriff for a little while when he left to run for office, and then after that we got Sadie Darnell.

Q. And during the entirety of your career, prior

to that time, had you ever experienced transfers where people had not tested properly for the transfer?

A. Never.

Q. Or people who were wholly unqualified and well known to be unqualified within the agency who were put in positions for which they should not serve and were not qualified to serve?

A. Never.

BY INSPECTOR RIDDICK:

Q. Are you familiar with any retaliatory conduct that came from the top down?

A. Yeah. That was my next thing I was going to try to see if I could try to fit in, but I know you guys got to leave.

Q. No, it's not us. We just have --

A. A million other people who want to talk?

Q. Well, it's just that we're going to run out of time. We're already an hour behind. What do you guys want to do?

(An off-the-record discussion was had.)

MR. KRAMER: Let's just pause here knowing that we're going to come back. I'm not going to inconvenience you too much with another subpoena, I'll just schedule you another time.

(The statement concluded at 10:59 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that ARABELLA BLIZZARD, who produced a Florida Driver's License as identification, personally appeared before me on May 16, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 27, 2023.

Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named ARABELLA BLIZZARD, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 27, 2023.

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

MICHELLE KLEMENT

DATE TAKEN: May 16, 2023
TIME: 11:03 a.m. - 12:27 p.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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Certified Stenographic Reporter
Notary Public, State of Florida
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Post Office Box 2392
Chiefland, Florida 32644
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- - -

WHEREUPON,

MICHELLE KLEMENT

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes.

EXAMINATION

BY MR. KRAMER:

Q. Could you state your full name, please?

A. Michelle Klement.

Q. And, Ms. Klement, were you at one time in your career an employee of the Alachua County Sheriff's Office?

A. Yes, for a long time.

Q. How long?

A. Twenty-seven and a half years, I think.

Q. And in what capacities did you serve at the Alachua County Sheriff's Office?

A. I was always in communications. I started out as a 911 call taker. We were in the basement on 12 Southeast 1st Street, right around the corner here.

Within my five and a half, almost six years, I then became a supervisor, which meant I learned all the positions within the center. I promoted to supervisor. A couple years after that I promoted to the training area. I trained all of the 911 call

takers, did all their quality assurance. I instructed. The State of Florida implemented the department of health curriculum to which I became an instructor for that. So we would instruct their -- we're known as our regional kind of instructor house under Sadie Darnell.

Then I made commander. I was a false-alarm unit person. I was a shift-commander-type deal. I was Pat Ford Thomas' administrative commander. I promoted to the director of communications. And then when the sheriff came on board, Sheriff Clovis Watson Jr. came on board, I was assigned the promotion of technical service division manager.

Q. And what are the job responsibilities of that position?

A. The division manager? I was essentially in charge of -- I was told -- I was promoted, actually. I was one of only two people that were -- technically received a promotion under Clovis Watson Jr., but never spoke to him. We only spoke to George Corwine, who was the major, I think, at the time.

I was told I would be division manager; that they let the previous division manager go, James Lanier, who was my division manager. I was in charge of CAD area; the GIS personnel, which is only two, one

of each; all of the training personnel, which was a training commander position at the time; a supervisor for three, four-ish, one was part-time, quality assurance instructors; and then all of the communications personnel, which was 89 FTEs. At the time he took over we had seven -- we were down seven positions. And then I had all of the radio shop.

So the radio shop was in charge of all the radios for the division -- excuse me, for the entire sheriff's office, so all the jail as well, and then the cell phones. They were in charge of cell phones, radios. They did PMs for ASO cars, stuff like that.

Q. I want to ask you just a general question. Do dispatchers and call takers serve important safety functions for officers on the road?

A. Yes. We are considered the first responders for a reason. The problem -- one of the -- I don't know -- seriously, I have no idea what you're going to ask me; but one of the problems that the sheriff and I would butt heads about, not specifically through his various people that I would have to speak to, is that we became so shorthanded that we were running our people into the ground. They were exhausted. And what happens is, even on admin lines and on 911 lines, you don't know what's on the other end of that line.

So what happens is, we can triage calls all day. We can leave them on the screen. We can stack them 50, 60 deep, but we don't have the luxury when you answer the phone to know what's on the other end of that line. So we would get robberies on administrative lines.

There's a Florida state statute, I believe it is, but we have to answer 911 lines within -- or 90 percent of the 911 lines within 10 seconds. And I ran our phone stats every three hours. That is a requirement that I did. Our phone vendor said it's very rare that anyone in the entire state of Florida that they have dealt have ever done what we did, but I like to be proactive and not reactionary. So every three hours I want to know -- I did want to know how -- I don't do that anymore, but did want to know how our call takers were doing. And we would process half a million calls a year. They were exhausted.

Q. But as far as the dispatchers are concerned, can you explain the role that they play in keeping officers safe while they're answering calls, specifically on the highway?

A. Oh, I now know where you're going.

Okay. So as far as -- dispatchers are required to answer the radio, and they are required to

do it efficiently, promptly, and immediately respond to whatever requests are asked of them. And sometimes I would discipline dispatchers because they would get a little snippy or they'd be upset because traffic units are running traffic too much. I used to tell them that is their job, and that is their only job, is to run traffic.

So -- but yes, they take a call for service, they dispatch it; and in between that, we have units that run traffic on the interstate all day, we have units that run traffic all through the county.

But if you're talking about the drug interdiction unit, I know where you're going with this.

Q. Correct. That is where I am going with this. My question really is, did you ever receive a directive from the sheriff's office that you consider would endanger the safety, the welfare, or the life of a deputy sheriff working the interstate on who you could dispatch to back that person up?

A. Yes.

Q. Can you explain that situation?

A. Yes. And we asked clarification multiple times. So initially I was told by the undersheriff that -- the undersheriff himself, that HIDTA was not

going well with the sheriff's office and GPD, and that someone up above -- he did not name who -- that HIDTA said that the sheriff did not play well with others; and therefore, they were kicked out of HIDTA.

He was upset about that. He figured it was all about money, is what he specifically spoke to me. That's exactly what he said to me in his own office in one of my passing points.

What I was told is that GPD would no longer be running traffic for their HIDTA team, which is their highway interdiction team, on the interstate. And I said, "Okay. Well, do we know what the protocols are? If they ask for assistance, are we going to send someone?"

He said that they had asked for clarification from GPD. Then that was our one conversation, and that was it. Beyond that, they were trying to work a way out of the system through the radio system to make sure that GPD could not ever come to ASO channels, and they were trying to do a back-around where they could not ever talk on our channels.

Q. You have to excuse me. I don't understand any of what you just said.

A. Well, I do have -- I have an email. I'm like I don't know what you could possibly talk about.

April 13th -- this is 2022 -- where I had asked specifically -- one of their lieutenants at GPD had asked if they could start talking on our ASO channel again. And I said I -- it was Lieutenant Ford. This came April 22nd -- excuse me, April 11th of 2022. And basically, Lieutenant Ford -- I don't know if you know Mark -- basically says, "Hey, Kim. Were you able to get an answer from the GPD interdiction folks as to whether they can be on ASO primary? The lieutenant reached out to me this morning. Thanks."

We were directed we could not provide any answer at all to any agency whatsoever during conflicting situations. It must go through the sheriff himself.

So Kim said that "This was brought to the attention of the sheriff last Thursday" -- so the Thursday prior to April 11 -- "for approval, and unfortunately I have not gotten any updates. I will let you know soon."

So I sent to Danielle Judd, who was at the time our chief of staff. I've been informed that May 5th she's no longer there anymore, that she resigned. But April 11th I sent it to Danielle FYI only.

I said at that time, "Can you please give us

verbiage that we can give to GPD? Because we do not feel comfortable saying no, you cannot do a traffic stop on our channel."

Ultimately, at the end of the day, they had their own channel they could do a traffic stop. This is the memo that they finally sent to Chief Scott that was acting at the time. And I did not give this to our dispatchers because I didn't feel -- it looked like it was chaos between the two agencies, and I did not educate the staff. I only educated them that they were not to do a traffic stop on ASO channel, which to me was a very ineffective and unsafe method, if that's what you're trying to get at, yes.

Q. Well, it is --

A. And they did end up doing traffic stops on our channel because, apparently, something was pushed through the cracks; and inadvertently or intentionally GPD had said that they had received approval, which caused a mass chaos on the day of -- I think I have it written down somewhere, where GPD was -- did tell communications that they were able and approved to do traffic stops. Ultimately they did a traffic stop, but I was told by the sheriff absolutely not under no circumstances -- it was actually a very heated discussion.

Q. What you're talking about is what channel they're going to use, right?

A. So yes and no. So when GPD and ASO ran traffic, they ran it together for the safety of the units because GPD is not trained in the way that highway interdiction that FHP and ASO come up -- enter the interstate safely as well as approaching traffic and getting off the interstate, or getting onto the interstate and doing their truck stop. So they always did a truck stop on ASO Channel 1 jointly, and their backup was always what was on the interstate.

So as a dispatcher and -- because I would work in the center too. As a dispatcher and as the division manager, I asked for guidance. How do we handle these situations where, one, if GPD is even doing -- so basically, the sheriff said to their -- his command staff and me, "You will not allow GPD to do traffic stops on ASO Channel 1. They must do it on their own channel."

So this is a shared system; I'm sure you know, it's the -- it's GRUCom. Any law enforcement within our area can flip through and go to those primary channels. I even think the media has access to ASO Channel 1 and ASO Channel 2.

So GPD was told, "You must do your truck stop

on your channel," which was Channel 1 or 2 for them. My question was, because we ran a dispatch center, which was comprised of GPD as well as ASO, what do I tell the GPD dispatchers when their unit needs help.

And so GPD, obviously, the City of Gainesville is very extensive, and their property is all over the place as far as their jurisdictional boundaries. Do we send ASO to assist them? Do we call FHP to assist them? Do we do an all-broadcast to see if anyone -- and I continued to receive no direction from them whatsoever. They said they would get back to me, and they never did.

When I left, I still had no idea what decision had been made.

Q. So you're left to basically just use your best judgment?

A. Yes.

BY INSPECTOR RIDDICK:

Q. Did you write any IOCs about that?

A. I wrote emails. I have notes. I actually got counseled. I was accused -- it was a big deal later about that.

BY MR. KRAMER:

Q. I want to move on to a specific situation which involved a Sergeant Brian Jones from the Alachua

County Sheriff -- I mean -- yeah, the sheriff's office. He was a drug task force officer, a drug dog officer.

A. Yes.

Q. Where he made a truck stop and --

A. No, that's not true. Marry Beth Davis did a truck stop. So Mary Beth, I spoke to her that morning of the incident.

Q. Is Mary Beth Davis also a drug task force officer?

A. Yes, but she's from GPD. Brian Jones is for ASO, and he can do traffic stops on his channel all day long.

Q. I understand. I want to see if we're talking about the same incident.

A. Okay. Yes, sir.

Q. Which is at some point Brian Jones has made a truck stop or is on a truck stop, I'm not sure, where he's going to discover 43 pounds of cannabis. Are you familiar with this traffic stop?

A. Yes, I believe I am. I was not involved in it, but yes.

Q. But at some point my understanding is that you are going to be involved in some kind of discussion with the sheriff about providing or the

combined communication center somehow sending a GPD officer to back up Sergeant Jones, who is by himself on the interstate with someone who has 43 pounds of cannabis.

A. Yes.

Q. Okay. So could you please take me through start to finish what happens with that situation?

A. Hypothetically, those units run together as a group. They may be several miles apart, but they always back each other up; and it's as simple -- because the radio traffic is busy all day long.

Jones is, I want to say -- although I've been gone for several months, I want to say he was Papa 343. So he would just say, "Papa 343 to 680," and they would know then bring a dog or go for backup. That's all they would say, because the radio -- they failed to split the channels, but they would do everything on that one channel. So they would run warrants on that channel. They'd run traffic. They do dispatch, and they would do jail transport. So they kept it very specific and generic, especially for those units. We never got involved so much unless they needed assistance for some reason.

We would check on them every 60 seconds from the time of the first traffic stop and then every five

minutes thereafter. Other than that, usually, once they were safe, they'd say 1054 1015, which means don't check on us any longer because they knew they would be searching the vehicle and be there for a long time.

Traditionally, if he needed assistance, we would look on the screen. Even though they were GPD's interdiction units, only two of them, they worked on ASO's primary channel because they were always on the interstate. The GPD dispatcher was not as familiar with the interstate mile markers. We did a lot of cross-training, so sometimes you would have ASO dispatchers work GPD, and GPD work ASO. We did that for consistency's sake.

But we knew when he said something, that that's where you would go, particularly -- I wasn't there that particular day, but if I had been, a normal thing would be just to send either his ASO partner, which at the time was a little redhead with the black dog. I'll remember his name in a minute. That's Brian Jones' partner for the drug interdiction unit, and it was Mary Beth with the new guy. Out of the four of them, if one did a traffic stop, they would choose one of the other three or all of them would go. It's very rare that they would all just go together

unless it's something huge. It's something that just two of them can handle.

So traditionally he would just say -- he would specifically say who he wanted to go to him, and he would just call them by name, just by their ID, 680 or 687, which was Mary Beth's ID at the time; and she would go or he would go and back him up. That was it.

As far as communications, if he didn't have backup, he would say send me 1038; and we would immediately send an ASO unit because we were told GPD units were not allowed on our primary ASO Channel 1.

Q. So how does it come to pass that you end up in the sheriff's office with him screaming at you about this traffic stop?

A. Well, it was a different traffic stop that you're referring to. Or about this incident, not that you're referring to.

So communications, we called it -- we would evacuate the center. We would do a planned evacuation, or a -- we call it COOP, continuity of operations planning. So basically we'd COOP, we'd send them to the basement. During that time we would do any major maintenance. We were having generator repair and different things that would take place in our huge communications center.

I happened to be on a ladder painting the kitchen when our staffing was really pretty crappy that day. And Kim Kutner, who is the director of communications and was my right hand at the time, she was going to the basement. It was about 1445 in the afternoon. And Kim was backing up from the ASO communication center and headed to the basement here at 12 Southeast 1st Street in the county admin building, and she sent me a text that said, "Hey, can you please look at this text that Susie sent me?"

Susie Westfall was the -- basically, it's the equivalent of a lieutenant. She's the communications commander; and she runs that shift, which should be comprised of two supervisors and their employees.

Susie sent her a text and said, "Hey, Sergeant Jones just text and said" -- excuse me, GPD Sergeant Davis, or Mary Beth -- I don't think she was a sergeant, actually -- said that she had just received permission from their captain that said GPD received permission they may now start doing traffic stops on ASO Channel 1.

Kim said, "Can you please verify the validity of this?"

So you would like to assume that it's correct, right, and I would not have to go verify. So

I climb down off the ladder. I go to my office. I had been in the kitchen cleaning and painting all day and kind of getting ready for the staff to come back. So before I waste my time and my boss' time to call her, I decided to check my email real quick.

So I checked my email. There was no indication that that memo had been discussed or -- and that memo was only done because I had finally -- my hair was on fire, and I was jumping up and down and said, "Can you please write something and send them something? Because we're tired of getting involved in the middle of this, and we still have no idea how to handle this situation."

So I called Danielle Judd. She answered immediately; she was really good about that. And I said, "Hey, Danielle." I said, "This is Michelle. I'm over here. I just received this text that GPD has now received permission. They're starting to do traffic stops. Do you know anything about it?"

She said, "My goodness. No, I don't." And she said, "I would think I would know, and I haven't heard anything."

I said, "Okay. Can you find out for me?"

She said, "Just hold on right this second. Just stay on the phone."

I said, "Okay." I had her on speakerphone.

She must have had me on speakerphone now. And so she told me that she was going to go find the undersheriff. She said, "I'm going to find the undersheriff and I'll" -- "just hang on."

Well, the undersheriff was at lunch, allegedly, with -- he was -- at the time he was a major, Major Chad Scott.

So she comes in, and she goes -- and she's speaking very hastily, and I can tell she's extremely nervous and she's stuttering a little bit, which she does only when she's nervous or she's flustered.

She said, "Michelle, I couldn't find the undersheriff, but the sheriff is right here."

And he goes off on the phone. He starts yelling and screaming. He wanted to know -- he wanted to know right then and there who authorized those GPD units to do traffic stops on his ASO channel, for one.

I told him, "Sir, I didn't have that information," which was why I was calling; that I knew it didn't feel like it was correct because I had not received anything from the top, but that I had been busy that morning and perhaps I had missed something and that's why I was seeking clarification.

He began to yell and scream and that he must

have -- I had heard rumor and speculation that many times he had threatened to just fire people all the time just when they upset him, just -- they were going to fire them; and it made it ring true immediately when he said, "I'm not saying I'm going to fire someone," but he's screaming through the phone. He goes, "But I'm telling you right now, when I find out who did this, they will be moved, they will be moved," and he's screaming. And this is only on speakerphone.

And I said, "Sir, I can assure you," I said, "without even looking into it right at this moment, I can assure you without a doubt that no one in the communications realm would have authorized this." I said, "But if you'll give me a few minutes, I will research, and I will call you back, and I will call Danielle, and I will find out."

So I hung up. I was like, dear God, this is not going to be; but I'm going to get the answers, and it's going to be fine. So I start -- because they're in a different building now, and they're miles from us -- normally, I would just get up, go into the communications center, which is right there and combined near my office and just find out for myself.

So I look at the CAD system. What's the supervisor for communications who took the traffic

stop? I look at the second traffic stop. It's the other supervisor who's also on overtime. Those two supervisors are on overtime because we were going to have a supervisors' meeting that afternoon about 1600, I think it was. But anyhow, they're both working overtime because they're so shorthanded because people keep quitting.

So I find out that allegedly one of the captains at GPD told the GPD drug interdiction unit, yep, we got a blessing; that they're allowed to start doing traffic stops. So they were happy as can be. So to be kind, they called GPD dispatch and said, "Hey, we've just been told we have been approved to run traffic back on ASO Channel 1. We're excited. We're going to move over there in the next few minutes." Initially, yes, that's exactly what they started doing.

So I called Danielle up. I told her. She said, "Okay. Well, the sheriff wants you to come over here. He wants you over here immediately."

I said, "Okay."

So I walk over there. I'm wearing jeans. I'm disgusting. I have paint all over me. My hair is up, and I have a bottle of water and my phone and my glasses. So I go over there, and I go see Danielle

first. She's looking at me, and she is like -- I won't tell you my hillbilly term, but she's looking nervous and she is frazzled. I'll just leave it like that.

She's like, "Sheriff Watson is in there."

I said, "What?"

She goes, "We're waiting for the major. We're waiting for the undersheriff. We're waiting for" -- she started saying a few more.

I said, "Okay."

I don't know if you know, like you come into the main suite; and this is the assistant, this is Danielle's office, then now the sheriff is way back here in his humongous, very nice office that he has.

So I walk in. It's just him, and he's pacing back and forth, back and forth. And no one else is there, it's just me. And Danielle leaves my ass -- sorry, I cuss a lot. I'm doing really well. I'm doing really, really well.

She leaves my ass there, and she's like, "I need to" -- and she -- it's kind of funny. I know my neck is red because, I'm telling you, I have not slept for a year because of this man. But anyhow, I've just got to somehow get it out of my system.

She leaves me in there, and she tells me, "I

need to go find the other people. I'm going to go find Bella. I'm going to find these other people."

Is said, "Okay." I'm thinking he's just not going to say anything to me. I'm going to sit here, and he's going to -- no. He starts reaming my ass out.

So he tells me, "I'm here to tell you now I want to know" -- and his arms, arms -- "I want to know why it is that you let him do traffic stops."

I said, "Sir" -- and he goes on to say that he got rid of that man, which made me believe it was the man previously that he got rid of and I took his position. I didn't want his position but basically assigned, I was assigned to it.

He said, "I got rid of that man because I thought you could do the right thing, and now here you are. And no wonder people disrespect me."

So he's starting -- at that point in time I'm kind of like checking out. I'm like, get ahold of yourself. I cry when I'm pissed, and it is one of my -- I have several weaknesses, but that's my biggest weakness. It pisses me off that I cry, and then I get even more mad at myself. Because I would really like to just chunk that bottle of water at his head, which I knew I couldn't, I wouldn't do. I don't need anger

management. I know how to control that, but I was pissed off. I'm like, this is great.

So at the time Bella walks in; and she doesn't who he's talking to, but she can hear it. She could hear it when she came in. And so she knocks, and she goes, "Sir, is it okay to come in?"

He goes, "Yep, come on in."

So now it's me and Bella, and Bella is looking at me. I'm not crying yet. I'm just like, here we go. So we're waiting for people to come in there. The undersheriff gets there. Danielle Judd comes in. It's Chad Scott, who was the major. It was the sheriff himself and Bella; and I want to say somebody else, but I can't remember who.

And so he goes on to ask what happened. So I say exactly what I told you. You know, I was up there and -- so he's like, you know -- and the undersheriff said, "Yeah, you know, GPD" -- or, excuse me, Chad Scott said, "GPD, everybody disrespects the sheriff. Everybody is just disrespecting him left and right."

And I said, "Well, I'm sorry this occurred, sir. I will" -- and he goes on to say did I give that memo, did you -- he said, "I don't know why your dispatchers took those traffic stops."

And I am just shocked that he --

Q. I just want to ask this question. What stops -- GPD has the channel on their radio in their car, right?

A. Uh-huh.

Q. They can just tune to that radio and do what they want.

A. Yes.

Q. So what is it that stops them from using whatever channel this is?

A. Nothing stops them.

Q. What are you supposed to do? Are you going to get on the radio and say, "Get off this channel"?

A. Yes, that's what he wanted us to say.

Q. And what would they do? Just shift to another channel? Is that what they want them to do?

A. Yeah. They want them to go back to where they came from and don't ever come back to ASO channel.

Q. Okay.

A. He starts to ream me and ask me if I sent that memo. I said, "No, sir, I didn't."

"I want to know why. Why did you not send that memo?"

I said, "Well, the memo sounds very confrontational, or it leads the staff to believe that

there's conflict between the agencies."

I turned to Major Scott, who at the time was in charge of all of the law enforcement area. I said, "Major Scott, did you send that memo to your captains of patrol?"

And he went, "No."

I'm like, "Okay. So no, I did not send the memo; but I will go send the memo, and I will send an email that says" -- and here's the email that I sent -- "that they are not to do traffic stops. You are to immediately tell them to switch back over."

He goes, "All right."

I said, "Sir, I'm so sorry that this occurred." I said, "I apologize. Clearly, unfortunately, I guess, GPD units were told incorrect information." I said, "Now the dispatchers are going to be gun shy." And I tried to go on to say how things have happened.

I said, "Major Scott, when you were at GPD, we have it set up" -- and our CAD systems were there. I specifically set it up years ago when I was just director because I would go in there and would work traffic detail, and they would do like joint operations.

If APD, who's not dispatched by

communications, at the combined communication center -- I said, if they said "APD 5 1050," which is a traffic stop, that's a code for it, 1050 -- on ASO Channel 1 -- that's not an agency that we provide a dispatch service for. So we provide a dispatch service for the three law enforcement agencies: ASO, GPD, and High Springs PD; those are the agencies.

If APD 5 said, "APD 5 1050," we would be like, whoa, this guy is on the wrong channel. And we would say, "APD 5, be advised you're on ASO Channel 1." We wouldn't tell him he couldn't do it. We would just say, "Be advised you're on our channel."

If he says, "APD 5 1050," we'd put him on duty, we'd put them on call as a generic unit. Or even if they said "APD 650," we would a generic APD 2 -- think I had seven of them. And we would put that fake fictitious unit on a call where they're at, begin to run the call -- run the tag, send them back up. And then we would simultaneously contact APD and say, "For some reason, your unit is doing a traffic stop on our channel."

It sounds odd, but that's what we would do. So I tried to explain to the major that --

BY INSPECTOR RIDDICK:

Q. Why would you do that?

A. Because it's a safety concern. Traditionally -- I mean, I started in '95. I've had my own shots-fired incidents. We do traffic. Traditionally, that's when -- the suspects know -- I imagine your guys have your career -- I'm sorry. I don't even know beyond your names what you've done.

Traditionally, a suspect knows that they're going to shoot you versus -- so we automatically -- and that's why we have the protocol. A traffic stop is the only call type within the first 60 seconds we do a unit check on them, and then after that it's every five minutes; but that first few seconds of that traffic stop is critical.

Q. So it goes without saying that you're not going to stop that traffic stop to get him off that channel?

A. Absolutely.

So I say that, and it pisses the sheriff off even more. He doesn't want to hear. He just wants me just to shut up and tell him, yes, sir, this is what will be done; so I say as close to that as possible.

I said, "Sir, I'm sorry this occurred. I will go back, and I will talk to the dispatchers. I will inform them that you no longer absolutely under

no circumstances want GPD to do a traffic stop on your channel; and they are to tell them 1054, go to GPD Channel 1."

He's like, "Yes." And he goes, "And this will never happen again."

And that's where I said, "Well, sir, I would hope that that would never happen again, but it's muscle memory."

Some of these dispatchers -- and for me at the time I was there 26 years. It's muscle memory. And those traffic units on the interstate are fast. They flip out a traffic stop fast as can be.

That's what pissed him off. He went off. He flailed his arms. I want to say he slapped the table; but he certainly flailed his arms, and he said, "And no wonder all these other people around this agency in" -- I guess in different cities, and GPD disrespects him. He has his own division manager who's going to disrespect him.

And so he starts going off, and at one point in time basically about that -- that I can't just say they're not going to do it again. And to me, I'm not one that's going to blow smoke up your ass. I'm going to tell you the possibility that it could occur again. Will we address it as he would want us to? Yes, but

we're not going to -- I can't tell him it's not going to happen again. It could and would likely happen again.

So he went off on me. I began to cry. So I just said, "Can you please excuse me for a moment? I need to use the restroom."

And I was not even gone four minutes, and I get back. They're all gone. They get up. They're meeting me at the front of the door, and I'm hot. At this point in time they leave all my shit, which wasn't a lot, in his office, in his suite.

So Major Scott is there at the door, Bella, Judd, and me. And Danielle is like, "Are you okay? What are you going to do? What are you going to do?"

I think they thought either I was going to go in there and, I don't know, maybe physically hurt him, accost him; I don't know. I was more pissed, but I was more pissed at myself that I cried. But I was shocked that here is a sheriff that, if I spoke to an employee like that, he would have lost his shit on me in a heartbeat; but I was just shocked that it was this type of call, this type of call that is one of the country's biggest incidents, and here he is going off on me that our dispatch center allowed two traffic stops to have been performed, and we acted upon it,

and we didn't send them. I was just in shock.

So Danielle said, "Well, what are you going to do?"

And I said, "What do you mean, what am I going to do?" And I said, "I'm going to" -- I'm like, "I can't believe you guys think it's okay for this man to talk to people like a piece of shit." That's exactly what I said in front of Chad Scott, Danielle Judge, and Bella. And Bella was like -- her eyes were huge.

So I went into Judd's office. She knew I was upset. I was pissed, I was hurt, I was upset, I was shocked, and I had a job to do. I needed to go then send this email and that memo to -- based on their instruction to the staff.

And Judd, at the time she was going to -- she wanted to go with me to the supervisors' meeting that we were supposed to have with the staff to basically tell them not what happened with me and the sheriff, but basically this was not to continue; and that GPD basically put us in a predicament, and that under no certain circumstances are they to be allowed to perform traffic stops.

I went off on my own. I sent that email. I copied Danielle. I copied the undersheriff, I think;

I don't know. I think it says there who I copied. And then we discuss it later.

Danielle checked on me that afternoon. She checked on me again. Bella checked on me. People called me. I guess word went rampant through the sheriff's office how he spoke to me. And for that, I was told I was going to be placed on a performance improvement plan, a year's disciplinary probation, and she was going to write me up.

Q. This was Danielle?

A. Uh-huh.

Q. Is this when you were transferred to the jail?

A. No, I'm not transferred to the jail yet because of that.

Q. Did all that then happen? Were you given a performance improvement plan?

A. No, no. It was weeks later. Actually, I have a summarization because I figured I'd be transferred to the jail.

I wrote this on May 10th. I can read it to you, if you want; but basically, it was a synopsis of the meeting that I had where Danielle -- just three weeks later she comes to me, and she said, "So what are you going to do?"

I said, "What do you mean, what am I going to do?"

She said, "Are you going to resign? Are you going to" -- "do you want to go anywhere else in the agency? What do you want to do?"

And I said, "Well, Danielle, I was really upset and irritated and hurt that this occurred," I said, "but no. I've been doing this for over 26, 27 years." I said, "I'm not quitting." And I said, "I am not resigning. I'm not going to ask to transfer anywhere."

I was also charged with doing accreditation for some reason even though it wasn't what the previous division manager ever did, so I was doing several different tasks for them.

And I said, "So I'm just going to wait for you to give me my discipline."

And she was frustrated. She was like -- she said, "Michelle" -- basically, at that point in time -- which is why I feel like I've been on an emotional roller coaster. She said, you know -- I think someone basically told her that I can be emotional and exaggerate about things; which I am a female, so I can become emotional; I do know that, but I have always tried to do a lot of major

self-reflections.

I said, "Danielle," I said -- I think I put in my notes; I can't remember. To be honest, I haven't read those. I just printed them yesterday, in fact.

But she said to me, "Well, Michelle, you know, I'm not really sure why you were so upset. He spoke to you like you and I are speaking right now."

I said, "No, ma'am. No, ma'am, he did not." I said, "In fact, I know he did not," I said, "because the very next day you asked to speak to me again." I said, "So you spoke to me after it occurred. You didn't want me to walk away upset. You spoke to me the night after the supervisors' meeting." I said, "The very next day you come and spoke to me at a conference table, and you put your hand on my hand and said, 'Michelle, it's going to be okay. He knows I'm not comfortable with it.'"

That's what she told me specifically, and I went home and wrote it down.

She goes, "Okay."

And I said, "So no, you can reprimand me."

Basically, they wanted me to write -- he wanted me to write those two supervisors up that took those traffic stops. I said, "Absolutely not. If

you're going to write someone up, write me up."

They work for me. They were doing what dispatchers were supposed to. I would be livid if they said no.

We had no direction except for that memo, and that memo does not say the dispatchers will not accept a traffic stop on our channel. I'm sure you've read it by now. It doesn't say it.

So since then, I was directed to tell those dispatchers, "You will tell them they will not perform a traffic stop on ASO channel."

Q. I guess I'm -- because I don't understand this world. What are they then supposed to do? The officers are just supposed to leave the traffic stop?

A. They're not supposed to perform a traffic stop on ASO channel. They are supposed to do a traffic stop on their own channel. And then, if they need backup, protocols were still not in place. I don't know what we were to do. And when I left, I still had not received clarification if GPD is doing an interdiction traffic stop on their own channel -- which by the time I did leave, they were allowed to start performing traffic stops again on ASO channel; but prior, during that time, we still had not received clarification as to what would be done, what type of

assistance they would receive, whether it be from FHP, their own agency, ASO, or any of that during that time.

BY INSPECTOR RIDDICK:

Q. How long had the task force -- the interdiction been going on?

A. Oh, my gosh. Probably ten years, maybe.

Q. And during all that time they used the same --

A. Always.

Q. When did that change?

A. When he took office during the -- it's in that memo.

Q. So it happened after Clovis Watson Jr. was --

A. Oh, absolutely.

Q. Why did he stop ASO from using your channel?

A. GPD?

Q. GPD. I'm sorry.

A. Just the undersheriff told me that basically -- basically, what he said was that he -- he told me that HIDTA, whoever is in charge of HIDTA -- I don't even know the ins and outs about that -- said that the sheriff did not play well with others, and that he was kicked out, meaning ASO was no longer part of HIDTA.

So they were -- they still ran their interstate responses, the two ASO units. Which Brian Jones, who had a K-9; and his deputy, who also had a K-9, both of them had a K-9, we were told that they would still -- and that GPD would then run their own on their own channel.

And then when the sheriff found out -- after this incident, we had several meetings to try to basically re-template the radio system so GPD could not come on their channel.

BY MR. KRAMER:

Q. Is that possible?

A. Oh, it's possible, yeah. You can lock -- you can basically -- it causes a huge issue. You basically can encrypt your channel; but when you encrypt, you mess up a whole lot of things. So when they, GPD or ASO, needs a joint response on something like a SWAT incident or a shooting incident or something in a school --

BY INSPECTOR RIDDICK:

Q. If you had an MSD in Alachua County, you would have the same problem?

A. Yes. So if you had some sort of mass casualty, like even a shooting at the University of Florida, and they say okay, you know, ASO SWAT team

will respond first because GPD's SWAT was still all -- and then you try to patch those channels through. You basically encrypt that channel, and you -- you don't allow -- so you'd have to pull everyone to a different channel, which is just time consuming.

So you think about a shooting downtown or at the school. It would be a nightmare.

BY MR. KRAMER:

Q. Would it be unsafe?

A. Absolutely. It's already unsafe. We still have a couple of units that are encrypted, like our SWAT units that are encrypted. When they come to a channel, when they did, it would be do a (makes descriptive sound).

I could hear it. Because I had an encrypted mobile at my desk, a portable, excuse me, at my desk, so I could hear it; but the dispatchers couldn't hear it because their encryption did not work on that channel.

Q. So the sheriff wanted your team, your people, to encrypt the channel that the drug task force worked on, the sheriff's office channel, which would have caused massive disruption and an unsafe environment for the entire county?

A. For that particular channel. Now, there are

a ton of other channels they could use potentially, but the one that -- specifically for ASO Channel 1, which is a primary channel, yes. He wanted discussions to be had, and those discussions were with me; now he's a major, but Josh Crews; radio systems supervisor, Scott Shelpman. And those are the discussions -- and I believe Judd was to be involved in those, and I think Chad Scott at the time.

BY INSPECTOR RIDDICK:

Q. So he didn't want to just encrypt a talk-around channel. He wanted to encrypt ASO's main channel so GPD could not get on it.

A. Yeah. He was trying to look at potential ways to -- so that they could not just like they did. I expected, as a sheriff, he would say, "Michelle, I am sorry that GPD put you in this position. I am sorry that a captain lied and told his unit. I am sorry, but thank you for doing the right thing. Thank you. Please go back and extend your appreciation to the dispatchers and tell them we're so sorry that unit put those dispatchers in this situation."

I would have expected him to go chew Acting Chief Tony Scott's -- or Lonnie Scott's behind. I think Tony actually was maybe involved in it too at the time -- but Lonnie Scott's behind, or that

captain, but certainly not me or the communications center. I was just shocked.

Q. So from the time he separated, or basically said that GPD cannot play with our toys, cannot be on our channel, until recently when now they're back on your channel, he was -- and also he said that ASO could not ask for GPD backup?

A. Yeah. That's in emails too. I don't know if I have those. I do have them. I just don't know if I printed them.

Q. Did he also say ASO could not back up GPD?

A. It had to be specific call types. It would have to go to like a certain level.

Q. Before you could ever send them a backup, you'd have to check with levels?

A. Yeah. It was very shocking.

BY MR. KRAMER:

Q. Is that unsafe?

A. Absolutely, it's unsafe all day long. I mean, I've been doing this since October of 1995, and it's --

BY INSPECTOR RIDDICK:

Q. To paint the picture here. Now for about two and a half years he's not only made his own officers unsafe by not allowing them not to ask for backup,

he's affecting another agency?

A. He's not only affecting that, but you have to understand dispatchers, you know, we have our own little oath too, and we are the first first responders. I left the jail because I knew my job was in jeopardy, and that was their task to get rid of me.

I was way close to retiring. I only had ten months at that time because I had been vested in state prior, and he ruined my opportunity. Because in my mind I had planned on just do my ten months leave, don't go into DROP, and then start another retirement. I had just turned 50. And so he ruined every bit of that for me.

So I feel like I need to be loyal to the University of Florida Police Department, who are gracious to me and very kind, to stay another five or six years. So my total life plan for myself is done because of him; but regardless of that, our entire career is -- I can't tell you the amount of probably mental health issues or challenging situations or the type of recommendations, whether it be AP referrals, professional or personal, where we have pulled people aside because we are told you don't do something or under this administration you are not to do something when it goes beyond the scope of what we have been

accustomed to.

All of our training, all of the state's department of health legislative curriculum that's approved at the state level, which you have to be certified for now in the state of Florida to be a public safety dispatcher. I'm sure you're probably aware of that. You have to have a license, and you have to have a test, and you have to be re-certified every two years. You have to be certified. If you are not certified, you will be fined, your agency will be fined, you will lose your job, you can be civilly sued.

Every bit of that training is about public safety, about the first first responder, how to respond, how to react, what you're supposed to be doing, everything we've been accustomed to training and doing, we're basically told no, you're going to do it his way because he is offended, he is -- "disrespected" is the biggest word.

And so he --

BY INSPECTOR RIDDICK:

Q. Were you PSAP?

A. Yes, sir, we were the PSAP for Alachua County.

BY MR. KRAMER:

Q. What is that?

A. The public safety answering point. And so what that means is, every single 911 call for service, everyone, cell phone, landline, office phone, you pick it up, you dial 911, it comes through there.

Now, they provide a service for all of Alachua County Fire Rescue, all of Gainesville Fire Rescue, GPD and High Springs. So if it's something for Santa Fe College, they would assume -- or assure that there was not an ambulance or fire needed, they would transfer it. The same thing with the University of Florida, and the same thing with the Alachua Police Department.

If it was a huge, mass casualty incident, like a shooting, we would process that call, and then we would call them in dispatch; because we would take ownership of it because we wouldn't want to risk the 15 seconds of the 20 seconds transferring it and lose the caller or potentially something happen. And so we would own that call and then take it and then patch those channels through to that Channel 1.

Q. I don't want to do it now because we're running out of time; but if given the opportunity, would you be able to compare what you are being instructed to do through the administration with the

sheriff's office with the state standards that you are taught and that you teach other people and show that what they are doing is contrary, or at least what they were doing during this time period is contrary to the state standards?

A. Yeah.

Q. Because I don't want to go through everything. I'm guessing it's technical, but you're being told to violate those standards?

A. Yes. We were told under no circumstances are you allowed to do traffic stops. And then that is the -- did I put -- I put that in that email, right? Basically, they were told -- I sent that out to them, and I copied -- does it show?

INSPECTOR RIDDICK: It says "cc staff."

THE WITNESS: But does it say who I sent it up top to?

BY MR. KRAMER:

Q. So I just want to make sure that I understand. Does this -- are you transferred to the jail out of your position into some position for which you are either unqualified or overqualified because of this incident?

A. It's a component of. So prior to -- well, after that -- I was told that day I sent that email,

the very next day, Danielle told me -- well, I summarized that email where she said, "Well, what do you plan on doing?"

I said, "I'm not resigning. I'm waiting for my discipline."

She never worked on the discipline. I think she was hoping the sheriff would be like -- forget about it and not deal with it.

And so that's -- I was going to make her work for her money. I was going to make her write me up. And I had told her, "You forget that I've been doing accreditation for the agency since 2011; 2017 on my own, and I know the policies like the back of my hand. So I know Directive 122, which is discipline; and I know Directive 353, which is your matrix in your disciplinary."

I said, "So when you send me the discipline" -- I said, "I've terminated supervisors, and I've demoted them because they were" -- "they did some immoral and unethical things." I said, "I know how to demote. I know how to promote. I know how to remediate."

And I said, "So when you do that, you better hope that you dot every I and you cross every T, and I'm not going to sit here and take it."

I said, "I do not believe in suing anyone ever, ever." I've had multiple incidents as far as being able to -- or even like vehicle crashes. I've let people walk away, and I've paid $2,000 worth of damage because I felt bad for the guy that didn't have a driver's license, and he looked like he needed a job and didn't need to go to jail. And I said, "But I will sue his ass." That's what I told her.

She said, "Well, tomorrow we're going to meet with him; I'm not really sure what time."

I said, "Okay. Do you have any good words of wisdom?"

She said, "Yeah. You need to go in there, and you need to be contrite."

I said, "Contrite?" I said, "Isn't that like fall on your sword and ask for forgiveness and stuff like that?"

She's went (demonstrates).

I said, "Well, that is not me."

She's like, "Michelle."

And I said, "What do you want me to do? Do you want me just to kiss his ass? Did you want me to blow smoke up his butt? Like, what do you want?"

I said, "All right. I'll go in there, and I'll say something."

They said it was the closest thing I'd ever to get to apology. He started to say that perhaps things could have been done a little differently on all of our parts, and then -- it was a very -- actually, it was a very nice conversation. It was very odd.

He shook my hand; and when he did, he did this odd thing where he kept -- I've never seen him do it to anyone else before, but I've also never been in his office long; but he shook my hand hard. He sternly looked at me, and then he would pat my hand several times. And I thought, what in the hell is happening?

Danielle was happy as can be.

I gave the sheriff kudos. I said, "Sheriff, I'm sorry this occurred." Long story short -- boy, I can tell some stories.

Long story short, I said, "You know, communications is my life," which is why he moved me. He knew that that's how he could screw me.

I said, "I hope I can make you proud."

I've never had major conversations with him ever. He's never met with me about any other thing. He never promoted me, all of those things.

But I said to him, "But I'll give it to

Danielle." I said, "Danielle is doing a good job." I said, "She's teaching me about the budget, which is something I didn't know."

So I was giving some pointers and just thanking Danielle, and Danielle said, "And you need to thank the sheriff too."

I said, "No, ma'am." I said, "That's not what I'm talking about. I'm talking about you and" -- and so I went on to say a few thank-you things, and I wasn't disrespectful to the sheriff.

He says, "You know what? Hopefully, one day I can be" -- "I can get as close to you, and we can" -- "you can learn more about me, and I can learn more about you and how you do business and" -- "because, you know, you've allowed Danielle that close to you and to learn about her."

I said, "Well, maybe one day," and that was it.

That evening, I have the date and time in my phone where she called me. And I remember distinctly I was sitting there on the back porch just like -- this has been like a roller coaster; because it started in April, and I think this was May. It actually was in May that we had this conversation.

She called me, and she's like, "Hey, I just

want you to know the sheriff just left my suite, and you're not getting written up."

I said, "Oh, okay." I said, "So no write-up."

She's like, "No."

I said, "Okay. Well, what about that performance improvement plan?"

"No."

I said, "Okay. So what about the year's disciplinary probation?"

"No."

I said, "So nothing?"

She's like, "No, nothing."

I'm like, "Okay."

She said, "See you tomorrow."

I'm like, "Okay."

We've had a couple command staff meetings; we had very few. I would say we only had two prior to me being moved, and during those two the sheriff never showed up to any of them. We never had a command staff meeting.

During the last one, I want to say it was mid-October -- the fiscal year had closed 9/30. The county's fiscal year in October 1 through September 30th. The staff were exhausted. We're now

down about 21 positions.

We had the round table, and it came to me. And Judd is sitting at the end, because I could see her kind of like this. She's sitting at the end. And the undersheriff is there. Chad Scott is there. And then the sheriff's assistant is further over, and Jake Rush is there.

They're like, "All right. Michelle, what do you have to report?"

I said, "I have to report that the staff are exhausted. They're tired. We're 21 positions down."

I continued to battle with the human resources director. She would not allow me access to the application system. She kicked me out of the hiring process as far as that's concerned because I challenged her because they continued to hire cadets. They would push out seven and eight cadets for the sheriff's office side because they were seen. Communications isn't seen, meanwhile we're 21 down.

And I said, "If we continue to do the same hiring practices of what we're doing, we're not going to get anywhere." I said, "The staff worked last fiscal year 29,700 hours of overtime." I was good about bringing statistics.

And Danielle looked proud. She winked at me.

I said, "The staff are exhausted, they're tired. Are we going to do any more hiring?"

I provided a presentation. This is the -- this is after that. That's what I know is part of what moved me.

But basically, I asked for changing in how they hire, or at least for communications and doing polygraphy up front. Can we contract out for polygraphers? Can we look at different things? That's because what we were doing wasn't working.

And the undersheriff's only response to that particular statement of 29,000 -- meanwhile, people gasped. The room like -- they were like (makes descriptive sound). They were shocked. And that's not including the people that would flex.

So me, I was just salary, so I would give them -- I would probably give them close to 80 hours a month, just giving it to them, because I wanted people to be able to have time off. They were burned out. So that was not counting those people that worked overtime and then took some leave and flexed against that overtime. That was just the 02 code for the sheriff's office, which is overtime.

So the undersheriff said, "Well, you know, when I started my career in 1990, communications was

always shorthanded." And that was his only statement. And Becky looked at me like don't say anything more. So that was part of it.

Another part of it was that I pissed him off. I was never told why I was transferred. Danielle -- I was super sick. I ended up getting what the doctor finally believed was RSV. I tried to return to work. I returned to work like half a day, went back to the doctor.

He said, "Yeah, I think you have RSV. You need to just stay home."

It was the latter part of -- after Thanksgiving all the way up through like December 3rd, maybe, or something like that.

And so when I finally met with Danielle the first day, I walked over there to do something. She's like, "Hey, I need to see you. Can you come back in a few minutes?"

I said, "Sure."

So she says, "Can you come over in like 20 minutes?"

I said, "Sure."

So I do a few things. I come over there. So she says, "So Monday, January 3rd" -- so she told me Tuesday, January 7th, but it ended up being Monday,

January 3rd, or whatever. She told me the 7th; because it was a Saturday, actually, and it was a day after my birthday. It was a Saturday.

She said, "The 7th you're reporting to the jail," and she looked at me.

And I wasn't crying yet. I said, "I figured this would happen."

She said, "Well, you know" -- it was Thanksgiving, prior to Thanksgiving, she met me in the hall after a meeting. She stepped in the copy room, and she's like -- I said, "Well, have a good Thanksgiving."

She's like, "I'm getting ready to leave now. I'm going out of town, but when I get back I need to work with you on how you could best communicate with the sheriff." She said, "He thinks you don't like him."

I said, "Danielle, it's not a matter of whether I like him or not." I said, "He's my sheriff. I respect him." And I said, "I respect the position he holds," I said, "but he has not been true to us. He has said things he would never do that he's done." I said, "He has promised to do things that he has failed to do." I said, "Our staffing is critical. Our staff are exhausted. We're working short-handed."

Right now they're patching channels. They're working below minimum staffing. They don't even have two dispatchers for ASO. They're patching teletype channels, which is against rules, constantly. For three law enforcement agencies, they're running with one channel; that's what they did yesterday.

Someone on the GPD side sent me a text, "Look at this schedule," because they know how I feel about communications. It's always -- I would work 18 and 19 to the detriment of my health and my family and my marriage to make sure that that place was running.

But Danielle said, "I'm going to work with you on how you can best communicate with him."

And I said, "I just need him to change some" -- I said, "Danielle, I don't want him to" -- "I don't care if he likes me." I said, "But, Danielle, he doesn't even respect you."

The HR director kicked Danielle Judd out of of the hiring application system because we were questioning their hiring practices. We had applications sitting there for 50 days untouched because they were dealing with putting those people in the police academy because that's what looked good on paper, where communications continued to falter because, as the undersheriff said, back in 1990 it's

always been shorthanded.

So it wasn't a surprise that I was going to be moved. I said, "Can you tell me why, and what am I going to be doing?"

She says, "I have no idea what you're going to be doing." She says, "I really don't. She goes, "I think you're going to be going to work for Dorian Keith," who at the time was the acting director of the jail, and she said, "Because I think she needs some help. She's way in over her head, and she just has a lot of tasks that she's responsible for and she's behind in. You're really good at that stuff."

And I'm like, "Okay. I'm going to be her assistant? She has an assistant."

She goes, "Michelle, I have no idea, but I know January 7th that's where you're going."

I said, "Okay." And I said, "And why?

And she goes, "Well, you know that stuff that happened at the" -- I haven't discussed it, but she said, "The stuff that happened at the county commission meeting where you said something about a puppet."

I said, "Yes, I didn't say what Kaylie Biel said I said."

If you want to know, I'll tell you that. But

I pissed him off.

And she said, "And he just thinks you don't like him. And, of course, that snafu about the DTF."

I said, "So that's why I'm being moved."

She goes, "But I just want you to know he's not" -- she touched my hand that day -- "he's not going to reduce your pay."

I started laughing and said, "Because he can't."

And I later found out through some close contacts through different areas within the sheriff's office -- and I'd rather not say who they are because they're afraid of retaliation, which is clear he retaliates -- that he tried to reduce my pay. He tried to get me out there and reduce my pay, but I had no performance-based issues, I had no disciplinary issues.

In fact, he -- based on that, that particular incident with the DTF when she told me she was going to write me up, after I got my bitch session out for a few seconds and cried, and she handed me a bunch of tissues, I said, "Do you realize" -- "I can't wait to see what you write me up for."

She goes, "What does that mean?"

I said, "You just released from probation,

from promotional probation on" -- whatever day it was I signed my evaluation. I said, "And the sheriff approved it. I have exceeds expectations in every category but one."

And one was meets standards and cooperation and attitude and cooperation. I don't think I have the evaluation, but I have it in my email.

But, yeah, I said, "You just signed off in March, and this incident was in April. I said, "Less than 30 days ago you just signed off on my evaluation, and he approved it."

I have no doubt in my mind, had I still been on probation, I would have been fired. I would have been fired for it.

So then I get out to the jail then, and, you know, I meet with Dorian Keith. And I had some leave expected that week, and so I was there one day. She met with me the first day. We talked about our goals, her expectations of me.

I was told I was supposed to get this really big -- not big, but a nice office that overlooked the parking lot area. She directed me to a little storage closet area that housed some storage stuff, and it had a window. And the window overlooked the jail where the inmates were, and I could see the concertina wire

and all of that; and that was my view. I could see the sky, though. It was very pretty.

Q. When you got there, was it a job that you were trained to do?

A. No, I received no training.

Q. Was it a job that you were qualified to do?

A. Technically, under it? No, but I think I did a good job and cleaned up all their stuff.

Q. One of the jobs they assigned you had nothing to do with communications?

A. No, it was a contract manager. It housed all the contracts for the jail. So it was medical. At some point in time -- I never ended up doing it because I resigned, but I was supposed to go through and actually even inventory some of the narcotics at the jail in the nurses' area, go in there and actually do a checks and balance.

So I was supposed to go and look to see were the doors checked. I was supposed to do door checks too, and then narcotics checks. It was the oddest thing to me because I have been in communications for almost 27 years.

Q. And this is essentially a job that's a finance job?

A. Part of it, yes.

Q. It would be for someone who regularly deals with the finance side of the sheriff's office?

A. Yes, for the contracts.

Q. Which you had zero experience doing?

A. No.

Q. Is this a job where you could have, had you been untrained and done it poorly, caused problems for the functioning and operation of the sheriff's office?

A. Oh, absolutely. So, you know, just an example is, I'm very stats driven. I don't like -- if someone says, "Hey, this is the report. Can you sign off on it? This is what they're going to charge us," I'm like, "No, I don't know what this means."

So for the meals contract, you had to compare it. So my job was looking at -- I started January 3rd, and so I went and looked at December's. And so, I guess, previously there was a November's too, and maybe an October.

So I looked at November and December; and I broke all that down, and I put it into an Excel spreadsheet. Well, I ended up -- what they essentially just wanted me to approve on, basically, is the meal counts. So a meal count for breakfast, lunch, and dinner for the different inmates. And then you tally those up; and if it's over a certain number,

you get a better deal. You kind of get a lower price per meal.

So I ended up that they had overcharged us by like just a couple of hundred dollars, but Dorian was -- Major Keith was actually complimentary. But what I had found out is that Major Keith -- excuse me, Karen Keith, who I guess was married to Dorian Keith's current husband, who they terminated, who I took her position, apparently would just -- she was kind of doing her own -- yeah, it took -- I don't know about it. It's just what I've heard.

But anyhow, I was told I was taking her position. Apparently, she was also going to school like on the books and wasn't doing her job, and she was literally just signing off on stuff. So a lot of the paperwork that I found was her approving tons of meals in different contracts that probably weren't up to date and up to speed and --

Q. And so if you put someone in this position who isn't trained properly, doesn't have the proper experience, it would end up causing financial problems?

A. Yes. And the important part about the jail is that it's a contract through the Alachua County. Although it's run by the jail, you have to remember

it's a county commission thing. It's a function.

So what the sheriff can do in his budget, when you go to the jail side of it, it really needs to have appropriate checks and balances; and I guess that was my job.

I mean, I will give it to you, Major Keith -- so when I got there, the office was disgusting. It was messy. I'm allergic to everything environmental. I don't mind cleaning; it's not below me. So I got wipes, and I started cleaning everything, dust and everything, getting rid of stuff. I vacuumed the office. I went in there and met with the major.

She had nothing available for me. And she's like, "Well, I think there's a book in Karyn's old office."

So we went in, and it was a large office, maybe half of this, and there was just stuff everywhere. So she would give me a book, and it was -- it had old contracts even from like 2004, 2007. Some of them were renewed every five years.

I said, "Can I redo this book? It looks terrible."

She said, "Absolutely. You make one of your own."

Beyond that, I never received any training

whatsoever, just -- she and I talked about what her expectations are, what my work schedule would be. We never talked about sick leave.

So back to, you know, I had been sick. And so I called out one day that week -- I'm sorry, one day the next week. I called out on a Tuesday; but that first week I was with her I saw her one day, and then I only saw her another day that week. I only saw her two out of the -- that week.

The next week, on that Monday, I never saw her. She never came down. In fact, I know it was a shock because the key guy, he came around -- I don't know -- I don't even know his name.

And they're like, "Michelle Klement's office needs to be rekeyed, or she needs to have a key to her office."

I could hear his keys. I could hear him walking, and the major was following him. And he realized because he stopped talking and said, "My goodness. Why is she back here?" That's when he made the statement, and he looked at me.

I said, "It's just perfectly fine." I said, "I can work anywhere."

He gave me the key, and I put it on. Of course, I only had a key for like a month and a half,

or whatever.

But beyond that, the Tuesday I was sick. I woke up, and I was feverish again. I wasn't feeling good. I'm like, oh, goodness. I'm not -- even though I had my own office, I was big -- when I ran the communication center in the division, I would tell people, especially since COVID was so back and forth, "Do not come to work sick. If you come to work sick, I'm writing you up because you're exposing people. Do not come to work."

So I contemplated. I sent her an email. I said, "Major Keith, please know I'm not feeling well. I will be at my home all day long," because I figured she'd want to come check on me, so I never left the house. And I copied her assistant. I copied the assistant, and she never called to check on me.

I checked my email throughout the day. I answered a couple emails. I had a work phone, so I respond to an email or two; and that was it.

Well, the next morning -- I always sound really nasally because I'm allergic to everything, but I go to work. I'm no longer feverish. I feel decent, just a little sniffly, and go in. And finally I see her at the copy machine, and she's a little snarky. And she's like, "How are you feeling today?"

"I'm feeling decent."

And then I go back to my office. And so she comes back in there shortly after. She leans against the wall. She said, "So how are you feeling?"

I said, "Like I said, I'm feeling okay." I said, "I'm sorry I called out yesterday."

She goes, "Yeah, about that." She said, "In the future, I need you to call me."

I said, "Okay. Yeah. I'm sorry. We really didn't discuss that." I said, "I take ownership of it. I should have thought about it."

It's very rare that I'm sick. I always have achiness from arthritis and stuff like that, but -- she goes, "All right." And she said, "Because, you know, you should have my number."

So I didn't have any -- even in the phone that I had, it didn't have her phone numbers at all. It had her email address, but it didn't have her phone numbers.

So I go, "Okay."

So she said, "All right. When I go back to my office, I'm going to send you your CC," which means corrective counseling. She goes, "So when you get it, I just want you to sign it and send it back to me."

And I said, "You're giving me a corrective

counseling?"

She says, "Yep." She turned around walked away.

I'm like, okay. And then it got super heated that day about that, if you want to know.

Q. I do want to know this. Because I don't understand employee discipline that well, which is, corrective counseling is discipline, so there must be a rule that you violated in order to need discipline. Is there a rule at the sheriff's office that says when you're sick you have to call your supervisor?

A. It says you will -- hold on. I have it. So she sent me -- and, you know, frankly, I was fine. I'm like, fine. If you're going to be a you-know-what and write my ass up, okay; but the fact that she wanted to quote policy at me, I'm like, (makes descriptive sound), and I know policy.

So she sends me the email. "Good morning. Per our discussion this morning, please sign the attached corrective counseling and return to me electronically. If you have any questions that weren't answered during our face-to-face, please don't hesitate to ask. Thank you."

So her corrective counseling is regarding -- it's January 11 of 2022. It says "Improper

notification for requesting unplanned sick leave. A counseling session was conducted with the above employee regarding the following incident."

And I can print this for you, if you like.

"On January 10, 2023, I arrived at work" -- oh, that' me. It's the same scan.

"Per" --

Q. You don't have to read the whole thing. You can just tell me, does she --

A. Oh, sorry, this is her. She said she arrived to work and proceeded to my office to conduct a supervisor round and say good morning. That never occurred.

She acts as if she says good morning every day and goes around and speaks to her folks. That never occurred.

"I was informed by my administrative specialist, Gail Fabiano, that you emailed me and cc'd her earlier saying that you were not coming in because you didn't feel well. In the future, please refer to ACSO Directive 329, Leave Policy," and it's the whole numbers, "requesting unplanned sick leave when you were calling in. Section B clearly states all employees will contact their immediate supervisor as soon as possible after beginning of the shift, health

concerns permitting, and confirm an adequate explanation of their illness and the projected amount of absence from duty. Any future occurrences of this nature will result in progressive discipline."

So it says they will contact after.

So I didn't just sign it. I provided additional comments as I'm allowed to during my response. And so she -- I don't know if you want me to read it, but she wasn't happy with my response.

Q. Your response is, I did contact per policy.

A. Yeah. And so we clearly -- I quoted that she could have used -- based on the directive, she could have used that opportunity to consider it as a misunderstanding, because there is a misunderstanding directive that says -- basically, in all of it, I just put "I have attended and engaged in a multitude of employee development specialists throughout the course of my 27-year career. It is a little concerning to me that this situation had to be handled in the form of a corrective counseling versus simply a, quote, misunderstanding, end quote, as articulated in ASO Directive 122, Disciplinary Procedures."

I said, "Subsection B clearly states, quote, misunderstandings in reference to directives, policies, procedures, or tactics will not be handled

in the same manner as formal complaints. It further goes to indicate that the employee's supervisor will attempt to resolve the misunderstanding. That's what the directive states."

I said, "It should be noted that I do not agree with this corrective counseling; however, I acknowledge receipt of it and sign it in accordance with the directive. I can assure that there will be no further occurrences of this same incident."

Well, when I sent that to her, I think her head must have been spinning. It's lengthy. It talks about what we talked about.

But her response to me was that she'll come to see me, and we will discuss this in person because she doesn't supervise mainly by emails; and that she doesn't agree with everything I put in my response to her.

So she waited till the very end of the day. It was about 12 minutes before it was time for me to go home, and she says, "About that." She said, "I don't agree with what you put in there."

And I said, "Well, Major Keith, respectfully, can I have a witness?" I said, "Because" -- she goes, "Who's going to be a witness?"

I said, "Can we please have a witness to this

conversation? Because I don't agree with some of what you're saying." I said, "I was fine with you writing me up, but now you're saying you don't agree with some of what I put in there and you don't mainly discipline via" -- and I said, "So I would just rather someone" -- I said, "Clearly, you and I are disagreeing about the contents of my response now, and so can we have a witness?"

And she said, "No, you just don't like the fact that I counseled you."

I said, "That is not the case. Can we please stop talking about this and just" -- she goes, "Who do you expect me to bring in here?"

And I said, "I don't care. Whoever you want." I said, "It doesn't need to be one that I approve. Just have someone come in here and sit."

She goes, "Well, I am the director, the acting director of the jail."

I said, "Well, can't you like pull one of your captains?"

She goes, "Absolutely not. I will not have someone come in here and be a witness every time you and I have a conversation."

I said, "I'm not asking for every time. I'm asking for this particular time."

She says absolutely not. She said I just have a problem with her being my supervisor.

I said, "No, ma'am."

And as I was trying to talk to her, she turns around, she does something with her head, and she sashays out. She's pissed. She walks out of the office.

So I'm in an office which is in an office. So I'm in a suite, whole suite, by myself and then in a -- what they used as a storage facility. In fact, the one next to me was full of old furniture and old books and cabinets and stuff like that.

So it's now about four minutes before I go home. Before I go home, I lock my computer. I'm going to go to the bathroom before I come back and get all my stuff.

So she meets me in the hall. She's coming back for round two or three. She come out, and she goes, "Can you step in my office?"

I said, "Yes, ma'am, if you could just give me a minute to use the restroom."

She goes, "I will not be spoken to in this manner." And she said, "You just have a problem that I wrote you up."

I said, "I just" -- I find it unbelievable.

I said, "Major Keith, did you and I talk about the expectations? What were your expectations?" I said, "You should own ownership of some of that too when it comes to what I should and shouldn't do at sick leave."

I said, "It says I will contact. It doesn't say how I will contact. It says I will contact." I said, "I chose the method of emailing you because I did not have your phone number," I said, "but from this point forward, I'll be happy to."

And I said, "But I'm asking you can we stop this conversation and have a witness."

And she says, "Well, who do you want?"

I said, "Just" -- and she goes, "I am a direct report to the sheriff."

I said, "Well, how about OPS?" They're on the same floor we were. It was -- I was supposed to work until I think 4:30. I can't remember. 4:00 or 4:30.

I said, "Can't we just stop, and you just grab OPS? They're a direct report to the sheriff."

She said, "Absolutely not." She said, "I am leaving here, and I am going to the undersheriff right now because I will not have someone that I work with that is basically this challenging."

I said, "I'm sorry if you feel that way." I said, "You know what's unfortunate? During our last staff meeting when it was time for your round table, you said we were all like family; that we will have challenges." I said, "And you said we will have challenges; and that you want to educate, essentially, your personnel, and you want to treat them respectfully, and you basically considered everyone family." I said, "What part of what happened with us today was family?"

And she was so pissed. "That is it. I am done." She said, "Get out my office."

She yelled at me, and I told her, "Have a good night." And I went back to my office, retrieved my things and left for the day.

And I was told that she did go to the sheriff's office because she was seen speaking out front to director -- director, excuse me, human resources director Reshawn Flanders, who does not like me. And she was seen speaking to her out in the parking lot for quite some time. And then she went in to speak to the undersheriff.

The very next day I went back to work, and she never said a thing to me about it; nothing. I never heard from the undersheriff. I never heard from

her again about it. We never discussed it. I continued to do my work.

There were several days she just never even spoke to me. Even if I saw her in the hall or in the bathroom, she never spoke to me. I said hello or something, sometimes she wouldn't even acknowledge me. She'd just keep walking.

MR. KRAMER: Okay. Thank you so much.

(The deposition concluded at 12:27 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that MICHELLE KLEMENT, who produced a Florida Driver's License as identification, personally appeared before me on May 16, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 27, 2023.

Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named MICHELLE KLEMENT, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 20, 2023.

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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ZERO (59:4)

AUDIO RECORDING OF SWORN STATEMENT

of

PATTY JUSTICE

DATE TAKEN: May 16, 2023
PLACE: State Attorney's Office
Gainesville, Florida

As transcribed by:

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- - -

WHEREUPON,

PATTY JUSTICE

acknowledged having been duly sworn to tell the truth and testified upon his or her oath as follows:

THE WITNESS: Yes.

MR. KRAMER: Let me set the record. So it is May 16th 2023. We are in the state attorney's office multi-purpose room, 120 West University Avenue.

This is Brian Kramer, State Attorney. Dave Snowden, special --

INSPECTOR SNOWDEN: Inspector.

MR. KRAMER: -- inspector with the Florida Department of Law Enforcement. The time right now is 1:31 in the afternoon, and the witness right now is Patty Justice.

Correct?

THE WITNESS: Yes, sir.

MR. KRAMER: All right. And -- did I swear you in?

THE WITNESS: You did. You swore me in.

MR. KRAMER: Okay. Good.

DIRECT EXAMINATION

BY MR. KRAMER:

Q. So state your name.

A. Patricia Justice.
Q. How are you employed?
A. How what?
Q. How are you employed?
A. I am employed at the Alachua County Sheriff's Office as the Chief Financial Officer.
Q. How long have you been the Chief Financial Officer?
A. On November 2nd, it will be 25 years. I have had different titles before, but it's always the same duties.
Q. Okay. Well, help me out with that. What have they called you before they called you --
A. So when I was first hired, I was fiscal bureau chief. And then eventually, under the prior administration, there was some changing of the pay scales and upgrading and just implementing the step plans -- I don't know if you are familiar with that -- and my title was changed to Chief Financial Officer.
Q. Okay.
A. But my duties are the same.
Q. And so explain to me, what are your duties?
A. Well, I make sure that we follow government all-county standards for our financial statements. Our financial statements are audited every year by the

auditor general, the state auditor general, so those need to be in compliance with generally accepted accounting principles, GAAP; and government accounting standards know as GASB, G-A-S-B.

I also have -- so I do the financial statements for the agency throughout the fiscal year. I have payroll under me. I have accounts payable under me. I have purchasing under me. I have grants under me. I have the trust funds, the biggest one being the inmate trust fund, the inmate monies at the jail.

Budget. I prepare the budget, and we present it to the county commission. We just presented it on May 4th. So I do most of the work preparing that for certification and submission to the board, so -- plus a lot of other things.

Q. Right. What is your educational background?

A. So I am a certified public accountant. I am a graduate from the University of Florida Fisher School of Accounting.

Q. Okay. And have you held other occupations before you held this job?

A. Yes. So prior to this job, fresh out of UF, I was the -- I was an external auditor with -- then it was called Davis Monk & Company. It's been bought out

since.

And so I went fresh from graduating UF as an accountant to the field of government auditing at Davis Monk & Company, and I audited sheriffs for about six years, and county commissions and tax collectors; and this was actually my client, and I applied for the position when it was open.

Q. Okay. So in the course of the 20-plus years that you've worked for the Alachua County Sheriff's Office, prior to the administration of Sheriff Watson, were things sort of done in a particular way, a standard way? And have those changed frequently over the course of the various sheriffs you have worked for before Sheriff Watson?

A. Well, yeah. I mean, there's always things that are standard; but every sheriff has, I guess, their differences in running their offices, but Sheriff Watson has a lot more differences than the prior administrations.

Q. Okay. Are there any differences that have occurred with Sheriff Watson that have caused you to have to violate the general rules of accounting, the GAC that you mentioned?

A. No, sir, I would never violate the rules. And if there ever was a violation, I know to come to

this office as a CPA.

Q. All right. And what about the other -- the GAS --

A. It's GASB and GAAP. No, there are no violations of GASB and GAAP.

Q. Okay. So I'm just trying -- you have to understand I don't understand any of this.

A. That's okay.

Q. So there are things that sheriffs can do within certain variations that won't violate these accounting principles, correct?

A. Yes.

Q. And there are things that they could ask you to do or they conduct themselves in ways that would violate those principles?

A. Yes.

Q. Okay. So when there are variations between the sheriffs, as you have discussed, where do those variations occur normally?

A. I think the biggest variation is maybe lack of documentation that we are used to having. So, for example, with the training and travel, you know, I was told by the undersheriff's executive assistant that the sheriff exempted himself from completing training and travel forms after he had completed a couple at

the beginning of his administration, and that was very awkward.

So I sent an email to my staff and let them know what I was told, and I documented it. I kept it, the documentation, because it is unusual. I've never had a sheriff -- and I have worked -- technically, it is my fourth sheriff, because there was an interim between Oelrich and Darnell; I don't know if you are aware of that.

So there are some differences in that respect.

Q. So explain to me what has happened in the past, and like when would they be expected to document training and travel? And then, how does that work for you if you have no documentation to support an expense?

A. We have the documentation to support the expense. What we don't have is the training and travel form; which, per agency policy, everyone has to complete a training and travel form when they go to travel with or without training involved. And I can show you what they look like.

Q. Sure.

A. So this is the policy that says that everyone -- this directly applies to all sheriff's

office personnel. Okay. That's the policy that says you complete a training and travel form, and this is what it looks like.

This was back when he started. He did complete -- so this is an estimate of what you think you are going to spend. This is when you come back and you've completed, and is your actuals. At the beginning of the administration, he was completing these. And I have a couple of examples where he completed them, and they do have the supporting documentation.

Another thing that is different about this sheriff than prior sheriffs was, he quit asking for per diem -- or meal allowance. Let me not say "per diem" because per diem is a different thing. Meal allowances. We give, you know, money for breakfast, lunch, and dinner; and he quit asking for that, which is different than something I've seen the two -- the Darnell and the Oelrich administration.

So he completed one side at the beginning, and then I had to send this email out to my staff.

Yeah, you can have it. I didn't make copies of anything.

Q. So, for instance, I have a credit card; I have two of them. I have one that's issued by the

county. I have one that's issued by the state. And I have to provide receipts for those, and they're only to be used for certain things. There are rules that apply to what those can be used for.

Is there a similar situation for the sheriff's office for employees who are issued credit cards?

A. Employees that are issued credit cards definitely have to provide receipts for anything that charges against the credit card. Now, our credit card policy is mainly for travel. So either you book the hotel room on it or you at least put your -- you hold the hotel room on it. And sometimes we do cut a check for the hotel in the end, and then sometimes we don't. Some hotels don't accept checks anymore.

The registration for the class is on there, but it all gets recorded on the training and travel form, and summarized. And what you're saying is that -- you are affirming that they're reasonable and necessary expenses. So this is what we're not getting back from him, anything signed on the right-hand side.

Q. So if he were to use the credit card, you would still get a receipt from him for -- "I used the credit card for X purpose"?

A. Yes. So I have -- actually, I brought them.

I think I brought them.

Q. Does someone audit those expenses --

A. Yes.

Q. -- and determine that they were for an agency purpose?

A. Right. Yes. So my staff does that. And I can tell you that for the last over 20 years we've had clean audits, clean financial statements, clean audit opinions with no findings. We -- they don't like us in there very much because we will hassle them, "Hey, we need back-up. We need back-up. We need supporting documentation."

Q. And have you had an audit since this current sheriff has been in office?

A. Oh, yeah, and they've been clean audits.

Q. Okay.

A. Yeah. Now, the auditors do sampling. You know, they don't look at every single expense because we have thousands, but the auditors are looking to make sure the financial statements are, you know, reasonable and in compliance with the standards that I was telling you about.

We've never had an audit finding in the agency. I used to be an auditor, so I know what they are looking for, why they're looking for it; and I

take pride in the fact that, you know, we don't have audit findings. So we do hound people to give us the supporting documentation if we don't get it right away.

And I do have credit card statements if you wanted to look at them.

Q. Sure.

A. Okay. That was the travel that I gave you, and you can keep that, I guess. And this was the examples of, you know, the sheriff traveling to mainly his conferences, because in the State of Florida, sheriff's get a $2,000.00 supplement on top of their regular wages that are set by the legislature if they complete a certain number of hours of training. And then he does, he goes and gets his training, and we get the FDLE letters letting us know that he has completed his training for his salary supplement.

But what you will see as you go through this is towards -- you know, in the beginning he is completing a training and travel form, but then he stops. And then all we have is the backup for when we're cutting a check for the hotel or we're cutting a check for the registration.

You can have this. I don't --

Q. Sure. So why is a training and travel form

necessary?

A. Well, if you look at the training and travel form, one of the things that I do is -- one of the things we do is see if it complies for -- are you familiar with second dollar forfeiture funds?

Okay. So every ticket that's written, for every speeding ticket, there is two dollars that the clerk collects and sends to the sheriff for training and travel. And so I have to look to make sure that on the left side that it is in compliance, if it can or cannot be -- those monies can or cannot be used.

There's not a lot of money in there, not a lot of traffic tickets being written. There used to be a lot of money in there years ago --

Q. Right.

A. -- not that much any more. So we're really particular to only charge against that fund a lot of the training that the sworn officers attend. We've tried to quit charging the civilians and some of the detention officers too because there's just not a lot of cash in that fund.

So that's what I'm looking for, to see if it qualifies or not for that second dollar -- if it's allowable under the second dollar rules.

And then it also says on the right-hand

side -- I think you might have them. This might be when he stopped -- you know, that the travel is reasonable and necessary. It's the taxpayer's money that you're spending. You know, if it's not the second dollar fund, it's the general fund. It's the taxpayer's money that you're spending, so you always want to see that it's proper, you know, that the expenditure is proper for the taxpayers.

Q. Okay.

A. But if you'd let me borrow that just for a minute, I think this was one of the examples. These are training and travel form.

"I hereby certify or affirm that the above expenses were actually incurred by me as necessary traveling expenses in the performance of my official duties," and then it goes on and on. I mean, you can read it right here. So --

BY INSPECTOR SNOWDEN:

Q. That is submitted but not signed?

A. So at the beginning, he was submitting them with the left-hand-side completed. I don't see the right-hand side completed on that one or this one. And then it stops when I got that -- when I get the notification from the undersherrif's executive assistant.

So he's just not completing them. He's made himself exempt from completing them, which is unusual from what I'm used to and what my staff is used to.

BY MR. KRAMER:

Q. But there's nothing that you can do about it, correct? You would prefer --

A. Well, you know, I -- I am scared to go directly to him and say, "Hey, we need this. We need to have this," because it's unusual that you don't provide it; but I don't report directly to him. I report through a chief of staff who -- my chief of staff that I've had since he took -- shortly after he took office left the agency, and now I have a new chief of staff. So yeah.

Q. Gotcha.

A. And then it says -- the employee's supervisor also signs that it's in compliance with Chapter 112, and that the travel was on official business, basically.

And then this goes with that, if you want to put it all together.

Q. Do you have anything to do with public record responses in the office?

A. No, that's the records bureau chief, Chris

Whatley.

Q. But much of what you deal with is, in fact, a public record?

A. Everything is public record, yeah, except, I would assume, our health records or any -- if we have any of that.

Q. Absolutely. There are well over a thousand exemptions to the public's records laws.

A. And my office and myself fulfill a lot of public record requests.

Q. Right. And these documents, these travel --

A. Training and travel form.

Q. -- training and travel forms, they're public records, correct?

A. Oh, of course.

Q. Okay. And so other than being told orally that the sheriff has said he's exempting himself from creating these, what I will refer to as, public records, is there anything in your agency that would allow him to not create this record?

A. Nothing that I am aware of.

Q. Okay. Are you aware of any other forms, any other required documentation, in the agency that's not being prepared that should be prepared under the rules of the agency?

A. Well, he changed the rule on salaried employees completing time sheets, and that was something different than anything I have ever been used to.

Now, I have done a little research myself, and I think salaried -- I'm pretty sure -- I'm not an attorney, but I don't think salaried employees have to complete a time sheet.

From my perspective and my audit head, you know, and all of my years of experience, it's the proper thing to do because, again, you're funded by the taxpayer. It's not the sheriff's office money. It's not the sheriff's money. It's the people's money.

Q. I understand. And let me ask it this way. So that's a very similar situation to my office. We have both exempt and non-exempt employees in my office, and I'm sure you are familiar with the concept of exempt and non-exempt employees.

A. Absolutely.

Q. But we grant our exempt employees leave.

A. Yes. We do too.

Q. Okay. So the time -- the purpose of the time sheet in my office for exempt employees is to document the usage, the proper usage, of leave, right? So

how -- if there's no time sheet associated with an exempt employee with your office, how do you properly document the use of leave?

A. So you have to understand the ExecuTime time entry system. So that time entry system for the salaried employees -- I'm a salaried employee. So I used to go in and put in -- I mean, I could work ten, twelve hours one day, eight the next. And then if I wanted a leave day, I would use that system as an electronic system where you create a leave request. And then it gets approved or denied by your supervisor. And then it gets populated into that time sheet. And then it comes over to the payroll system. That part is still happening. Okay.

What's not happening is, I don't have a time sheet that says Monday I worked twelve hours, Tuesday I worked five, Wednesday I worked thirteen. I just have, in ExecuTime, a time sheet that I don't sign off on, because it means absolutely nothing, where it shows Monday through Friday, eight hours.

Because it had to have -- we had to call the software company when we were told that salaried employees weren't going to be completing time sheets anymore. Now, let me back up.

The sheriff, elected official, has never

completed a time sheet in any administration that I have been under, and I think that's normal practice throughout sheriff's offices.

But back in April 9th, when I was told that we weren't going to be doing time sheets anymore for salaried employees, I sent an email, in my professional opinion, letting him know what the problems could be, you know, because a lot of the time we get public records request for employee's hours worked. Well, if you make a public record request for my time sheet, it means nothing. You are going to see where I do put in for leave, but you're not going to see where -- my hours I've worked, my correct hours I've worked.

Q. Well, correct. You've anticipated my question, which is, if the employee signs off on it, does it show that they worked on a particular day? Or it just simply shows no information?

A. No. It's going to show eight hours a day.

Q. So it's just false?

A. I don't sign off on my ExecuTime time sheet because it's false. It's not correct. It's not the hours that I worked. And I don't know if the other -- I don't know if the other salaried employees are finishing off as the employee on their time sheet or

not; I don't because the record is not correct.

I have brought to their attention, you know, some of the things that could potentially happen, some of the errors that could occur if we didn't use the ExecuTime time entry system for salaried employees in the fashion we have always used it, and I basically was called into a meeting by my then chief of staff that told me that I was being condescending and to take my audit cap off my head.

Q. Okay.

A. You can have that.

I did not take my audit cap off my head because I am a licensed professional.

Q. Sure.

A. I'm not going to jeopardize my license for anyone. I've worked very hard for it. I wasn't even born in this country. I came from a communist country where my parents brought us here and taught us English and taught us to work our butts off. And I worked hard for that, and I'm not jeopardizing that for anyone.

So my audit cap is always on, but I thought that was pretty bad that they would do that.

Q. Sure.

A. And that's when I got the -- and my note

there on the front will tell you that's when I figured out that they don't want a lot of emails and documentation from us, which that is something different form prior administrations as well.

Q. Okay. But as far as the functions of your office, what are the other differences that you have observed?

A. In my office -- I mean, accounting is accounting. Debits and credits are debits and credits, right? That's not really changed.

We do process payroll in my office, and that has been very, very -- a lot more time consuming, a lot more difficult. We've had a lot of reorganizations in the agency. It seems like they never stop. There's complete inconsistency all the time. There's no sense of stability because there's constant movement of personnel; and we have to process those, so there is a lot more transactions that are occurring that just don't seem to make a lot of sense.

I mean, after two years in office, you would think the elected official would -- you know, is comfortable now, but the re-orgs continuously happen. So we have to process those, and it's created a lot of extra work for us. And there's only eight of us in that office handling over a $100,000,000 budget.

I mean, my duties -- he's never walked in there and said -- asked me to do anything that I am aware of that is illegal or malfeasance. I wouldn't allow it. I would just walk out the door right then or come -- I was taught -- as an auditor, I was taught that if anything like that ever happens, you typically go to the county manager and go straight to the state attorney's office; that's what I was taught as an auditor.

Q. And has that been made clear? I mean, is that a conversation that needs to occur or has occurred or --

A. I've never had that conversation with any elected official. I think they all know it.

Q. Okay. All right. So procedurally, what else has changed within the -- other than the travel and the time keeping?

A. Not putting things in email is a -- procedurally has changed, I guess; but that's more of a general thing, not an accounting thing. And that was hard to get used to because we always put things in email.

I'm trying to think. This is when they made me reverse the pay raises, which I have never seen such a thing.

Q. I don't understand what that means, and that would be what I'm getting at. That's different. You are doing something you have never done before. How does one reverse a pay raise?

A. For the first time -- so we have a union. We have the PBA as a bargaining unit that represents our sworn officers, our deputies, our sergeants, and our lieutenants. That contract clearly states the pay scale. And so, once that contract is signed, it says, hey, you know, come the beginning of the next fiscal year this is our pay.

So I've always processed it. In the prior administration, I've always processed it. In this administration, I wasn't allowed to process it until they told me to process it. Typically, I would process it around November. Sometimes the chief deputy at the time would say, "Patty, have you done it yet? Have you done it yet? We really got to do this." You know, November, maybe, at the latest, December. I'll would have to go back and look.

BY INSPECTOR SNOWDEN:

Q. Does that take effect January 1?

A. October 1. We're a October 1 through September 30th fiscal year.

So I kept waiting, and they wouldn't let me

process the pay raises, basically; which normally I'm used to just -- I do it. I'm the one who physically does it, by the way. And they -- I had to wait for instruction to do it, and it didn't come until February that year. We have October, November, December, January, February. It didn't come until February, and my chief of staff told me to do it.

And then I come in the next morning, I think it was -- I can't -- maybe it was a weekend, and I was told by the sheriff's executive assistant that he didn't approve them, and that we had to reverse them. So that's different. That's something we've never done before, so we were scrambling.

BY MR. KRAMER:

Q. Is that -- I mean, just so I understand, these are pay raises that would have -- if you did them in February, they would take effect in October?

A. And we did. We retroed them to October, but the deputies had to wait.

Q. Oh, I gotcha. Okay. So that's what was not making sense to me. These were retroactive raises?

A. Yes, they're always retroactive because we can't do them right on October 1. You know, we try to do them as close to the beginning of the fiscal year as possible, obviously.

But that was very different where we waited and waited, and we kept waiting for the green light to go and do this where before I didn't really have to wait for a green light. I just knew that they had be done, and it normally got done around, I want to say, end of October, November.

BY INSPECTOR SNOWDEN:

Q. Do you know the reasoning why the sheriff had to approve these?

A. I have no idea why. That's another thing that's different, is every new hire is being approved by the sheriff. I'm not used to that.

BY MR. KRAMER:

Q. Meaning you're hiring somebody for the combined communication center, the jail, evidence?

A. He approves it. Even my staff. He approves everyone. I had a situation where, you know, my payroll person after many, many years of service was retiring, and payroll is one of those positions that you want someone in there months in advance. We had selected someone, and it took him months to tell me no. And then finally we were able to someone not too long ago.

Q. Was this an inter-agency person or somebody you're are bringing in from the outside?

A. This was an outside person, and the person that we finally hired is an outside person. She's working out great, and she -- you know, she got --

Q. And it takes some time to bring people on board --

A. Of course.

Q. -- with your agency, right?

A. Right.

Q. There's an onboarding process --

A. Yes.

Q. -- that's not quick. It takes weeks.

A. It takes a very long time, anyways, but even longer since --

Q. What was the reason that the person who had been selected originally was not given the position?

A. I don't know. They didn't tell me, so I don't know. They didn't work out. You would have to ask human resources that. They do all the backgrounds, and they do all that. The person didn't work out.

Q. But it made it to point of the sheriff before it got --

A. That was my understanding, yes, sir.

BY INSPECTOR SNOWDEN:

Q. That was the part in HR that it didn't get

past?

A. We selected the person. We interview the person, and I recommended the person. So if we were to do an interview here today, the three of us would be a panel interviewing one person; and we have questions that we ask them, and we all ask and write down our answers. And then when they leave, the three of us would get together and rank them.

This was only one person that even qualified. She wasn't like super-duper qualified, but we were willing to train the person; and it took him months to tell me no. You know, meanwhile, the other person who is sitting there is going to be retiring soon, so we were getting worried that -- oh my goodness, you know, who is going to do payroll every bi-weekly for close to, you know, 700 and something employees?

I know what else is different, in talking about that, is there was an accounts receivable position open in my bureau. We call them bureaus, accounting and budget bureau. And, you know, my staff -- the staff and I interviewed, ranked the top three.

And so I did what I always do. I do my interoffice correspondence letting the sheriff know who our top three were, and we put in our

recommendations and our answers. And then when I took it to HR I was asked to put pictures on it, and I've have never been asked to put pictures on any potential employee.

Q. So those weren't individuals who were already at the sheriff's office?

A. They were.

Q. They were?

A. But they were -- these were all internal applicants. So I don't know if that's illegal or not; I don't know, but I've never been asked to put pictures of anyone in any internal or external.

Q. Was the person selected based upon a photo?

A. I have no idea.

Q. Was the person a minority?

A. Oh, the person that we selected was a minority; and we were super happy to rank her number one, and we were praying that the sheriff blessed it. And he blessed it right away, so yeah.

BY MR. KRAMER:

Q. The person that he didn't approve, did you have to include a photograph of that person?

A. Yeah. They asked us to put photographs, and I didn't do it. I told them -- I told Reshawn Flanders and human resources that I did not feel

comfortable doing this; that I've never been asked to do that before, and I thought it was very unusual.

Q. How would you get a photograph from a civilian who's coming in from outside the agency? Are you supposed to take a photograph of them as they are sitting in the interview room?

A. Well, these are internals.

BY INSPECTOR SNOWDEN:

Q. I think he's asking about the one that applied for the other position.

A. They didn't ask me to put a picture of that one.

Q. Okay.

A. They only asked me to put a picture of the internal candidates. So if they're putting pictures in a packet for the sheriff of external candidates, I don't know.

Q. Okay. No, that's fine. I just --

A. But these are internals.

Q. -- could not understand how you would get that photo; because I'm pretty sure that that's a problem when you're hiring somebody, to request a photograph from them.

A. Yeah. Well, these are internal employees, so we have an internal -- what's it called?

MR. KRAMER: Identification system, I'm sure.
BY INSPECTOR SNOWDEN:
Q. Maybe a database?
A. It's a database with pictures. I refused to do it. I didn't do it, so I can't remember if my assistant financial officer did it or if the undersheriff's -- I think the undersheriff's executive assistant did it for us and then submitted the packet.
Then I was told to redo my IOC. I did it the way I have always been used to doing it. I was told to put in there -- oh, there were externals that were rejected, but we didn't reject them. HR rejected them, so we don't see that process. But I was told to put that in the IOC, so I had to get information from HR staff to help me to complete the IOC.
Q. Did they interview?
A. The externals never got to the interview process. HR didn't let them proceed, and there's reasons here why. You're welcome to have this. I would like a copy of this if you want this.
So I don't know if that's malfeasance or misfeasance; I have no idea.
BY MR. KRAMER:
Q. Other than the things that you've described, have there been differences in the way that the

sheriff's office is operating since?

A. Yes. Back in July -- and I did document this because it was -- back in July -- okay. So let me back up.

We have a directive that said who has access to the accounting and budget bureau. It's a short -- short and sweet, and the hours. So our key cards -- I don't have my key card on me, but our key cards, you know, let people in. Lieutenants and above can come in, you know.

And we process payroll; so as you can imagine, if you have a question about your paycheck -- employees get wages garnished, and they come in and ask us questions about that. We're a customer service bureau.

So in July -- and I don't remember the exact date -- I came to work one day, and my staff was waiting for me at the door. My key card let me in, and they're like, "Oh my God. Nobody can get in. Nobody has access. Not even the sheriff's own executive assistant has access."

Well, I come to learn that someone -- I don't know if it's the sheriff or the undersheriff -- removed access to our bureau to all agency employees, and we are a customer service bureau. So they didn't

ask me, so I went to the -- and this is when my chief of staff was out on an illness. She was out for a couple weeks. And --

BY MR. KRAMER:

Q. Is that Danielle Judd?

A. Yes, sir.

And I went to the undersheriff, and I asked him what happened. And he said something had happened in CID, and that they felt that they -- I don't know who "they" is -- felt that it would be best to make us completely restricted access.

And I made him aware of the directive. I said, "You do know that we have a directive that says who can be in there and when."

And he goes, "Oh, no. I didn't know anything about that."

I mean, decisions are being made without -- my input as a professional is not welcome by them, and that's something different.

BY MR. KRAMER:

Q. Sure. So what's the result? Did they change it back?

A. No. It's still --

Q. So your staff can't enter --

A. No, no, no, our staff can. So accounting and

budget staff can come in; but lieutenants and above, their access was removed. It's slowly being given back. I think they are rewriting another directive of building access.

Q. So they don't want anyone putting anything in an email; but if somebody needs to ask you a question about like their child support garnishment, they can't come into your office to ask you a question?

A. They have to knock. So we have to -- they have to let us know, "Hey, we need to" -- they call. They knock. In the beginning, they were knocking because there wasn't -- the key card didn't work at all for them. And we would go over there and open the door for them and let them in.

And then later they gave us a doorbell, and now we have finally -- I had asked for -- I'm not sure what they are called. Like a dutch door, where the top part is open.

Q. Right.

A. So they gave us a door that opens at the top. And I just told my staff to keep the top part open all day long, and so that way people can say, "Hey, we're here" or "Hey, let me in." It's a little more open and a little more friendly.

That was a big change for us, and I did

document that because my staff was pretty torn over that.

I'd like a copy of that if you are keeping it.

So a customer service bureau --

Q. Sure. I understand. Yeah.

A. -- and with no input from me whatsoever. I've been there twenty-five years almost. I'm a certified public accountant. I'm a professional. I know what the bureau does for the employees, and they should come in there.

When we call them and say, "Hey, come over. Come pick up your travel check. You can come see payroll now," they would -- they knew when to come, and they'd use their key card to come in; no big deal. But they restricted it, and I don't understand why they did that. And I don't feel they gave me a good answer as to why they restricted it.

Q. So when the new sheriff came in, was there ever an opportunity given to you to sit down with the sheriff and explain your job function and have any kind of orientation with him to say what you do and what he expects of you and those type of things?

A. No.

Q. Okay. All right. Anything else that you

brought with you to share?

A. I mean, I'm just letting you know things that are different from prior administrations.

Q. Right.

A. You already know that I fear him because of the precedent that has been set with the other women in the agency that I have been keeping track of, and what has happened with them.

BY INSPECTOR SNOWDEN:

Q. Tell us what's happened.

A. So the first person I have on here is Bureau Chief Laura Knudson. I don't know if you have heard of her or not, but she was one of the very first people when the administration first took office that they demoted and removed from her office, didn't even help her move her furniture. She got injured while doing that, and I think they denied her worker's comp claim; I don't know. You would have to ask someone else that, but that's what I had heard.

INSPECTOR SNOWDEN: What was her title?

MR. KRAMER: She was victim services director.

THE WITNESS: Bureau Chief of Victim Services.

So they demoted her to victim advocate --

lead victim advocate and reduced her pay, which to me -- so we have a career service protection act, and I'm sure you are familiar with it. And I've always been told we are all protected.

I am a regular risk FRS employee because of that. Typically, this position is special -- oh, what's it called? There is a different category where I get a better multiplier, basically.

BY MR. KRAMER:

Q. Management.

A. Senior management. Okay.

So my entire career I've been regular risk 1.6 multiplier, and I didn't know they could do this. She ended up suing. I don't know what happened in court.

Gayle Fabiano, she is the administrative assistant at the jail, had been for many years. Gayle and I stay in touch. We are friends. She was the employee that the sheriff didn't hear her say hello, and she was requested to write an apology letter to him for not saying hello to him. She has that apology letter to this day.

She doesn't work here anymore. She is with the county now.

BY INSPECTOR SNOWDEN:

Q. Was there retaliation as a result? Is that why she left?

A. I think in her case and in every discussion we have had, she just couldn't take it anymore, so she moved on. Some of these employees just moved on because they couldn't take it anymore.

I feel like I am holding on tight because I don't want to go anywhere. I want to finish my career. And I feel that the taxpayers need me and my staff, because I do feel that we are prudent and we take care of the taxpayers' money. So I am holding on. There are days that I don't want to be there, but I feel that I owe it to the taxpayers to stay and make sure -- keep my audit cap on.

Administrative Assistant Marie Davis was Linda Brown's assistant. And after Linda Brown retired, there was a re-org all of a sudden, and Marie goes over to the jail to be the administrative assistant. She didn't apply for the position.

People are being moved to positions without people applying for positions, which that's unusual, especially on the civilian side.

Captain Lori Stophel, boy, she got moved so many different times, from a captain over at the jail to captain over administrative services to the captain

over accreditation to the captain over CID just for a few days to the PIO captain all in just a short period of time. She ended up leaving a year before -- and I talk to them. These are friends of mine that we lean on each other.

Q. How many times was she transferred?

A. One, two, three, four. Four times in the span of January 21 through July 21. This is unusual for us to see in payroll.

Diana Jacobs couldn't hack it anymore. They made her life miserable, and I'm sure you know that.

Michelle Klement is the one that scares me the most because they took someone who had been there a long, long time just like me and just -- all of a sudden, just demoted her, without touching her pay, to a lower position at the jail.

Q. Who was the person before Michelle?

A. Marie Davis. She was Linda Brown's --

Q. Marie Davis, Lori Stophel.

A. Laura Knudson.

Q. Right.

A. Gayle Fabiano.

Q. Marie Davis.

A. Marie Davis, Lori Stophel, Diana Jacobs.

Q. Diana Jacobs.

A. Michelle Klement, that's who I am with now.
Q. What happened with Diana Jacobs?
A. Diana is a tough cookie, and she just said it like it was and had several -- from what she told me, several arguments with the sheriff. And I guess she just couldn't hack it anymore in the end. Her health wasn't well either, so she retired.
BY MR. KRAMER:
Q. What was her position?
A. She was the bureau chief over what's called support services, so she had fleet, property, facilities under her.
Q. Is that the job that Michelle Klement then takes --
A. No.
Q. -- after -- okay.
A. No. No. So Michelle Klement got promoted at the beginning of this administration to division manager over the combined communications center. And then she just all of a sudden moved to the contract monitor at the jail, which is several pay grades lower, but they didn't touch her pay. So they kept her in the same pay grade, but they changed the title and moved her to the jail. And that's what I'm afraid of, that when -- that's what I'm afraid of.

Becky Butcher, I mean, I think everyone knows what's going on there. A person being a female, for body language and body tone, being recommended for termination by then Major Lance Yaeger.

I know that the undersheriff's secretary, executive assistant, Laura Compton, at one point was demoted -- without removing her pay, but was demoted from being the undersheriff's executive assistant to an accreditation specialist. Actually, they did -- yeah, that's going from a pay grade 50 to a pay grade 26.

Q. What would that mean in dollars?

A. They did not touch her pay, but in dollars it would -- I don't have the pay scale in front of me, I'm sorry, but it could -- if they had touched the pay -- for Laura Knudson, they did touch the pay; but the other ones, they didn't. I want to say it would have been about 25,000 less.

BY INSPECTOR SNOWDEN:

Q. How can they adjust pay on some and not the others?

A. I don't know. I mean, my understanding of our career service protection act is that they can't touch our pay if they demote us, and they have to demote or remove us for just cause.

BY MR. KRAMER:

Q. And as far as the pay issues, those would go more to human resources?

A. Yes. Well, the way it works is, the decision is made to reduce the pay or not, remove the person or not, and so those are personnel actions. HR completes a personnel action form, and then they give them to my office, accounting and budget, for payroll to process.

And they do go through an approval level, so I am one of the approval levels on there.

Chief of Staff Danielle Judd recently left.

Q. Do you know why?

A. She had a candid conversation with me over the phone, and I did document it. She said she was going to school -- back to school to get her masters in international studies, but she also told me that she couldn't take it anymore; that she felt like she was working for a dictator and couldn't work for him anymore.

Q. Is she the person who had come with him from other agencies?

A. Yes. So he brought her to the sheriff's office a couple months after he started. She used to be his assistant city manager in Alachua when he was the city manager.

And then Sherry French is another example where they just took a lieutenant and just -- we are going to shove her in a civilian slot.

And I did say something to Danielle Judd. I emailed her, and I said, "Look, this is a sworn officer who is special risk category FRS that you are trying to move to a civilian regular risk. Regular risk is going to mess with her multiplier."

I don't know what Danielle did, but next thing I knew they didn't approve her; but still, I mean, there's --

Q. Would that cause a problem for you audit-wise?

A. Not for me. I was just bringing it to their attention.

Q. You would've have changed her? You would've --

A. Well, she would have been placed in that position. And the way that the FRS categories are assigned is to the positions. So, you know, they would've put her in that position, which automatically defaults to regular risk retirement, which is --

Q. Is that a function of HR, or is that a function of you? Who's going to change her --

A. That's a function of HR. That is benefits.

So that is the human resources, is the one who should be determining that.

Q. Okay.

A. But I went ahead and said something because I'd been keeping my list, and I'm like, this is just crazy.

Q. Where it would get to you is if you see -- if you were to see somebody who is in a regular risk position, civilian position, and they're still trying to give her high risk, for instance, like, it just wouldn't work because once they change her position, the government, the state government, is just going to change her regardless?

A. So typically what happens when you take a sworn special risk officer and place them in a more of a civilian-type position that's coded as regular risk, you can actually convert it to what's called special risk administrative.

And so that is what I had said in my email to Ms. Judd. It's like, hey, you know, this is a -- and I have it if you want to see it. Basically, I was telling her -- you know, without telling her what should be done, I was just basically stating facts. Like, "Hey, this is a regular risk position with a 1.6 multiplier. It probably needs to be switched to

special risk, which is a 2.0" -- I think it's a 2.0 multiplier. I forget what the multiplier is for the sworn officers.

Q. 3.0, I think.

A. 3.0, where special risk administrative is 2.0. So I was just bringing it to her attention.

Q. Right. Let me ask you this question. It's a little bit of a topical shift here.

So one of the things that is apparently happening is that there is forced overtime occurring at the jail. Okay. That overtime is not protected overtime.

A. No, it's not, not if you tell them in advance. And they were told in advance.

Q. Understood. So it's not protected overtime. My question is, is there a budgetary need by the sheriff's office to not allow that to be protected overtime? Let me explain.

If you are having an extreme shortage of individuals, you don't have enough people to work, you are forcing people to do overtime. And you can make a choice between protected overtime and unprotected overtime, but you need people to work. It would be the better choice to have protected overtime, correct?

A. That would be the administration's decision

to make, not mine.

Q. Understood. But if you budgetarily were in a situation where you couldn't afford to offer protected overtime, then it would make sense to say, "Well, I wish I could do that to encourage people to work and create a safe environment at the jail where we don't have enough people," right?

But if the office of management and budget is saying to the sheriff, "You have plenty of money. You can cover all of that overtime" --

A. So I know where you're going with this.

So yes, the budget could have handled it. The only thing I look at is what are our policies. And our policy is, if you give them advanced notice, it doesn't have to be protected overtime.

I know that Major Stafford at the time was making it protected overtime by letting them use what's called "call-out"; but it wasn't really falling under the definition of call-out, which is time and a half no matter if you take leave or not.

That was a decision he made. He's an administrator. I don't know if he discussed it with the sheriff or not. I did bring it to the attention -- because I do budget to actual comparisons, and I do monthly reports. And I did bring it to my chief of

staff's attention a while back when that was happening, that, "Hey, you know, they're using call-out code, and it's not in compliance with the directive." That's all I said.

But to answer your question, I think an elected official can make whatever decision they want on that. He could have said, "Make it call-out. We're going to make an exception to the rules because X, Y, Z."

Q. Sure. But if the budget will support it, you can make it protected overtime if you wanted to.

A. Well, it's not that easy because the -- so the overtime rules are -- you know, I'm a civilian. Anything over forty is over -- well, not me; I'm salaried, but -- okay.

If I was not exempt, I was an hourly employee, you know, civilians, anything over forty in a week, you know, is overtime. The sworn officers, anything over eighty in a two-week period is overtime. And the detention officers, anything over eighty-four in a two-week period is overtime. Okay?

Those are the rules that are plugged into the background of the software system. So if those rules are going to change, someone has to let us know. And then we have to get the software developer to come and

help us change those rules. So it's not as easy as it sounds.

I can see why Major Stafford was doing what he was doing, because there was no changing of anything in the system. And once you change it -- the way that our software system works is, you can't change it just for a group. Well, you could change for the 84-hour group, the 80-hour group, or the 40-hour group; but once you change it, you're changing it for everybody in that group. See what I'm saying?

Q. Uh-huh.

A. So it's not as easy as it sounds.

Q. Okay. So call-out, though, is a different way to do it?

A. Yes, and that's how Major Stafford was doing it.

Q. If you use the call-out code, then that has the functional equivalent of creating protected overtime?

A. It is to be automatically a time-and-a-half of the employee's regular rate. The problem is, the definition of call-out -- there's a definition for call-out, and I don't have it on the top of my head. It has to be like less than so many hours' notice, you have to come back to work. Okay? That's not what was

happening at the jail, but they were being allowed to use the call-out code.

We still had a ton of money left over at the end of the year after that.

Q. Right. I'm sure, but you are missing a lot of employees, right?

So what happened with the money that the county gave to the sheriff's office to give the seven percent raises across the board?

A. So the county -- let me back up a minute. Okay?

They are independent constitutional officers still. The county can say whatever they want. The independent constitutional officer can implement raises how they want. Okay?

And I need you to understand that the way the county funds the positions at the sheriff's office is, they fund every position as if it's filled all year long. That's why we have a lot of money left over at the end of the fiscal year, because every position is not -- plus overtime, plus overtime. Plus, they give us overtime money too.

So that's one of the reasons when you have a lot of vacancies, even if we've had payout -- we had a lot of payouts, and a lot of people have left with

payouts. We still have a lot of money left over because of the way the county funds our budget.

The seven percent. Was that the first year? I don't remember what year that was. We ended up doing the pay raises, but we ended up doing them later than normal like I showed you.

That might have been -- that could have been that year, the first year where they told me to reverse them and then -- do them and reverse them. And then we did them eventually, and it might have been the seven percent; I don't remember. I would have to look in the computer.

Q. But from your standpoint, you don't care why the county is giving you the money. Like they're just giving you the money. And then if salaries go up from HR side, you'll just make the proper adjustments on the pay side. Is that --

A. No, no, no. I mean, we have a budget. We can't go over that budget.

Q. Right. Right.

A. So, you know, if the -- the county always says that they're funding us the equivalent of what could turn out to be, you know, a three percent COLA. Well, typically, what we were doing under the prior administration -- who was the administration that

implemented the step plans, by the way -- is, if they gave us equivalent of the value of three percent for everyone, we would do our steps first; and our steps are two-and-a-half-percent steps. And then anything that was left over, we'd bump up the base by, say, half a percent or one percent. So we give them the step, and then another one percent, for example. So that's a little more than three percent, right?

Q. I don't understand. Explain to me what a step plan is.

A. Oh, okay. You don't have a copy of the step plan?

So our deputies have twenty-year steps. So when you're hired at the sheriff's office, for example -- as a deputy, for example, you get hired in typically a base. And let's say you're hired in a base, and then you have to wait two years as of October 1 to start stepping. And then every year on October 1 you get a two-and-a-half percent pay raise; next year, two-and-a-half. Now you're step three. Now you're step four. Now you're step five. So you're topped out at step twenty. And the same thing for civilians and CCC employees and detention officers.

Q. Gotcha. Okay. That makes sense. I

understand.

A. Kind of like the military. They have step plans.

MR. KRAMER: Right. Understood. Like a GA, or whatever they call it.

BY INSPECTOR SNOWDEN:

Q. Can different budgets be paid -- can law enforcement budget be paid out of a corrections fund?

A. Okay. So I'm really glad you asked me that question. 30.49, the legislature this past year -- not this year, but the year before made it a lot easier for sheriffs' offices to move monies around what are called functional categories.

Law enforcement is a function, jail is a function, CCC is a function, and court security -- I still call them bailiffs -- is a function. So we have four functions in our general fund. And the legislature actually just made it so that sheriff's can move monies between those functions.

I think I've only ever done it once in my entire career, and we did it with permission from the county commission. That was years ago under Steve Oelrich. So we don't do it, but we can.

Q. Maybe a little more direct question. So if you've got -- I understand that the office of

professional standards is made up of a combination of corrections and sheriff's deputies, and there is two and two. And say that one of the corrections vacates and another law enforcement takes their place, could that law enforcement still be funded?

A. So as long as they're performing some kind of function where they're doing investigations -- they might do an investigation on a detention officer, let's say, so it should be fine.

I mean, I have staff in my office that -- we process payroll for all four functions, but she is fully, 100 percent funded out of the law enforcement budget.

I know that there's concerns about that from people who don't really understand the funding and the financials; but as long as they can prove that they've worked on some jail employee investigations, it shouldn't be a problem if a law enforcement officer is sitting in a jail position.

Q. Were you present when James Troiano originally worked at --

A. Way back when under Oelrich, yes.

Q. Okay. And were you aware that he came back?

A. Uh-huh.

Q. How long was he back for?

A. He never got put on the payroll when he came back under Sheriff Watson.

BY MR. KRAMER:

Q. How would someone work in your agency without being put on the payroll?

A. He was only there for a couple of days. I don't know. We even had a requisition to order him a bullet-proof vest, I think it was, his body armor, and we were told to delete the requisition; but he never got -- this is the way that I think it happened.

I saw him physically there. I don't know what he was doing, but, you know, remember payroll is in arrears too. So, you know, this week that I'm working, I'm not going to get paid maybe until next week, right?

So there's a timing issue. We never got the order in payroll to hire him in, so I guess it must have happened really quick where he was only there for a few days. And he should have been paid for those few days, but he didn't.

I don't know what he was doing. I don't know if he was there all day. I have no clue.

BY INSPECTOR SNOWDEN:

Q. Do you know if he was issued any equipment?

A. He was about to, and they told us to cancel

it. The body armor, I think, is what that is. I don't know if he was issued a vehicle; I don't think so. I don't think he was -- I really don't know. You would have to ask fleet. Steve King would know.

Q. What's his name?

A. Steve King. He is the fleet bureau chief.

You can have it. Well, let me keep it.

Q. Talk a little bit about this some more.

A. So on June 14th, 2021, I had taken Susan Wally to lunch. And my chief financial officer, Amanda, told me that Danielle Judd, our chief of staff at the time, called to tell us not to place Jim Troiano on payroll. That's all I know.

Q. That was after you had seen him there?

A. I just seen him coming and going. He never came in my bureau that I can remember.

The next day I told the sheriff's executive assistant that there was a purchase order in the system for Mr. Troiano's vest. And I asked her if I should cancel it because we were told he wasn't going to be in the payroll, and I was told yes, to cancel it.

BY MR. KRAMER:

Q. So is there something different between canceling something and deleting something?

A. It's the same thing.
Q. I mean, is it --
A. We could delete a -- I mean, you put in a requisition first. It goes through -- we have a really nice system. We have good internal controls for that.
Q. Right.
A. You put in a requisition. I don't know. Let's say you need a new recorder. You put in a requisition. It actually goes through three levels of approval, sometimes four if it's over $5,000. And then my purchasing agent will make sure that she's got the quotes, you know. We have different dollar thresholds for how many quotes something needs. And then she converts it to a purchase order. And then the purchases order gets mailed to the vendor to fulfill. In this case, we were told to cancel it and not send it.

Actually, I don't know if it had been sent or not. We were told to cancel it, so I would have to ask my purchasing agent if she remembers -- that was a long time ago -- if she had to call the vendor and cancel the order or not.

It's not unusual to cancel -- it's probably more unusual to cancel a requisition than -- when it's

already been converted to a purchase order, but purchase orders do get cancelled every now and then.

BY INSPECTOR SNOWDEN:

Q. Do you know what he was hired to do?

A. No, I don't.

Q. Are you aware of any retaliatory conduct that has taken place at ACSO?

MR. KRAMER: Other than what you have already discussed with the women that you went through.

BY INSPECTOR SNOWDEN:

Q. Any men that that's happened to?

A. Well, I mean, I don't know what happened. I don't know the details of what happened with Major David Clark. I don't know what happened with Darrell Bessinger, but they both got sent to that position. Oh, it was a body-worn camera position, and I don't know if there was any retaliatory practices against them or not. I'm trying to think. I mean, in the process of --

BY MR. KRAMER:

Q. Let me ask you this question. When George Corwine resigned from the agency, how was it decided whether or not to pay him for the leave that he had on the books?

A. So we have a policy that says that once you

get leave and you get paid out, if you come back, you don't get paid out again. So he wasn't paid out again in accordance with policy.

MR. KRAMER: Gotcha.

BY INSPECTOR SNOWDEN:

Q. Are you familiar with -- didn't Deputy Annie Waller having an issue with her payout?

A. Is she the detention officer? Is she a detention --

Q. It's my understanding that she was involved in a shooting, and she was placed on administrative leave.

A. There was someone, and it was a female, that payroll said, "Are we paying her out? This is her last" -- because normally you get your last paycheck for your work hours, and then two weeks later you get your payout check if you qualify.

There's rules to be paid out. If you've been there ten years or more, you get half of your sick leave. If you're off probation a year, and you leave -- your first year you leave, you don't get nothing. If you are off probation after your first year and you leave, if you have any leave, any vacation on the books, you get paid up to 280.

So payroll asked me, "Are we paying her out?"

And I don't have that documented; but I do remember being told not to pay her out, and then eventually they did. So she wasn't paid out as timely as is normal.

BY MR. KRAMER:

Q. So that determination to pay or not pay, whose job is that?

A. The elected official. The sheriff, I guess, and OPS, maybe.

Q. Well, let's assume for a moment that it's not somebody anybody cares about, it's just some seven-, eight-, nine-year employee who's just leaving for something else. Does that have to go to the sheriff, or is it --

A. No.

Q. -- just by policy?

A. Not by policy. We just process it.

Q. Okay. Okay. So Annie Waller, my understanding is she is essentially a deputy. She's not somebody of any special concern to the agency. Why would a particular deputy who is essentially of no concern to the agency -- I think -- I don't think she's like a sergeant. Why would someone higher up in the chain comment on whether or not she should be paid out for policy?

A. I don't know. I mean, we were -- you mean why did the payroll ask me to pay her out?

Q. No, no, no. I just don't understand.

A. I don't know the decision -- I don't know who makes the decision of paying or not. It's very rare to see that. In my career, I've -- maybe a handful of times I've -- and I know a couple of times it was criminal. The employee had committed a criminal act, and so they didn't pay the employee out; and that's policy. And that's actually, I think, also in the PBA contract, but the sheriff, I guess, makes the final decision. I don't know.

Q. Okay. I understand.

A. I don't know. And there is a separation clearance form, you know, that I have to fill out saying, you know, yes or no if the person qualifies for their payout. And if I say no, it's probably because they've been there less than a year.

I would never say no for anything like that because that's not my decision to make.

MR. KRAMER: I understand. All right.

Anything else, Dave?

BY INSPECTOR SNOWDEN:

Q. I just want to get something real quick.

She was there for two and a half years.

A. So she would have been eligible for her vacation only, and I think she did get paid out her vacation eventually.

Q. That was after this mystical --

A. I can check.

MR. KRAMER: I think I understand that situation.

INSPECTOR SNOWDEN: I think that's all I've got.

MR. KRAMER: All right. Anything else you need to -- from you?

THE WITNESS: Well, I mean, I brought stuff that's different.

INSPECTOR SNOWDEN: Well, if you've got stuff, I mean, talk to us about it if you think that it may be relevant. If you don't think it may be relevant, well, then don't.

BY MR. KRAMER:

Q. If it's responsive to any question that I've already asked, then yes, please share it with us.

A. So you already know that I do fear retaliation.

Q. Of course.

A. I don't know what's happening with all this. I don't know if this is something that is a case

that's going to trial. I don't know. I don't know if it's trial. I don't know what it is; but after I'm done with my witness protection, I'm scared.

Q. Well, I understand.

A. I do have a documentation from November 2nd, 2021, where my employee -- one of my employees who's married to an employee in the property bureau told me that her husband was ordered by the sheriff to go to his house on agency time, with agency property, to pick up his belongings to bring back to his new office that he -- so I have that documented, if you want it. I'd like a copy of it.

BY INSPECTOR SNOWDEN:

Q. I'll take that.

If you have other stuff --

A. Oh, I'm sorry. I thought you were -- you already know about the -- they made me wait to process the step plan raises for the deputies back in 2022. And then eventually -- and then when I processed them because I was told to, then I was told not to and reverse them. That was a big deal.

They did recently -- this is something that affected me personally that I did document because I was pissed off. I told you that we have a career service protection, and I was told from the day I was

hired under the Steven Oelrich administration that I cannot be senior management category because of the career service protection.

Well, one day, all of a sudden, you know, I get an email saying that the sheriff is about to do step one to convert a few positions to senior management, which means I lose my career service protection. So I did bitch to the attorney about this. And the ad was going to go out, which is step one of converting positions from regular risk to senior management category. And the ad never went out, eventually, after I bitched.

So I don't know if they figured out that I was pissed, because I said, "If you guys are doing this, I want it retro to the day I was hired. I don't know who the next sheriff is going to be. What if you do this, and they get rid of me?"

Because at that point you're just serving at the will of the elected official. My understanding is we have protection because of the career --

BY MR. KRAMER:

Q. Right.

A. So they wanted to take away my protection, and I was one of the people in it. Chief financial officer, general counsel, HR director, IT director,

chief of staff, colonel. And now, these are people, chief of staff, general counsel, and colonel -- chief of staff and colonel are already fully retired from the FRS. They can't --

Q. They can't incur a second retirement.

A. -- re-establish into the FRS. General counsel is regular risk.

So I was upset about this; I really was. And it was, I guess, one of the times that I had the strength to complain about something. Next thing I know, it never happened. So that's what that is.

And that happened right after they moved -- just right around the time they moved Michelle Klement to her position where they couldn't touch her pay. When they downgraded her to the position at --

BY INSPECTOR SNOWDEN:

Q. When they downgraded her position, was that a probationary position that she went to that she would have to complete a year of probation?

A. That is a good question. I don't see here where I printed the one that would say that. Here it just says she went from one permanent slot to another permanent slot; if not, it would say permanent to probationary.

Q. Okay.

A. I would have to go back in the computer and see -- these are called status histories -- to see if there is one that says probationary.

Here is something I told you already about. Captain -- Lieutenant Sherry French. We already talked about that.

This is an example. This is unusual to see. This is an example. When Linda Brown was getting ready to retire, they had selected the sheriff's executive assistant to replace her. And it's customary -- they went ahead and promoted the executive assistant early into Linda Brown's position while Linda was there to help train and all that.

Well, they ended up not putting this young lady in that position. Instead, they put Mr. Chris Whatley in there. And so when they moved Ms. Courtney back to being the sheriff's executive assistant, a personnel action form was done to -- bureau chief is higher than executive assistant -- to bring her back down to that position. And we got an email saying don't change her pay. They had increased her pay. A bureau chief pay, they got five percent, maybe. Well, then she goes back, so she should have lost that five percent.

And I got an email saying that there's an IOC

forthcoming detailing new tasks and assignments that have and will become permanent increased duties for Ms. Courtney, so don't change her pay. Leave it at the higher rate.

Well, I'm still waiting for the IOC, and she's still making the pay of a bureau chief. That's unusual.

I'm assuming you guys know what happened after Linda Brown's retirement.

BY MR. KRAMER:

Q. Yes.

A. That's when Danielle Judd spoke to me on the phone. She came in that next -- I think Danielle -- I think Linda Brown's party was a Friday. And Danielle came in that Monday morning, and she was just not looking well.

I asked her if she was okay, and she told me the sheriff had royally reamed her about that party and blamed it all on her. And that's when she told me that -- that's when she called the sheriff a dictator, said she would never work for him again.

Oh, and she told me that he treated several women in the agency, to include Michelle Klement, very poorly, and that she had had enough. And she stated to me that Lance Yaeger and Jacob Rush spend their

time looking at employees' social media posts. I have it documented.

BY INSPECTOR SNOWDEN:

Q. Is that for me to keep?

A. No. I need copies of all that, please, if you want to keep it. I mean, obviously, keep it, but I need copies.

MR. KRAMER: Are you going to need copies? You have a pile of the stuff you need copies of?

INSPECTOR SNOWDEN: Most of it I don't need copies of, I don't think.

THE WITNESS: I didn't see anything here, but this is the sheriff's credit card usage.

BY MR. KRAMER:

Q. That's something that's audited?

A. Yeah, we review all the credit card statements when they come in, and we make sure there is supporting documentation for everything. So these are just copies if you want them. I mean, I don't need them.

MR. KRAMER: That's fine.

INSPECTOR SNOWDEN: That's it. Nothing further, just a copy of that.

MR. KRAMER: All right. We will get a copy of this.

The time right now is 2:47, and we are going to stop the recording.

(The statement concluded.)

CERTIFICATE OF TRANSCRIPTION

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COUNTY OF ALACHUA)

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SWORN STATEMENT

of

BELLA BLIZZARD

DATE TAKEN: June 22, 2023
TIME: 9:55 a.m. - 11:00 a.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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Notary Public, State of Florida
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- - -

WHEREUPON,

BELLA BLIZZARD

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. Good morning again.

A. Good morning.

Q. I think when we left off last time I had asked you the question whether there was any other illegal, unethical, or immoral activity that you had observed on the part of any of the command staff at the sheriff's office, and you had answered yes. And we were out of time at that time, and I cut you off and didn't permit you to answer.

So today is our opportunity to answer that question; and there may be others to come, but could we can start with that question. Tell me what your response -- you said yes. What would be the further response?

A. I have several things I just wanted to go over, try to do them in an organized manner.

Q. Sure.

A. The first thing that I felt was very

unethical was the transferring of employees. We talked a little bit about this the last time I was here, with the pictures and them having to go see him to introduce themselves.

We had several employees that were transferred to positions that they put in for at one point, but they were on a waiting list for quite some time. So as you know, people's circumstances change. So if you're on the day shift, and you have three kids; and you put in for detective, and a year goes by and you don't hear anything, your circumstances -- your wife may have a different shift or you may have different bills to pay, whatever it is.

Well, there was a deputy named Louie Ferrero who was transferred to CID. And when he was transferred there, nobody ever asked him, "Hey, it's been a while. Are you still interested?" They just transferred him the way they did a lot of people.

Well, Louie's circumstances changed. So the day he got over there, he was trying to get out. He had issues with child care, mostly child care, but he had some other things going on at home. And the kid came to see me every month like clockwork with a folder with all the things that he -- all the IOCs that he had put in, in an attempt to get out of there

and go back to the road.

Now, it should be noted that the road had so many vacancies. We had so many people on the road who wanted to go to detectives, so all we would have had to do was just swap them. Louie was fluent in Spanish, so we went as far as to find another deputy who was fluent in Spanish; I worked with Becky Butcher on this, Captain Butcher, and that person was willing to go.

So you're still getting someone else fluent in Spanish, so that couldn't have been why; no one says it was, but we want to make sure we covered all our bases. He was told repeatedly no.

I have several conversations that I had with Decoursey, the undersheriff. He was like, "You know, they signed up for this. He never should have put in for it. If he didn't want to go there, he's just going to have to be there. Sheriff Watson says that he just has to stay there."

I'm thinking, why are you making this man's life miserable? So he came to see me. He cried several times in my office. I promised him I'd get him out of there. It was very stressful for me. Finally, I stopped putting the IO -- I told him to stop putting IOCs in because you're pissing them off

more. Stop it. Let me handle this.

Finally, right before I retired, he was allowed to go back to the road, but they kept telling me he's going to have to stay another six months, he's going to have to stay another three months. And I never could understand what the point was of making a person stay somewhere.

So to me, that was unethical. I feel like we were causing this man emotional pain in his marriage and personally because we were proving a point that he needed to stay somewhere just because he'd put in for it.

Q. Do you have any reason to believe it was an effort to get him to quit?

A. I don't think so. I think they were just letting him know who was in charge. I don't think they wanted him to quit. I don't even think they knew what he looked like. I mean, it was that kind of thing. I mean, I don't even think he was important to them at all.

BY INSPECTOR SNOWDEN:

Q. How long --

A. This went on for at least a year.

Q. My question is, how long ago had he put in for it prior to the transfer being made?

A. I never verified it, but I think it had been a year. It had been quite some time. So he was on road patrol. He was the motor unit. He was also a day unit, which is good for family life. And detectives is good, too, for family life; but they also have evening shifts they have to work, and they get called out a lot.

So things changed to where he had several small children and just wasn't -- the stress from it was just -- it was hard to meet with him. I met with him. He met with Lance Yaeger several times, but Lance was just kind of like didn't -- I listened to him, if that makes sense. I met with him. I listened to him. I tried to give him hope and finally got him transferred.

To me, I couldn't stand that, so I wanted to bring it up because to me it was unethical. There's absolutely no reason to do that to that guy.

BY MR. KRAMER:

Q. Certainly in this environment where you're having trouble keeping people and attracting new people, it doesn't make a lot of sense to torment someone who's willing to do a job that needs to be done anyway.

A. He told me in one of his visits that he was

going to put in for UPD because he just couldn't take it anymore. I said, "Uh-uh. Don't, man. You're such a good cop. Give me some more time."

Q. Do you know if he's still there?

A. I believe he is. He's on the road, because I went to see him personally to give him the news that he was leaving. It was right before I retired. I was like, "Dude, you're leaving."

I still don't know how I got that done, but he got to get out of there. We called it the escape from Alcatraz because it was ridiculous.

Q. Was there another one?

A. Yeah. I don't know if Steve Maynard brought this up. I cannot remember the guy's name, which I know is no help to you guys, but you can get it easily.

There was a guy that worked at GPD for like 30 years. And he got with George Corwine, and we all assumed that the sheriff and the undersheriff okayed it. And there's a little gray area whether the undersheriff and sheriff knew, although George Corwine says yes, they did.

This guy was a major at the time, and I had the courthouse. This guy was hired explicitly to go to the courthouse after field training. So he's hired

with the understanding that he's done his time on the road for 30 years with GPD. He just wants to go to the courthouse. Will you hire him? We're desperately understaffed at the courthouse, so we're all excited about having him.

He goes through an entire field-training cycle, which is months and months and months. He passes. They buy him uniforms, equipment, all this time in the academy, the mini-academy. And he gets out. He's supposed to start in the courthouse, and an IOC was written by George Corwine, I believe, that he was going to the courthouse. Then Maynard -- George Corwine was gone when he finally did get out of training.

So he goes to go to the courthouse, and the undersheriff calls me down there and says, "The sheriff didn't approve this. He has to go to the road. He has to go to the road for at least six months to a year."

I'm like, "Then he's going to quit. It's not what he signed up for."

"Well, nobody ever had the sheriff sign it. The sheriff's got to sign it. The sheriff didn't sign it."

And so the guy -- Captain Butcher was

involved in this too because he worked in patrol for her at the time. She was really upset about it. I was upset about it. I felt like we'd lied to the guy, and I felt like it reflected on all of us.

I went down there several times pleading with my boss, like, "Listen, it's not a good look. It's just a signature. We need someone in the courthouse. It's fine. I don't know where the ball was dropped, but this guy is clearly an asset," yadda, yadda, yadda.

Long story short, I got this guy a meeting with the undersheriff while he's walking out the door. I literally grabbed him and said, "Go talk to the undersheriff."

In my mind I was thinking, surely, once he sees the quality this guy has to offer, that he will go back on that, but they let him walk. So we wasted I don't know how much money on this guy just because there wasn't a signature. The sheriff didn't have the knowledge of it, so --

Q. Can you figure out what his name is, or is there any way --

A. You know who I'm talking about. I can text Steve Maynard and ask him what his name was.

MR. KRAMER: I'm just trying to understand,

maybe, if she knows.

THE WITNESS: You remember it.

MS. FRANKS: (Nods head.)

THE WITNESS: Yeah. Everybody remembers that.

It affected everything from patrol -- the morale from it was just -- the deputies hearing that, because to them it's a broken promise. To me it was a broken promise. I felt like it was very unethical. And once again, I had to be the messenger of something that I did not agree with, and I was pretty upset about that; and like I said, so was Steve, big-time. So was Becky Butcher.

BY MR. KRAMER:

Q. Let me just make sure I understand. So you're in a critical staffing shortage.

A. Oh, yes.

Q. You're telling the supervisors that we have a critical staffing shortage. And there aren't a lot of people above you, so you're telling the undersheriff and the sheriff that we have a critical staffing shortage.

A. Yes.

Q. They know we have a critical staffing

shortage at the sheriff's office. And they are aware of the surrounding circumstances that this individual, whatever his name may be, was hired for a particular purpose with a particular idea in mind of what he's going to do, and that that fills a shortage need.

A. Correct.

Q. That individual has made it clear to anyone who he needs to that if you don't meet your obligations of what our discussion was, I'm not going to continue to work here.

A. Correct.

Q. And their choice was for him to leave?

A. Uh-huh. Even though he had already done everything we'd told him to do.

Q. Your intervention in this situation was that, as he is very close to his either date of departure or last day of work, or something of that nature, you arrange a meeting between him and Joel Decoursey so you can try and --

A. Try to save it.

Q. -- orchestrate some kind of conversation so that Decoursey can understand that he's a valued asset who can stay in the organization -- who's willing to stay in the organization, who can help alleviate a staffing shortage. And his response, and therefore

the sheriff's response, to that was that we would like him to leave?

A. Uh-huh. I think Decoursey told him, "Well, you can go to the road for six months to a year. It's not fair to other people."

But what other people? I went down there to talk to him. I said, "What other people is it not fair to?"

Because one of the people that we had waiting for the courthouse got frustrated and quit. He was in detectives, Tommy Steele. You probably know him. Great detective. He got really frustrated that he couldn't go to the courthouse, and he quit.

We had one other guy in detectives, Chuck Beveridge. I know you know him. He's legendary. He was trying to go there; and they wanted to keep him in detectives, so they wouldn't let him go.

So I'm like, "What people are we being unfair to?"

There's no people that we're being unfair to. We have enough places for Chuck Beveridge and for him.

Q. Okay.

A. And Kenny Brown was another one. Kenny Brown was a deputy here forever, did a great job. He was over in the courthouse at the end of his career. He

retired. He decided he wanted to come back here. They wouldn't let him come back, but they made him a green coat at one point.

Q. I remember that.

A. Yeah. It was ridiculous. So Steve -- you've met him. Steve was just beside himself. Steve is like, "I can't get any staffing."

Like, we couldn't even get the jury to lunch. There was one day when they called me. They were like, "We have no one to take the jury to lunch."

The last time I was here -- I don't want to rehash it, but I already talked to you about how we gave him the options of the chief judge, telling the chief judge, "Hey, can we just have a few less court hearings?"

Which we believed he would have worked with us on it, due to staffing. And they told us we were not to speak to the chief judge about it.

And of course -- and the leakage, you can't hide it after a while. You can't staunch the blood after a while. And it's very obvious when you can't walk the jury to lunch, you don't even have one person to walk the jury to lunch, then you have a problem.

And your captain, who's Maynard, is working shifts at the courthouse; but yet, we had two bodies

already trained, ready to go, and on principle of whatever we decide we weren't taking them. It's ridiculous.

Q. Right.

A. I feel like that's unethical. Everybody has their opinions. Somebody else might not feel it's unethical, but I do.

Q. And it also may fall into the category of what we would refer to as misfeasance or malfeasance. It's a decision-making process that is done so poorly as it violates the duty of care that the sheriff owes to the population.

A. And I told you a gun got in. We had a knife, remember. We talked about this the last time. It becomes an officer safety issue.

And Becky Butcher actually did an email. I believe it went to Chad Scott, and it went up to my boss. And they were pissed at her because she said it was an officer safety issue. I literally overheard them saying, "She doesn't need to be putting that in email. She doesn't need to be sending us that."

That's why I told Steve, "When you do these papers don't put officer safety issue. Just put it to where, you know, there's the facts."

Because when she did that -- which I don't

have a problem with her doing that because she's communicating to them -- because she was frustrated because nothing was being done, she was communicating to them; but they took it as disrespectful and as an insult.

Q. So if they are saying to you and to other staff members not to put something in writing, is there any assurance that the information that is necessary to be communicated to them, is being communicated to them?

A. I did that anyway.

Q. I understand, but if you're telling Captain Butcher not to place an officer safety issue that should be brought to the attention of the administration in writing, what is the methodology to assure that the people who need to be aware of it are aware of it?

A. Well, there wouldn't be, which is why I don't think anyone ever told her not to do it anymore; and if anyone did, it would have been Chad. I know I didn't tell her not to do it anymore.

She didn't work for me at the time, but I can tell you that's dangerous ground when somebody has knowledge of a safety issue and you're telling them not to talk about it because, you're correct, it's not

going to make it where it needs to go. And if does make it where it needs to go, there's no proof that it made it there; and that's the point of it. So if something happens, somebody can say, "Well, I didn't know.

Q. Was there other instances where you either were told or where you were -- overheard people being told to fail -- to intentionally fail to document critical issues that under normal practices and procedures of a law enforcement agency would be documented?

A. Danielle Judd, who was the chief of staff, continually told us to stop making so much paper, stop sending this stuff up. Come see her personally if you had a problem. Don't send her an email.

Q. In the prior administrations that you had worked for was there any discouragement of putting things in writing if there was an issue?

A. No. I've worked for four sheriffs.

Q. In fact, was it either required or encouraged --

A. It was encouraged.

Q. Is it something that's an important issue to the agency that it be documented properly and sent to the proper chain of command?

A. Yes. That way you know that it's being taken care of and somebody has it.

Q. Can you cite specific instances, if you know of any, where something was not put in writing that should have been communicated to the administration because it was an issue of significant concern to the agency?

A. Yeah. I'm going to give you another example of transfer.

So warrants fell under me. We had a tryout for warrants. Warrants is a very coveted position. Of course, when I left we were down an entire arrest team, so I don't know if warrants still exists.

We had a trial, and we had a guy named Chris Drake. He's a military guy. I don't know if you know him. He's a K-9 handler, just like unbelievable, one of the greats, like I was saying about Chuck Beveridge. And he put in for it, and so did Dwight Christy, who's also great.

Dwight Christy's great. He's obviously African American. He did not do as well as Chris. And there were a couple other people that tried out; I don't remember who they were, but we had to give photographs of everybody.

Chris didn't get the job. They picked Dwight

even though we all recommended Chris. To be fair, he did better on the -- we liked Dwight; but Chris did better on the thing, but they picked Dwight.

But what they did was, they got with me. And I said, "Listen, I can't spare him from patrol."

This is when I had all the areas. I said, "Please, let's not transfer him. I can run short in warrants. I'm literally running short on these zones."

And Decoursey said, "Okay."

This comes into play later, because about six months later they made -- he called me up, and he said, "Hey, we need to transfer the other guy to warrants."

I said, "Well, you do realize we still haven't transferred Dwight."

And he acted like he didn't know anything about the whole conversation, and he basically told me, "The sheriff is going to be very unhappy when I tell him that you failed to do something he ordered you to do."

I said, "Wait a minute. You never told me to transfer Dwight Christy."

So my -- I got really upset about it, because I was like, "Now I'm going to get insubordination for

something you said it was okay."

So I went in to my secretary at the time, Shannon Gillis. I always left my door open on purpose. She doesn't work there anymore, but she's a wealth of knowledge because she could hear everything. Every conversation Lance Yaeger and I ever had, every conversation I had on the phone, I wanted her to hear it.

I came out, I said, "Did you just hear that?"

She said, "Yeah, that's bullshit." She said, "You absolutely told him that you didn't want to transfer him, and he said that that was okay."

He denied it. That was something that was not put in writing because he said we didn't need to put it in writing because he would remember it. Well, he didn't remember it, and then he put it on me.

Q. So did he give that --

A. To the sheriff?

Q. -- false information to the sheriff?

A. Yes.

Q. What was the result?

A. And I asked him the next day, I said, "Well, Sheriff" -- whenever Sheriff gets mad at me, he won't look at me. And if you're me, this is him (demonstrates). And if I go to shake your hand, he's

going to give me like a wet noodle handshake. Like, I can always tell.

So for probably about a month after that he really didn't talk to me. I asked him about it, and he said, "Yeah, the sheriff is extremely disappointed."

That burned me up for so long because I didn't do anything wrong, and it was put -- because really what happened was, Decoursey remembered damn well that I told him, but he didn't want to admit to him that he never told him he wasn't transferring Dwight Christy. That's the bottom line.

Q. I guess my clarifying question would be this. I'm at least aware that when someone is going to be transferred, that there would be significant internal documentation --

A. There was. It said "to be announced."

Q. But when someone is not going to be transferred -- there's a tryout here. So there is a tryout, and there should be a result of the tryout. But when someone is not going to be transferred, is that something that should be announced? Or should there be internal documentation with regard to that?

A. There should and shouldn't be. So when you try out for a team, the lieutenant and the captain

submit something to me that has an IOC, and it ranks them all. And then now that this new sheriff is here, we have all the pictures of them; which we had never done that before. So we have all the pictures of them, and it gets submitted.

They put their choice of who they think -- this is the expert. These are subject matter experts. These are people who work with these people every day. As a major or a captain, unless I know the guy is just unbelievably awful, I'm going to support my commanders because they have to work with these people, and they know that person is going to be producing.

So never since I can remember -- I don't even think my other sheriffs ever did this; and if they did, it's slipping my mind, but they frequently would pick someone else that was not picked, which is what happened in Dwight Christy's case.

So when somebody isn't transferred, they don't get notified by paper. They just sit -- it's a list, so it just sits. So if they come to you -- or in a lot of cases, the commanders come to me and say, "What gives? I didn't want that guy."

All I can say is, "Well, that's who the sheriff says you're going to get."

Q. And your position -- or your testimony is

that after and perhaps before the requirement came out that all individuals who are being moved or applying, or whatever, have a picture of them is that it was repeatedly and noticeably African American candidates who were underqualified or not qualified for the position?

A. Sometimes. I don't want to say all the time because I'd have to see all the different ones that came through. I had so many come through, but I know that did happen.

Q. It's my understanding that during the course of his administration, certainly during the time that you were there, there were repeated, frequent personnel moves that were --

A. That didn't make sense.

Q. -- many, and there were many of them.

A. Yeah.

Q. So to say that always happened may not be reasonable just due to volume, but that it happened with some frequency?

A. Greater frequency, yes.

I'm going to give you another example while we're talking about that. Cleveland Cox. I don't know if you've heard about this one, the SWAT team.

Q. Yes, the SWAT team.

A. When Josh Crews went down there and told them that he did not agree with the sheriff's decision respectfully, he ended up losing the SWAT team, going to the courthouse, sitting in a dark room for probably about a year, eight months.

And then all of a sudden -- kind of like the way it works at this place, you rise from the ashes. Just like Matt Yates. So one day I'm taking your honor guard, I'm taking everything from you, I'm putting you on midnight shift, and then it's almost like what's old is new again. So then that person is promoted. They're given their team back.

That's what happened to Josh. He got promoted again. He got given his team back. Then he got captain just like that. Then he got major just like that. Now he's doing my old job. But as quickly as you're put in those positions is as quickly that you're not in those positions.

Q. Right.

A. Oh, yeah, the name of the civil guy, or the courthouse guy, was Don G-E-E-L-H-O-E-D.

Q. Geelhoed?

A. Yeah.

Q. I know him.

A. Nice guy.

Q. Absolutely.

A. And then back to what I was saying. Dwight Christy, he's totally a good guy, great cop, great deputy, totally can do the job. That wasn't the issue, and Dwight even knows that. It's just that Chris had waited.

He had tried out another time. I think they had given it to somebody else. It was the kind of thing where he was the one that should have gone next, and that was the issue. It wasn't that Dwight couldn't do the job.

Now, in Cleveland Cox's case, Cleveland Cox had no business being on the SWAT team. He had all kind of crashes, all kinds of problems. He just wasn't fit to hold a position of that stature. He'd be cleaning the truck the rest of his career. That's where they put the new guys, they clean the truck. They're never in the stack. They're not trusted with the stack. They're not trusted to make life-or-death situation decisions.

Q. Other than Lance Yaeger, was it your observation that the individuals who were being promoted through the agency had insufficient time in their positions for being -- for promotion?

A. Towards the end, it wasn't hard to shine

there because everyone quit. All your seasoned people are gone. So you have -- at one point it was me with twenty-eight years; Chad, who worked there before, was let go and then came back and been there like zero days, and he was a major. And then you had Lance as a captain, and he was a deputy the week before.

So it's not hard to shine because the people who were getting promoted, he was running out of people who had, you know, that time and grade. And Captain Butcher was a prime example. She had the time and grade, but she wasn't going to put up with the crap. So now she's kind of, you know --

Q. Right. And that's one of things I want to talk to you about, is that with Captain Butcher, she, it's my understanding, has 30 years or more.

A. Well, some of it's dispatch time. Yes, some of it's time over in the com center, but she has at least 25 years as law enforcement at least.

Q. And she has significant time in every grade that she's held, right?

A. Yeah.

Q. So, in your opinion, would she have been ready, proper, sufficiently trained and have full enough understanding of the activities of the agency to competently take over the position of major?

A. Oh, yeah.

Q. The person that was given your job when you left was Lance Yaeger?

A. Uh-huh. Yes.

Q. And what was his training -- and I don't know if we have enough time for you to describe the --

A. Yeah, because I got some other really important stuff.

Q. Well, then we'll just finish this question. He didn't have any time in any grade?

A. He had absolutely no training in 112, as we saw. He didn't know how to talk to people. He didn't even know basic stuff to deal with employees. He had no leadership skills. He acted like a deputy on a power trip.

Q. Let's move on to your next thing.

A. Okay. So we did the transfer issues. I want to talk about -- I have two bigger things and two very small things, so I'll start on one of the bigger things.

I want to talk about mental health. I'll try to move this along. One of the biggest issues I had and I thought was so unethical was the treatment of people with mental health problems.

I've been very open with my mental health. I

have PTSD. I was on the job twenty-eight years. I'm not afraid to admit that. It helped a lot of people when I was working.

I used to teach all the PTSD classes for the new hires, and I also did for it for our com center. I did it for our patrol. We were one of the only agencies in the state of Florida to even have that program. So I had contacts at Blue H.E.L.P. I had guest speakers come in. I had Grant McDougall, who's our psychologist, come in.

I actually had deputies who also had -- this kind of thing is very prevalent in our patrol division, like more than you would believe. At least probably 70 percent of deputies in our patrol division have some kind of issue. Anyway, they all said it helped them, and that's all that mattered.

I would give a book out to all the new hires. It's called "Emotional Survival for Law Enforcement." And we also gave them out to DOJ employees, our corrections. So basically I'm telling you all this to tell you I kind of know what PTSD is and what it isn't.

So Mike Moore, let's talk about him real quick. Mike Moore was a detective in our digital forensics. Now, I was a lieutenant in that unit for

two years, and I know what kind of work that is. You got to watch children be molested pretty much all day long in order to get screenshots and videos for the state attorney's office to prosecute cases. That's what you do, and you do it all day. You watch kids be molested. This guy did this for five years.

One day he came in -- this was when I was a major, Darrell Bessinger was his captain, and Lieutenant Andersen was his lieutenant. He came in and said, "I can't do this anymore. This is killing me." He says, "I've been going to EAP" -- which is our employee assistance program -- "and I've been trying to get help, and I'm done with my EAP." It's a limit of seven appointments, I think. He's like, "I just need a couple more appointments, and I can't afford it."

So the captain came to me and said, "What do you think"?

I said, "Well, we did this to him. We're certainly going to help him. Let me go to the undersheriff and the chief of staff," who was Danielle Judd, "and we'll certainly get him the help he needs."

I met with them, and at first they seemed like they were okay with it. We had moved him to financial crimes because it was -- under old sheriffs,

that's your division. You can move people within your own division, but not with this sheriff. You have to get formal -- for everything. But we had moved him because I didn't understand that.

So he was in financial crimes. Great detective. He deserved that. He deserved to go to financial crimes. So he's doing his thing. He's happier. He's waiting on his appointment. Another two weeks go by, no word.

So I go back in there, I say, "Hey, my captain is getting with me. What's going on with this appointment?"

And then it was a little bit of a weird conversation, a little pushback. "Well, why is he in financial crimes? You shouldn't have just transferred him without permission."

And I'm like, "Well, he earned it, and it's a good place for him to be because he's a very knowledgeable detective."

"Well, he can still see child porn in financial crimes."

I'm like, "No, he can't. What's he looking at child porn in financial crimes?"

He says, "Yes, he can."

You know, they got kind of mad at me. And I

said, "Well, what's going on with his appointment?"

"Oh, we'll back with you."

I said, "What's going on with his appointment?"

And they're like, "We'll get back with you," got kind of mad at me. "We're going to take care of it. We're going to take care of it."

I said, "How are you going to take care of it? Tell me." Because I was having like a bad feeling, I'm like, "How are you going to take care of it? "

And they still wouldn't answer me. And my boss got a little mad at me at that point, so I left.

About a week later I came back again, and the chief of staff is like, "I've been told not to help you with this anymore."

And she was in charge of our HR, which is why I had pulled her into the conversation. So the next thing you know, my captain calls me, and they had transferred Mike Moore to road patrol.

So I went in there, and I said, "Why on earth did we transfer him to road patrol? He just needed some appointments."

I was extremely upset about it, and they said, "Well, he can go there to relax and not have to

worry about it anymore."

I said, "But you realize what he's going to see now? Road patrol is not relaxing. He did his time in road patrol."

So anyway, that guy haunts me. Every time I see him at a restaurant, I always ask him how he's doing. He talks to me. He knows I did the best I could for him. He still didn't get the help he needs.

He's on the PBA board, actually, and I saw him at the PBA party. I said, "Mike, can I use your name? Because I'm going to talk about what happened to you."

He said, "Yeah, absolutely you can use my name."

I said, "Did you ever get the help you needed?"

He said, "No, never got it."

Q. Is he still employed with the sheriff's office?

A. Yep.

Q. He's still on the road?

A. Yep. That is so unethical. Whenever I think about that -- that's one of the things that I look back on and just get really angry about. So anyway -- and there's more.

Jody Branaman. He's the president of the PBA, as you know. I put in my letter in the beginning of June. I gave them a month. I wanted to help them out, and I wanted to make sure that before I left I put any loose ends -- I didn't want Chad to have to shoulder my responsibilities while they were looking for somebody to replace me.

Well, after two days, they put all my stuff on Chad. I was cut out of meetings. I was cut out of emails. I was basically just sitting around packing my boxes for a month. I had literally nothing to do. And sort of towards the end of that month I started packing my stuff up, and I packed my truck full of the stuff.

I wasn't in charge of Jody Branaman anymore -- he was the FBI guy -- because I didn't have detectives or anything. So Jody calls me, and I can immediately tell -- and I'm in there with Brenda Butler, who's our tech lady. She was trying to download my hard drive.

He was crying. I said, "Jody, are you all right?"

And he was just crying. I said, "Where are you at?"

He goes, "I'm on the side of the road."

I said, "What's going on?"

Because it wasn't unusual for deputies to call me when they were upset. I got calls all the time.

He says, "I'm trying to make it to Dr. McDougall."

I said, "What's going on?"

He goes, "My daughter" -- his daughter, he's having serious issues with his daughter. I guess she tried to take her life at one point. I talked to him. He said I could talk about this.

He was distraught. I said, "You sound really not okay."

He said, "Yeah, I'm calling you because Lance Yaeger said that I had" -- "he ordered me to come to the station right now to have a meeting about my lack of timeliness in answering his emails." He said, "And I have to go right now. He's ordering me."

I said, "Oh, no. You go to your appointment. I'm overriding that. I'm still a major. You go to your appointment. You can't be deprived of medical assistance. Go to your appointment." It was for him, basically, at this point.

So I talked to him on the phone until he made it to his appointment. I said, "When you get done

with your appointment, give me a call. Everything is fine. You're not going to get in trouble."

Then I text Chad and Yaeger in a group text. I said "Hey, Jody called me. He really needs help. He's a mile from his psychologist. I've overridden your decision about the email meeting. You can't deprive somebody of mental health assistance. He's going to there. This is the way it's going to be. If you have any questions, let me know."

No response times two. Nothing.

So you got to remember the sheriff had a very volatile relationship with Jody Branaman. In my mind, I'm not helping Jody Branaman. I'm helping a deputy sheriff who needs help, which is what I frequently did. I'm not doing it for who he is. I'm doing it for what it is.

So I should have known the repercussions. I didn't hear anything back. Boy, were there. So Jody went to his appointment. I see Lance in the hallway. Lance was just ranting and raving. I could tell that he was just ranting and raving probably most likely about me. I saw him go down to the sheriff's suite.

I see Chad in the parking lot. I'm like, "Hey, Chad. Did you get my text?" It was kind of noticeable.

He's like, "Well, what text?"

I'm like, "The text I sent you about Jody."

He's like, "Oh, yeah," kind of like he didn't want to touch it or be involved in it.

So he goes to lunch or wherever he's going, so I'm minding my business. And about an hour after that I get called into Chad's office, and Decoursey is in there. And I was like, here we go. Like, I knew what time it was.

Decoursey goes, "The sheriff wants your truck back now."

Now, keep in mind, I was still going to be employed there for two more months until September, actually, three months until September as a deputy sheriff. And I had to testify at -- the PBA was suing the sheriff at the time, and I was supposed to testify in that.

So he looks at me, and he says, "He wants it now."

I said, "He can't have it now. All my stuff is in it. You told me I could turn it in in two weeks when I came back."

He said, "No, he wants it now."

And he goes, "We also want to know what was the significance of July 7th when you resigned?"

Now, you got to remember it's been a month since I turned the damn letter in. I said, "Is there a problem?"

Because I was getting really -- like, at the end, really paranoid because I felt like I was kind of being targeted at the end. And I kind of wasn't wrong, because he looks at me, and he goes, "Well, we're just wondering if you can change the date on that."

They wanted me to resubmit it, and I said, "No, I'm not going to do that. July 7th is when I told the division of retirement I was retiring. I've already got everything set up with my pay periods. No, I'm not doing that."

"Well, when can you have your truck back?"

I said, "Well, my fiance goes to school in Orlando. I guess we'll stay up all night and bring it at 1:00 in the morning."

He said, "Yeah, I need you to come in and bring all your stuff back tomorrow."

So all of a sudden we want all your stuff back; and make no mistake, it was because of Jody Branaman.

So I'm like, okay. So I go home that night. I'm up all night long, 1:00 in the morning. The truck

sits there for six months after I dropped it off. I have very good friends in fleet, and all the deputies said it never moved from that place. So he needed it back so badly -- he really basically was just giving me a hard time.

So we left the truck there, and then the next day I had to come in. My very first day of being a retiree where I was supposed to have two weeks to bring my stuff back, I had to bring everything back, 28 years' worth of stuff back.

So I bring all this stuff back, and I'm piling it everywhere, every which way. And Becky Butcher sees me, and she says, "What's wrong? What the heck is going on?"

And I told her, and she goes, "They're just trying to humiliate you."

I said, "Well, they can't do that to me because I won't let them."

So then I go up to -- I'm almost done at this point. I go up to the HR department. And I sit down in the chair, and I said, "Hey, I need" -- they're like, "We need your key."

And earlier in the day I had texted my boss four, five times; didn't answer me. Kept ignoring me. Kept ignoring me. And finally he says, "You need to

turn your key in today."

Like wouldn't even answer the phone for me the whole day. This is still my boss. This is Decoursey.

So I didn't want to give my key back because I was an employee for two more months. They're like, "We need your bond card and your key."

And I'm thinking what if I get into an altercation? I'm still a sworn deputy sheriff here. Well, they took my bond card, and they took my key.

So Rashawn goes, "What you need in the building for?" just like that.

And I said, "I need to come in to testify. What if I want to use the gym? I'm still an employee here."

She goes, "Let me go ask the sheriff."

So they leave me sitting there in a plastic chair, after I've been working there twenty-eight years, go down the hallway, talk to the sheriff. The sheriff comes -- or she comes back. The sheriff never talks to me.

Rashawn comes back and says, "Here," and gives me this.

And I said, "Is that a key to the building?"

She says, "No. The sheriff doesn't want you

to have a key to the building. You can be like any other retiree."

I'm not a retiree now. You got to understand, I'm not a retiree. And I open it, and it says "Honorably Retired."

I say, "Isn't he supposed to give me this at my shadow box ceremony? And you're just giving it to me while I'm in a plastic chair?"

"That's what he's going to give you."

So I take my credentials back. So you got to understand I'm leaving the building. I'm a deputy sheriff for almost three more months. I have no credentials to say I'm active, which to me is ethically wrong, wrong. Okay? Just to show me who was boss. Just to tell me I'm not welcome there anymore because I helped Jody Branaman. That's how I feel. Whether that's correct or not, it's how I feel; and every single thing that happened points to that. I do not regret helping him. I'd do it again.

So I got stopped in Ocala about two weeks before I was officially retired. He asked for my identification. I said, "Hey, I have weapons in the car. I want you to try to get it. I don't want to" --

He says, "Are you on the job?"

I said, "Technically for another two weeks I'm on the job. The badge says I'm retired, but I'm not retired yet."

It was awkward. I had to explain to this other cop why I was carrying a retired badge when in fact I was not retired, and I felt like that was dangerous too. But anyway, that was very important. I wanted to talk about that.

And last but not least, Nick Tillman. Nick Tillman was another one that called me. I had a lot of deputies call me over the time. Nick Tillman called me, and he texted me, and we talked. And you're aware that he failed his psych evaluation when he got back from Afghanistan. Pretty much everyone fails their psych evaluation after being in combat.

So he gotten taken off the road, and he was taking temperatures during COVID over in our com center. So I'd go see him every day. Nobody would give him any information, and he got frustrated. I wasn't his captain or his major at the time; George was.

He got very upset, frustrated. He went to HR to get information. They tried to say he was being combative; he wasn't. He just needed some information. So basically, they kept him in the dark.

And I have text messages with him where he basically says, "This is why no one asks for help."

So Nick was cleared finally on October 4th after months of being on light duty. He went to his VA, who cleared him October 4th. They cleared him. Dr. McDougall cleared him. Everyone cleared him; but yet they didn't put him back to work, and he just rotted over there. Then he went to over the jail and did all kinds of other stuff. He was very upset about it.

He didn't get to come back to work for a while. And then when he finally did, he told me he came back -- because I told him, "Just play the game, dude."

Because we had a meeting where we do the -- it's not fit for duty, but the Tuesday meetings. We would come and talk about all the people on medical, whether they should have a job, whether they should work light duty. I'm sure you've heard about it. Those meetings were famous.

But Danielle Judd, she was like -- we're talking about Nick Tillman. We had his thing up, and we're trying to discuss letting him go back on the road again. And Danielle says, "My dad had PTSD. He's going to have a psychotic break. He's going to

go crazy."

She was like yelling. I looked at her, and I said, "That is not a one-size-fits-all."

I was getting pissed. I'm like, "You should know more than anybody else that's not what PTSD is. Some people don't do any of that stuff. Some people do all of that stuff. They've said he can come back to work. What's the problem?"

They said he couldn't come back to work. I was overruled, and he sat out for that whole month.

October 28th he went back to work. He texted me. I told him congratulations. I was genuinely happy for him. I told him, "Hey, just keep doing what you're doing. If you need something, let me know." It's not your fault type of thing. There's nothing wrong with you.

Obviously, Nick committed suicide right after I retired.

Q. When was that exactly?

A. He shot himself in the chest. This bracelet is him, actually. He shot himself in the chest on February 15th, 2023.

Q. So three or four months later?

A. And the message -- yeah, because October 28 is when he came back. And the message to be looked at

from this -- but October was 2020, now. That was when COVID was going on, and he just killed himself in '23.

But the message that I got from this personally from dealing with Nick is, when he told me "this is why people don't ask for help," that's probably why he didn't ask for help again; and I stand by that. I'm sure that makes me a pariah, but, you know -- and a lot of people feel real bad about Nick.

Nick is another one I think about that was let down by our agency. It's not an environment where people that had mental health issues could not be judged when they came forward as defective or a liability. And God knows I hid mine; because if they would have found out I had a problem, I would have been gone just like that.

All right. So now I'm going to move on because I know you got to hurry. This is important stuff.

Protective sweep issue. I know you know about this, probably, because we got it --

Q. Protective sweep?

A. Protective sweep. We actually asked for an opinion from the State Attorney's Office and from Judge Wright. This was back when Lance Yaeger was my acting captain.

When a SWAT team or patrol goes to a house -- you guys already know this -- and let's say there's a domestic violence issue in the house; and there's a lot of chaos, and the wife comes out of the house. All right. Patrol will do a protective sweep of the house before we set up in front of it with a crime scene because somebody could shoot us from within the house.

You're not doing a sweep to search anything. You're looking for a person inside. It's completely legal. If you do see something while in that procedure, you can lock it down for a search warrant. You don't search anything. You don't touch anything. That's legal. All right?

So one day the SWAT team was doing a search warrant, and I was on the phone with Lance. And Lance was like, "Oh, God, what are they doing? They're getting together. They're getting together."

I said, "Yeah, they're about to do a protective sweep. Let them."

This patrol had gone to a house, failed to clear it. We had our crime scene out there, so it's a pretty dire situation. You need to go in and clear it. We can't wait for that; otherwise, we have to go a mile out and we'll be there for three, four days

before somebody comes in and clears it.

I told him, "Leave them alone. Let them do what they're doing. They're doing something that needs to be done."

So they go and they do the protective sweep. He calls me back and tells me. I said, "Not a problem." To me, it was normal.

So the undersheriff calls me, and me and him start talking about what happened with patrol not securing the house. And I said, "Yeah, we did a protective sweep on it so that we could continue our investigation."

He goes, "Wait a minute. You did a protective sweep?"

He got really upset with me, and he talked about Brianna Taylor, which has nothing to do with a protective sweep. That was a no-knock search warrant. You get where I'm going with this?

So I'm like, "No, that's not what we did."

So he got with Jake Rush. Jake Rush said, "Yeah, it's legal," which for once he actually did give a correct answer.

So we had to get with the State Attorney's Office and with Judge Wright, and they all provided documentation to us that it was in fact legal under

the ways that I just talked about.

They said, "We're not doing protective sweeps." They told me it was not legal. It's not in writing anywhere. So you know what I told my SWAT team, my SWAT commander? I said, "Just do them. I don't want to hear about it. Don't die on" -- this is not legit.

Q. Because if I understand you correctly, their position would be that the SWAT team should not do a protective sweep, and then --

A. No, or patrol.

Q. -- forensics or some unarmed, unprotected individual should be the first person into a house to determine whether or not --

A. Somebody is still in there?

Q. -- somebody is still in there?

A. Yeah. They didn't say that in so many words, but they said they didn't like the protective sweep. It was illegal. We didn't need to be doing that. We needed to have a large perimeter.

Q. Is there any discussion in this conversation with Undersheriff Decoursey that the first person who would then go into the house would likely be someone who is not wearing body armor, who is not armed, who would be -- because I think, if I know my procedures

correctly, we're going to photo document the house for whatever it is before --

A. After the protective sweep is done.

Q. But now we're not doing one.

A. Yeah.

Q. So now the first person in the door is going to be with a camera and no body armor under this procedure that they're suggesting?

A. Not technically on that conversation we had about it being a camera person; but I explained to him, if the house is not given a protective sweep, whoever is at the house, whoever is there, even a civilian -- let's say the morgue comes. Let's say the ME comes. Anybody can come. They could get hurt or killed, we don't know. So that was explained.

Q. While you were explaining that it might be a sheriff's department employee who was unprotected and unarmed who could be in jeopardy, you were suggesting that it could be the medical examiner's office who was similarly situated.

A. Yeah, it could be anybody. I was told basically -- even after I gave the actual -- now, if you look through my emails -- I can't remember the date. I may have had -- I think I sent those attachments. I either sent them in an email or I gave

them to them personally, but I think I sent them in an email because Lance sent them to me.

Q. The issues about proving to the administration that a protective sweep is permitted under the law?

A. Yes. I was trying to say, listen, this is legal. This is law enforcement practice. This is an officer safety issue.

Q. I just want to make sure that I understand. This to me again falls in the category of malfeasance where they have so little understanding of the operation of law enforcement that they are suggesting that an unarmed, unprotected person should be the first person to enter a home that may contain people who are engaged in nefarious activity that could result in violence?

A. And more than that, not ensuring before those people come that the home is indeed safe. That -- to me, the home has to be made safe. And when he compared it to Brianna Taylor, I was like, this isn't even close to that.

Q. If there was an injured person in the home or for any reason a need for EMS or fire to go in the home, my understanding is that their policy is that they won't enter a home unless they have assurance

from --

A. The scene secured.

Q. -- whoever in control of the scene that their safety is assured?

A. Yeah, it has to be -- they call it scene secured.

Q. How would that be accomplished if there was some need for someone else to enter?

A. It wouldn't.

Q. It would just be at a stalemate?

A. Yeah.

Q. That they would be saying we can't go in until there's a protective -- or they wouldn't know the term, but they would say the scene is secure. And you're saying, "I'm sorry, but the sheriff doesn't allow us to secure the scene."

A. Yeah, but I never told them that. I just let them keep doing it.

Q. You didn't carry out the order?

A. Yeah, I didn't carry out the order, exactly, because I felt as if the order was not ethical. I tried to make an argument for it. I wasn't listened to. I produced documentation. The documentation was obviously not -- I know it was probably read, but it was not studied.

So after that, I just said, "We're going to do what we got to do. I'm not going to a funeral."

BY INSPECTOR SNOWDEN:

Q. And that was sent to Decoursey and to the sheriff?

A. I am pretty sure that that was sent to Decoursey. I'm pretty sure I made two attachments: One from the state attorney, and one from Judge Wright. And I know that Lance Yaeger sent those to me, if that makes sense. So you should be able to find those.

I'm not sure of the exact timing of it, though. I'm sorry about that. But that was a big deal to me.

BY MR. KRAMER:

Q. I understand.

A. It's another thing that was a big deal to me.

Q. It certainly falls into the category of malfeasance or misfeasance, that that is just a fundamental misunderstanding of how law enforcement functions.

A. Uh-huh. And I'm almost done, and this next thing is just like that.

So my entire career under three of my sheriffs before him we always did protective sweeps

because it's in case law.

Q. Sure. It's been taught in law school since --

A. Exactly. Exactly. I've never seen it questioned, and I've never seen anyone have a problem with that. It was so ludicrous to me that, again, I didn't pass the order on.

I talked to the SWAT commander, which at the time I think was Josh. I can't be 100 percent sure, but I think it was Josh. And I told him, "Just go do the protective sweeps, just don't talk to Lance about it. Don't tell Lance nothing. I'm assuming you're doing them. Don't die."

So the other thing that was weird. Like, when I was working under Sadie Darnell, I was the special teams commander, the captain, for years, and the lieutenant before that. So I have a lot of relationships with other sheriffs, and they would call me. They would call me in the grocery store and other places to ask me for a helicopter, ask me for a boat, or ask me for something. I had a good relationship with all of them.

And then what I would do -- most of the time they would tell me they couldn't get ahold of the sheriff, and could I help them. So I would say, sure,

and I would get stuff in motion.

I'd call my major and say, "Hey, just so you know, Sheriff So-and-So called me."

And they would say, "Okay. No problem," and they'd call the sheriff. And she would text me and say, "Thank you for taking care of that for me."

So I never thought there was anything wrong with it. When Watson came into office, the sheriffs continued to call me on some stuff. So the Columbia County sheriff, whose name is --

Q. Mark Hunter?

A. Yep, Hunter. He called me for years. He called me about a fight at the hospital one time. He called me about a missing boat. He called me about a couple missing people. I'd be like, "Hey, I'll take care of it for you," or whatever.

We had a big manhunt on the interstate where one of the cops had been shot at. It wasn't the trooper in Micanopy. It was the one all the way in the northwest by the Alligator rest stop/food stand. We set up a big command post, and Sheriff Hunter was out there. He came out there. Our sheriff didn't come out. Whatever. That's his business, you know. We don't really need it. We could handle it.

So I was the commander of the scene, and he

called me later on to thank me for it. And he called Bobby Stafford. He called him to thank him for it, and he called somebody else; I don't remember who. And it came up in conversation, and they got so mad.

They said I am never to answer the phone for another sheriff again. And they called to complain, I think, to the sheriff's association that the sheriff called me. And they called the sheriff to tell him not to call me. It was crazy. They said it's so disrespectful that they would call you and not me. I'm sure you've heard the whole disrespect thing.

I felt like less than nothing after that. I was like, "What did I do wrong?" This is the stuff I've been doing my entire career. I help people. I don't care what your rank is.

But anyway, I wanted to bring that up.

Q. Okay.

A. I felt like that was unethical. I told him, "This is my personal phone, so I can't answer a personal phone?"

He's like, "Not if a sheriff is calling."

Last thing I wanted to talk about, which, again, is one more example of unethical. There was a plane crash in Levy County, I don't know if you remember it, with a family. They were all broke up

about it. A lot of the deputies really broke up about it. I was over the CISM team as the major, so I had responsibility of all special teams. This was when George was gone.

They requested our CISM. So it took a couple days. They asked a bunch of questions, but they finally said they could have CISM.

Q. What is that?

A. Critical Incident Stress Management. What it is, is basically you have a circle, and you debrief people when they've seen something really bad so that they don't develop PTSD or other kinds of problems, traumatic stress.

So they're in a new circle. They had already scheduled it. People had taken time off. They had arranged day care. We had our team coming and everything.

So like four days goes by. I'm sitting at my house. I can't even make this up. It's a Saturday. I get called by Decoursey, and he says, "We're going to put a hold on that assistance."

And I said, "What's the problem?"

He was like, "They didn't call the sheriff and ask him directly. So if they want our assistance, they're going to have to call the sheriff and ask him

directly, otherwise we're not going to send our resources over there."

He goes, "You need to call the undersheriff of that county."

Now, he's an undersheriff, and he wants me to call their undersheriff and tell him that on a Saturday.

So I'm like, "So you want me to call the undersheriff that's the same rank as you?"

He's like, "Yeah, just do it."

I'm like, okay.

So I called, and Brad Beauchamp answered the phone. I told him, I said, "Our sheriff said that your sheriff didn't call our sheriff. So your sheriff has to call our sheriff or we can't bring the CISM team to you."

He was just like real quiet on the phone. He was kind of like, "Are you kidding me?"

And I said -- I didn't say anything, and he goes, "Oh, I know you're just the messenger," because I couldn't say anything to him.

He goes, "Well, I'll see what I can do. It's a Saturday. Why is this happening one day before?"

They were supposed to do it Monday. And I couldn't say anything to him.

So their sheriff ended up calling our sheriff, but that was so unethical to me. You know what I mean?

There's four sheriff's associations as long as I've been associated with it, and you all know there's a brotherhood. So if I have something you need, I will give it to you for free. That's the way the sheriffs are. If somebody gets shot, God forbid, everybody with a pulse goes. No one sends a bill. No one has to ask anybody for nothing. That's just how it works, and that's so far from what I'm used to.

And the phone call thing, it's so far from what I'm used to with working with the Florida Sheriff's Association that it was very odd for me, and it really was yucky. And it involved mental health again. To me, that's like, come on, man, that's -- anyway --

MR. KRAMER: Understood. You guys have any more questions?

BY INSPECTOR SNOWDEN:

Q. Can you just tell me a little bit about these Tuesday meetings?

A. Oh, yeah. Our Tuesday meetings. They were meetings that we had every Tuesday to look through all the people on light duty. So if we had like six

active cases on light duty, we would pass out the six cases of information. And then we would decide whether that person can come back on light duty or they had to stay home and burn their leave, and they looked at things like had the person used it before.

And then a lot of times I'd be sitting in there, and somebody would say, well, that person is this. Well, we're not here for that. We're here to look at the facts. Does this person have the leave? Does this person have the time for light duty? Because the sheriff's discretion decides light duty; and it's always been that way, but we've never had a meeting for that. We've never had six people talking about somebody's medical stuff, never.

And I dreaded those because a lot of times in those there would be back-and-forth on things like whether somebody -- this thing with Nick, you know, the outburst with Nick, it made me really mad because I was just like, you know, it's people like you are the reason that nobody gets help because what you're saying is incorrect.

I don't know if that answers your question, but that's what we did. We sat in there and did that. And then when we got done, we would have a meeting with Decoursey. It would be me, Bobby, George, and

Decoursey; and we'd just have a meeting, and pretty much that's it. We just met once a week.

Q. Okay.

A. And sometimes we told people, hey, you know, they're out of leave, they're not coming back. You have to retire. You're not coming back. We're not going to let you work here light duty. And some of those decisions that were made, I mean, they're made based on what the sheriff wants to do.

MR. KRAMER: Okay. That's it.

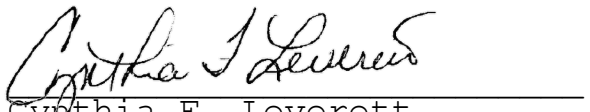
(The statement concluded at 11:00 a.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that BELLA BLIZZARD, who produced a Florida Driver's License as identification, personally appeared before me on June 22, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 28, 2023.



Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

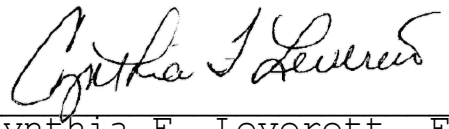
I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named BELLA BLIZZARD, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 28, 2023.



Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

STEVE MAYNARD

DATE TAKEN: June 22, 2023
TIME: 11:08 a.m. - 12:03 p.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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Notary Public, State of Florida
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- - -

WHEREUPON,

STEVE MAYNARD

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: Yes, I do.

EXAMINATION

BY MR. KRAMER:

Q. Captain, I think the last thing we ended with was the staffing issues that have been at the courthouse and perhaps some discussions with the courthouse administrators or the judges about the effect that might have on their operation, and I had to cut you off.

If you remember where we were and can continue with what information you were providing, that would be excellent.

A. Yes, sir. So we -- we have a security meeting. I don't want to say it's regularly because it's not necessarily every month, but we have a security meeting. And I'm part of that group, and that group -- there's a security judge, which is Judge Colaw, and court administrator. You know, there's quite a few folks that are actually in the room.

And I have indicated for several years now, several years, that we are dangerously low on staffing

at the courthouse, at both courthouses. And, actually, to give you an idea where we're at, I think we're down 11 sworn positions at both courthouses right now. And we're also down two civilian positions, which are very instrumental at the sheriff's office as well, or at the courthouses.

So I have -- I started very gingerly when this administration came in indicating that, you know, we have to do something with the staffing at the courthouse, and it only got worse.

And I was -- I was very candid with Judge Colaw and also with others that were in the room that I felt like our staffing could adversely affect the court's ability to function at the courthouses because, as you know, it requires a bailiff for your trials, for your hearings. Obviously, there needs to be security at the front door and the back door, et cetera, et cetera.

So there are duty positions at the courthouse. And the sheriff is full well -- as all of us, that there are requirements, Florida Statutes require security at the courthouses and what our responsibilities are.

Now, the sheriff does allow me the latitude of making the decision of where I'm going to place

those people within the courthouse; but there is a requirement for security, and we're to the point now where I cannot fulfill that mission.

So what I've had to do is, I have fixed my own problem. I made six mitigated suggestions to the undersheriff and the sheriff in the room with -- it was also Major Blizzard at the time; now retired. Five of those six mitigation strategies are in this email today; and five of the six were denied within minutes of my recommendations, leaving me no other choice but to pull staff from other areas of the sheriff's office to fulfill the mission of the courthouse.

I pull -- weekly I pull a deputy sheriff from the civil bureau. We are already short staffed in the civil bureau. It's a small bureau, anyway, which again, is a requirement of Florida State Statute for the civil papers. I pull one person for that week off of that bureau, and I pull people from other bureaus that are also short staffed to fulfill those duty positions at the courthouse.

We also send an email out to the entire agency asking for help. When I say "help," it is nonprotected overtime, so these deputies don't have to do it. It's not required of them. They're doing it

because they don't have any leave, and they have the opportunity to make overtime; albeit, not protected overtime. And the difference between the two would be if, for example, I had used eight hours of annual leave during that pay period, that would be straight time. It would not be protected overtime.

That was one of the six suggestions, mitigating strategies, that I gave to the sheriff and the undersheriff pretty quickly in my tenure -- in their tenure here at the sheriff's office. Again, five of the six were denied very quickly. In fact, before I even got out of the parking lot they were denied.

So I've been very frustrated because I have to fix my own problems, and I understand that. I certainly understand the staffing issues that we have; this is nationwide, but I also understand that we've caused a lot of our own problems here at the Alachua County Sheriff's Office. And we have a lot of human capital and a lot of good people that have left that could and should have been used and staffed here at the sheriff's office, and we've lost those people and can't -- many of them, we can't get them back.

So, you know, I have -- I can go over the mitigation strategies if you'd like.

Q. What was the one that was accepted?

A. So the only one that was accepted was cross-train the folks at the courthouse from other bureaus.

So what I did, is -- I have the civil bureau, which is separate, separate from the courthouse. I took all of the employees in the warrants bureau and the training -- I'm sorry, the training bureau and the civil bureau, and I cross-trained them to do certain basic functions at the courthouse so that, from a moment's notice, knowing that I can't facilitate staffing, you know, carefully, or, I mean -- I can't find the right word, but I can't find and fulfill the staffing at the courthouse, at a moment's notice I can call the training bureau and say, "I need one of your folks to dress out and put your Class A on, and you got to be there within an hour."

So they have been told to keep their uniform ready to go, squared away, so that I can -- they're cross-trained to do certain basic functions at the courthouse, but they can't do all of it.

Judges like to have a friendly face that they understand and they communicate with well, so we -- I use those bailiffs in those positions to where that they have that relationship with the judge so the

judge doesn't have to ask for certain things. They can look over and nod, and my bailiffs know what they're supposed to do because of the relationship they have with the judges.

So there are certain areas that I cannot use in the training bureau. They're not trained as bailiffs, but I can train them on certain basic duties like, for example, the front door, the back door. Within 30 or 40 minutes, I can take any sworn law enforcement officer with a gun, and I could train you and teach you to work in the front door or the back door. And that's what I did with one of the mitigation strategies, and that was the only one I was able to get out -- to get done.

Q. What is full staffing at the courthouse, for both courthouses, for sworn and unsworn?

A. For sworn and civilian, it would be, I believe, 36 FTEs, full-time equivalents. That's 36 positions between -- cumulative between the two courthouses.

Q. And what is the minimum safe number?

A. We're below that.

Q. I understand, but like -- maybe it's not said, but what is -- in your mind, what is the minimum safe number that you can operate with?

A. I have those duty positions that I mentioned, which would be when there is a docket, and the docket says there's a trial, the expectation is that I would have a trained bailiff in that courtroom, in the judge's courtroom or the hearing, and I would have a minimum -- minimum of two sworn deputy sheriffs on that front door.

We have -- as you know, if you're coming in the criminal courthouse -- and I've done the count. I've sat down. I've looked at the number. We have up to 600 people that are coming through, especially on a Monday, coming into the criminal courthouse.

Screening people in a timely fashion, you have to have at least two there. Three is ideal. Two is not -- two is not -- it's something that we are -- struggle to get. We struggle to get that.

Q. So if you put that in terms of the number of FTEs that you need to maintain minimum staffing, would it be 20?

A. I would have to count every duty position, and I'd have to look at my staffing report; which I don't have it right now with me, but I can tell you that we're down --

Q. Eleven, from what you said earlier?

A. Eleven plus the noncivilian positions that

are vital in the courthouse as well.

Q. You said nine sworn, two unsworn, which means --

A. No, eleven sworn.

Q. Eleven sworn?

A. Yes. And two, possibly three civilian.

Q. So you're down as many as 14 FTEs, so clearly the number of FTEs that is minimally safe is somewhere greater than 22?

A. It is. And we also have to recognize, and I think you gentlemen do, people have to have time off. They're going to have COVID. They're going to have FMLA. We have in-service training that is required by FDLE. So that number -- please recognize that that number is -- that is what I have to have, and that is accounting for life happens, and, you know, life happens everywhere.

Right now I've got a lieutenant who's on baby leave. I've got folks that are sick. I have folks that have injuries. I have in-service training that's coming up that we have to send two per day there. So when you start bringing that tally, which is what we just talked about, that number, and then you bring it down from those, that's what I'm dealing with daily.

Q. Restating that would be that the 14 that

you're down right now doesn't include any of the sicknesses, illnesses, injuries, training, regular duty absences that can occur. And you're already at -- 22 is below your minimal staffing levels, and so it's just beyond that?

A. And I'm not even giving people time off.

Q. Right.

A. It used to be that we could have two -- I could allow two people per building per day with fully staffing. That's how the rosters are built so that you understand that we can have leave, we can have -- you know, people can have babies, those sort of things. It's built that way for a reason, and I don't have that now.

MR. KRAMER: Okay. Any questions?

BY INSPECTOR RIDDICK:

Q. Captain, two questions, actually. We know with staffing, after a time of never getting a day off, sick days all of a sudden start rising. Have you seen that?

A. Yes, we absolutely have. And I've had to discipline people over it because they can't get time off, which has a result of misuse of our leave; and I've disciplined people of that.

And it's hard, it's a balance, you know.

You -- in a perfect world, you know, people can hang in there for a period of time, but they're to the point now where they're very frustrated. We are all frustrated. And we're losing additional staff because of that, because I am not allowing the leave that we used to.

I can't get people to voluntarily come into the criminal courthouse or the civil courthouse right now because they won't -- they recognize that they won't get time off.

Right now I have -- in a perfect world, when there's no sickness and there's no training, et cetera, et cetera, I can allow one per building off; but in a perfect world -- we're not -- we don't live in a perfect world.

Q. So now, because they're not getting their "I need next Tuesday off to go to my daughter's doctor's appointment," they're calling in sick?

A. That's correct. And I denied recently a deputy sheriff, a good deputy sheriff, the ability and opportunity to go to his son's elementary graduation; that only happens once. And I had to work cumulatively with two other captains to juggle some staff around in the courthouse to make sure that that function took place and he had the opportunity to go

to that, and I could only give him a portion of the day.

So he had to go leave in uniform, change, because he would have been off duty at that point, and then go to his son's graduation at elementary -- this elementary school. I don't know what grade he's in, but it was his graduation.

And then he had to come back in uniform because I just didn't have the staff to be able to give him the whole day. And we'll lose people because of that. We're going to continue to lose people.

Q. Second part of my question: You talked about robbing Peter to pay Paul, pulling from the other bureaus. People hear the word "bureau," they think 40, 50 people. How many are actually in warrants? So when you pull one from warrants, or in civil, when you pull people from civil, and you're already down there, are they being affected also as far as their jobs?

A. They absolutely are. We have -- every bureau I have at the sheriff's office is depleted to the point now where it's difficult to give them time off and to function the way we should and need to.

So yes, absolutely, every bureau has a minimum staffing. Every bureau is different as far as, you know, some of the bureaus are smaller than

others, and some are larger, you know. And I have task forces that are through MOUs and contracts and those sort of things that are for -- we have to fulfill those contracts.

And yes, when I pull someone from warrants, and I pull them -- that is a task force member, that has a direct effect on their ability to function in their MOU and their daily warrants tasks.

And please also recognize that those folks deserve to have time off, and they certainly, you know, will have FMLA. And when you're already short staffed, it affects everybody.

Q. That was the next point I was going to ask. The courthouse being as short as it is has affected everybody under you, all your particular AORs, areas of responsibility. Is that correct?

A. Yes, sir. That's correct.

INSPECTOR RIDDICK: That's it, sir.

BY MR. KRAMER:

Q. All right. We have gone through some of the stuff you brought with you, but I don't think we had gotten to everything. Is there another matter that we need to discuss?

A. I will mention it; and then if you'd like to pass on it, I will let you pass. If you have a

question, I can answer the question, if you'd like, if that's all right.

Q. Sure.

A. So some of the notes I took -- and again, I don't know if we've already talked about it or not -- is probationary employees demoted without cause.

Q. I don't recall that. Now, my understanding is you can demote or fire a probationary employee for any reason. My question, I guess, would be, you can't do that for unlawful reasons. Even if somebody were a probationary employee, you couldn't fire them because they became pregnant or fire them because they are of a particular race or ethnicity. Is that the type of thing that's occurring?

A. So my concern is, is that we've used informal punishment here at the sheriff's office. And I think it's pretty common knowledge at the sheriff's office that we've used that as an ability to informally and not document punishment, and I'll give you an example.

Q. Is that a violation of the bargaining agreement? And I know you're not a member; you're too high ranking to be a part of it.

A. Yeah, I'm not, so I'd have to review and refer to it.

But for an example, you know, we did have a

lieutenant that was approved -- I mean, promoted. And he was demoted after a period of time, after several months, because he "liked" an unflattering Facebook post for no -- again, no one would ever say that that's why he was demoted. It would never be written down on a piece of paper anywhere, but I think it's common knowledge that that's what happened.

This person was demoted because they "liked" accidentally, you know, on -- because it was -- you know, they were trying to -- I don't know why; it doesn't really matter. I don't even have social media. But I think it was common knowledge that that's what happened, and that's problematic for me.

It's for -- even though I believe people can be removed for any reason during that 24-month period, I still believe that we have to be just and we have to be -- we have to -- our ethics have to rise above that. And if there was -- something that was in the Facebook was pornographic or whatever, but simply because a deputy chose to, you know, make a comment about our leadership, and a lieutenant "likes" it, whether it's stupid or not, is -- that's -- you know, that's something -- we shouldn't demote. Probably he shouldn't have done it, but it's still problematic for me.

Q. Understood. And I think we may have heard more detail on that issue particularly before.

A. So we have documentation -- because of distrust at the administration, we've led to increased documentation because employees felt they had to protect themselves.

We have been told -- I've been told to my face by some of our leadership that they don't like all the formal documents, the emails; and we've been told to do that verbally so that there is no documentation that's out there, and that's problematic for me as well. An agency can't function that way. It's not safe, and it also -- it causes employees to protect themselves. And that's likely what I've done and what other people have done.

Q. And when you've been told not to document things, has it been for a specific reason? Have you been told why not to document things?

A. I'll give you an example. I have it here with me. So here's an example, which is with Lieutenant French. And this is one of those examples where I have forced the issue.

It could have been -- with this direction that they provided us, was me to go with them and bring information to them verbally. I chose not to do

that. I documented because I felt like I needed to protect myself, and I also needed to protect my employee.

So Lieutenant French was -- and I'll try to summarize this as best I can. She was -- she was about to be and was transferred from the civil bureau to a position that is a -- through position control at the sheriff's office is a civilian position. She is a sworn lieutenant at the sheriff's office.

By Florida State Statute it requires that certain criteria has to be met to be able to fulfill a risk -- be in compliance with the government's -- the State of Florida's risk --

BY INSPECTOR SNOWDEN:

Q. High-risk retirement?

A. High-risk retirement. Thank you very much.

So she brought -- did this correctly. And she brought it to my attention, and she said, "Hey, listen. This is going to affect my retirement, and I don't think it's proper."

She brought me some documentation. I read the Florida State Statute. I looked at the contract. I looked at position control. I did what I felt like was necessary to protect her and protect me. I documented it in an email that I went to -- I first

went to our human resources director and bureau, and I asked her, "Is this going to affect Lieutenant French's high-risk retirement?" and I was told no, that that would not affect her high-risk.

Even though she was not going to supervise a single position that was high risk or a sworn position, she was going to be effectively a sworn person in an island where they are in a sworn position, control position, which is contrary to what Florida State Statute says; I knew that that is the case, and that was wrong.

So I, in turn, after leaving the human resources, I went to our AMB, which is our CFO, and that is Patty Justice. I met with her, and I said, "Patty, this transfer of Lieutenant French, will this affect her high-risk retirement?"

Her answer to me was, "It absolutely will cause a problem with her retirement."

I said, "Really? Okay."

So now I have a conflict between our human resources and also our AMB, and I have a lieutenant who has complained that this is going to affect her high-risk retirement.

So I documented this, and I sent it to my major, Major Yaeger at that time, and I sent it to

him. And I could have done what I've been directed to do, and that's not document anything and just come and have a conversation with you; but I didn't trust that this would be taken care of and that this would not protect my employee, and it would not protect me. So I documented it at my own risk. I documented it, and I sent it to my major. And that is on April 4th at 4:27 p.m.

Here, I'll just read the last portion of it. It says "I recommend the further discussions take place prior to Lieutenant French's transfer so as to ensure the employee's benefits do not negatively affect the employee's retirement contributions and we are in compliance with Florida State Statute," blah, blah, blah. "Thank you for your consideration."

So I sent that on April 4th, and Lieutenant French was -- I received no response whatsoever on this, and she was transferred into a civilian position, I think, four days later, despite my objections. No discussion, no nothing, she was transferred.

She was there about three hours, and then she was transferred back from position control at the jail and put right back into the -- in a sworn position. It's almost like -- part of what my job is, and my

idea of what a good supervisor is supposed to do is, I'm supposed to take care of not only my boss but also those below me.

So I have the ability to protect my employees below me, but I have no opportunity to provide guidance to the supervisors beyond me, and that would be the majors and up. And, you know, this was all preventable. It was something -- we didn't have to do this. This was no rush, no timeline to do this, this transfer. Let's discuss it, let's have a conversation, let's read Florida State Statute, but we don't do that. What we do is, is we jump and then we try to fix the problems after they've already happened, and that's what happened.

BY MR. KRAMER:

Q. Were you chastised in any way for putting all this in writing?

A. I was not. I was never chastised, but I was never provided any type of -- which they don't owe that to me; but what they do owe to the employees, potentially affecting a person's retirement, Lieutenant French, is an explanation of her transfer. I don't know that she ever gotten that. I certainly didn't get anything back for her.

I told her, I said, "I'm sorry. I documented

everything for you. I can't do anything beyond that."

And she was transferred for several hours and then transferred back in position control, and we looked like -- it was embarrassing for the sheriff's office.

Q. Has there ever been an incident that you can recall where you did document something and you were chastised for doing so?

A. Other than sending texts and -- for the task force, I think, at the warrants bureau. I don't think I was chastised. I was just reminded. And I didn't know that this direction that they were going to provide me was going to go so far where I can't even communicate with my boss and send him a text and saying that my warrants folks are out of county, but I was told don't do that anymore, call me via telephone and tell me that your task force is going to be out of county. So there's no opportunity for me to have that text.

That has been corrected, by the way, since then because new leadership was moved into that position where my boss now expects me to communicate and document properly; but for a period of time, I didn't have that opportunity.

Q. And when did that change, and who's the new

person?

A. That was when -- at that time Major Yaeger was in that position, and he was my direct supervisor. He has since been transferred on to the chief of staff; and I now have a new major, and that is Josh Crews. And I've been -- since that point in time I have had good leadership and a good relationship with my supervisor, and I've been able to communicate the way I'm supposed to.

BY INSPECTOR SNOWDEN:

Q. Lieutenant French didn't ask for the transfer to go into the civilian position; correct?

A. She did not.

Q. Do you know why she was transferred there?

A. I do not. We don't get explanations on that. And with the previous administration I had an opportunity to sit down, and we would think things through. And they would ask for feedback as to whether or not it was a good idea to transfer that person or for -- or we would at least have provided, you know, a recommendation. That doesn't happen.

I get called at 5:00 in the evening while I'm trying to eat with my family, and I'm told to transfer people and, you know, call me back in 20 minutes. So I call people like Lieutenant French and J.P. Hood and

other people, and I tell them, "I'm sorry I don't have an explanation. I have no idea why you're being transferred. I'm sorry. I apologize it's thrown your family situation dynamic."

"What's the explanation? Why? Did I do something wrong?"

"I have no idea why you're transferred."

"Can you find that out?"

"Yes, I can. I'll try, but" --

BY INSPECTOR SNOWDEN:

Q. Who do these phone calls come from?

A. They come from -- generally, from my direct supervisor, which was at that time Major Yaeger; and it's done via -- typically from cell phone, and it typically happens with very short notice.

When I say "very short notice," I mean I'm going to tell you to make these notifications. You got 20 minutes to make these notifications. Feedback -- or provide back, you know, and let me know that it's done and it's completed because we're -- there's an email. HR is waiting to send out the transfers.

And I sometimes would object, you know, and say -- object as best I could and say, "I don't think that's a good idea. You may want to relook at this"

like, for example, the situation with Lieutenant French, and then here we go. They're transferred anyway, and we deal with the consequences.

BY MR. KRAMER:

Q. Are you aware of any circumstance where someone has been transferred as a punishment, that is as what I would call -- refer to as extrajudicial, meaning outside of the bounds of the normal and accepted punishment system within the sheriff's office or discipline system within the sheriff's office?

A. I'm sorry. Tell me the question again. You're basically looking if we --

Q. Let me break it down a little bit for you. So there have been a lot of transfers within the time that the sheriff --

A. Hundreds.

Q. There's also been a lot of issues with discipline being properly administered, right? One of the ways that those two things could intersect is that transferring someone to a position that they don't want, they're untrained for, or perhaps is going to interfere with their normal functioning of their life, like moving someone to midnights when their whole family life is built on them working days, that could be punishment that's outside of the disciplinary

system. Do you see what I'm saying?

A. Yes.

Q. I think that that's an example of somebody who has some kind of dustup with the administration and then suddenly you're on nights at the jail, right? Are you aware of those types of things ever happening?

A. Yes, I'm aware of those, some of which that I directly, you know, am aware of; and others I've just heard, and I've seen the transfers. You know, gosh, what happened with that?

Well, you know, this person obviously disagreed with something, you know, in CID or detectives. And this husband and wife now, all of a sudden, one is on the opposite team; and one is at nights and one is at days, where obviously, when you do a 12-hour shift, you will never see each other ever, literally, unless you take a day off.

So yes, we've seen those things at the sheriff's office.

Q. Let me ask you specifically, what have you personally been involved with and how are you aware that it was discipline outside of the disciplinary system?

A. So I was never told why Sherry French -- well, I take that back. I was told by my boss, which

at the time was Major Yaeger, that Sherry French has been causing problems in social media and also very vocal -- that was the exact word, "very vocal" -- against the sheriff, and as a result she's been transferred.

She was transferred out of the civil bureau, and there was a lieutenant there. And there's a direct reflect -- or directly -- when you move someone, you're going to move someone else, and you're going to displace someone.

So I've got someone like J.P. Hood, Lieutenant Hood, who is trained. I've spent thousands of dollars on him in the civil bureau through Avalon, which is a training program for folks that are in the civil world. And it's the only one of those per year, and it costs thousands of dollars; and it's legal protection for the sheriff's office.

I sent him through that. I get him spun up, he's ready to go, trained properly. And then, because Lieutenant French is in OPS and she's been vocal against the sheriff, she's been moved out of our office of professional standards, transferred into the lieutenant -- I'm sorry, the civil bureau and then directly affected Lieutenant Hood. And he was transferred to move to patrol even though he wasn't --

he didn't do anything wrong and we spent thousands of dollars on him.

Now we're going to move Lieutenant French -- this is one of hundreds of transfers, by the way. She's moved into a position where she's not trained. And now I have to spend thousands of dollars, which again, this training is only available once per year. And that's one example.

Q. Are there others that you've been directly involved in?

A. I'd have to refer and sit down and really think about all the transfers that have affected me.

Q. That's okay. There's nothing right at the tip of your mind?

A. Not right this second; but yes, I'm sure, because every bureau has had this happen multiple times where they've been transferred and moved around.

Q. My interest is really where that transfer is being done to circumvent the discipline system. My concern is that officers have a fundamental right to the disciplinary system that is in place in the agency; and that when they're disciplined outside of that system, it violates state statute because officers have rights, right? There's an Officers' Bill of Rights.

So, you know, that is my concern is, is there -- are there times when those personnel transfers, which have been incredibly numerous, far beyond what anyone has ever experienced in the agency in that period of time, they're being done for that purpose, to discipline people?

A. Yes, I'm -- you know, those situations have happened, and there were people that were transferred out of -- that were trained and out of the courthouse. You know, people like Lieutenant Anderson, highly trained, highly skilled lieutenant of the court security bureau and then transferred.

But again, no one is ever going to give me an explanation of why that happened. I can only speculate that they were transferred because of their disagreement and vocal, you know, disagreement with the administration. I can't provide a document and give it to you saying that is what happened.

Q. Understood. But sometimes you're aware because -- for instance, the example you gave is perfect because you're talking to then Major Yaeger, and he's telling you the reason the transfer is occurring is because she's too vocal and she's too critical of the sheriff on social media, right? Which, if that were true, she could be subject to

discipline. Would you agree that that's true?

A. I agree, yes.

Q. There's two possible tracks for discipline there. If she was your employee, you could have done the discipline yourself, right, or you could refer her to the professional standards?

A. Correct.

Q. But neither of those things happened with Lieutenant French?

A. That's right.

Q. So whatever rights she may have had to contest or to address this allegation, she never gets to address that?

A. Correct. And there is another example of this, and this is with a deputy, Deputy Travis Devinny.

Q. I think we've talked about that the last time you were here, but that -- just to clarify. When you were here we talked about the fact that he was being stopped from being allowed to perform overtime hours and was an asset to your bureau, and that that was because --

A. The exact comment, you know, from my supervisor was -- is that because he -- Travis is a cancer to the agency.

Q. And that cancer was -- it's my understanding, is that he had made a hostile work environment complaint --

A. Correct.

Q. -- against Major Yaeger?

A. Correct. And I corrected or challenged my boss, again, at my -- you know, and when I say "challenge," again, very gingerly. I mean, you got to be careful about these things.

I said, "Hold on a second. Is there a disciplinary concern with him at the courthouse?" and the answer was no.

And I said, "Okay. Did he do something at the courthouse while working at overtime there?"

Because I don't supervise Travis Devinny. He's one of those that volunteered to work an overtime position that I need in the courthouse; and he does this anywhere from three to four times per month, and I need him there. He's an asset for me. And he's always professional when he's there in the courthouse, and I'm not aware of anything.

So I asked, "Is there something I need to be aware of? Did something happen at the courthouse?"

"No, no. There's other things that you're not aware of."

I said, "Okay. I understand. I understand. But he's still entitled to due process. If he's" -- like you said, you know, "Is there a disciplinary issue that I'm going to go to him and tell him, 'You cannot work overtime because of this investigation or whatever?"

"No, no, nothing like that."

And I said, "Well, the right thing to do" -- and this is exactly the words that I said, "The right thing for me to do is to go to Travis Devinny, Deputy Devinny, and tell him that he's not being able to" -- "he's not afforded the opportunity to work overtime there."

And that was, "No, I don't want you to do that."

"Well, he's going to discover this. You know what I mean? He's going to call and say, 'Why am I not being scheduled? Why not?'"

I said, "What would you like me to do? If I can't tell him that he can't; and then when he does call, and he calls through his chain of command, what would you like me to do?"

He said, "Well, I will" -- and I'm trying to remember the exact word and comment. It was like, "I'll take that one on the chin. I'll take that one

on the chin when and if it comes up."

Well, within a week -- and I had already kind of protected myself some on that. I went to my lieutenant at that time, who still is, Marvin Gunn, who's my lieutenant in the courthouse. And I said, "Listen, this is what" -- "the comment that the major said."

I told him. That was before we even, you know, told Travis that he couldn't -- or he learned that he couldn't provide overtime there. I said, "Listen, this is what the major said. It's not right. It's not correct. I don't like it. This is what the major said to me, so here's what I want you to do."

And that's what I told Marvin, I said, "This is what I want you to do. I want you to just not schedule him. Don't put him in there. He's going to figure it out. He's going to question it. When that happens, Marvin, I want you to say, 'Captain Maynard said that you're not able to schedule in the courthouse, and he would like you to call him and talk with him.'"

So I did that intentionally knowing that Travis would -- he's going to question it, and he's going to come to me. And I already told Major Yaeger that this is what's going to happen, and then he says,

okay, I'll take one on the chin.

So I was going to go to him and say, "Listen, Major. There it is. Now you're going to have to address it one way or the other."

Before that even happened, the colonel came to me. I was in the middle of a Zoom meeting. He said, "Captain, do you have a moment?"

I said, "No, sir. I'm sorry. I'm in a Zoom meeting. Can I get back with you in just a minute?"

He said, "Yes, absolutely."

So I watched the colonel, Colonel Chad Scott, pull the legal -- our general counsel, Robert Rush -- Jacob Rush and Yaeger walk into the colonel's office and close the door. About 20 to 30 minutes after that, I finished my Zoom meeting; and I went back to the door, and the door was closed. And I asked the administrative assistant, "Does the colonel want me now?"

And about that time here comes Jacob Rush and -- our general counsel and Yaeger walk out of the colonel's office. They gave me a look, like, you know, a not-good look. So I'm thinking, I wonder what just happened.

The colonel looked at me and said, "Captain Maynard, can you come into my office?"

I said, "Yes, sir."

So I walked in his office. And then Yaeger, Major Yaeger, said -- turned around and walked to walk back into the colonel's office. And the colonel looked at him and said, "I just want to talk to the captain. I want you to close the door, please."

Yaeger looked like he had been scolded, or whatever.

So I walked in, and I -- the colonel looked at me and said -- and his exact words were, "Captain, did you tell Travis Devinny that he could not be scheduled for overtime?"

And I said, "Absolutely, I did not." I said, "I had this conversation with my major and told him that this was not" -- "he was not afforded due process," et cetera, et cetera.

That was the exact conversation that I had with him, and he -- the colonel looked at me and said, "Is he stupid, or what?" That was literally what the colonel said to me, "Is he stupid?" again, referring about Major Yaeger.

And I said, "Apparently, yes, sir, he is. I had this conversation with him. I told him that we" -- "you can't do that. You can't, you know, just" -- I said, "I need to be able to tell the guy

why he's not being scheduled for overtime."

It's going to affect money, and anything in my mind -- I've always been told that if -- and I'm certainly not an attorney, but if it's going to affect an employee's money, you better be careful; and you better have good cause and ready to defend that while you're affecting their employment and the money.

So I went to Major Yaeger even before -- I'm retracking now my steps and telling you that I also had this conversation with Major Yaeger and said, "Listen. I read the contract. Have you read the contract, sir? Because the contract looks like to me that we can't do that. We got to be careful about this because it's going to affect his money."

He goes, "I've already read the contract."

I said, "Okay. Then there's nothing more to have to discuss about it. That's what your decision is, is that he can't be scheduled in the court."

"Yes, and I'll take one for the chin."

I said, "Okay. All right, sir."

Here we are.

Q. But it's my understanding that very shortly thereafter Travis Devinny is then suspended by the agency?

A. He was.

Q. And to this day remains in that status?

A. I think he may be back now. In fact, I know he is because he's back in the courthouse, and they transferred him into the courthouse.

Q. So he's now one of your --

A. He works for me in the courthouse now.

But yes, he was suspended, and I don't know what for. I heard speculation that it had something to do with patrol and a call for service. It didn't have anything to do with -- I think it was something completely separate.

Q. Is there any other retaliatory conduct that you're aware of?

A. Not at this time. I think it's, you know, where it's expected, but I think it's -- you know, employees are trying to protect themselves as best they can in what is going to be a very difficult and what is a difficult situation right now.

I don't know if I told you or not. Major Yaeger came to me and -- as soon as we learned of these subpoenas, the first dozen or so, ten to twelve, the major came to me and closed the door and asked me if -- because I run the civil bureau; so when subpoenas come out, I'm aware of them.

And I have a standing order -- and this is, I

think -- I think you understand why this is important, because we have a lot of lawsuits. We have a lot of, you know, subpoenas, I mean, thousands. And anytime a member of the command staff is being sued or whatever, obviously, I make notifications; and that's kind of a normal thing. "Hey, Sheriff, I've got a subpoena for you." It's pretty common stuff.

But this one didn't have a case report number on it, so it was unusual. Normally we understand, we were expecting this defendant to sue the sheriff because of whatever. This one was very -- no one really knew what was going on with this.

And the major came to me and closed the door and said, "Do you know anything about these subpoenas? Why didn't you tell me about them?"

I said, "What are you talking about? I don't even know what you're talking about."

He said, "There are ten or twelve of our command staff and folks at the sheriff's office that are being subpoenaed."

And I said, "I'm sorry. I don't even know what you're taking about."

He said, "Well, see if you can look into it and find out what's going on with these subpoenas."

So, again, I had no idea. I'm looking at the

subpoena. I still have it here, no case report, blah, blah, blah. I said, "I don't know what it is."

I went back to the major and said, "I'm not sure what's going on. I don't know what this subpoena is. I can't say anything about it. "

And then in short order we got a couple more, and then it was kind of like a trickle-effect-type thing. I told him I did not feel comfortable calling the state attorney's office and asking what these subpoenas were about.

And then in short order, after that, he said, "Just never mind. Don't worry about it."

So there was nothing else that went. And at some point Major Yaeger transferred, and then I stopped even tabulating how many subpoenas we were getting, you know, because at that time it was only like 12 or 10 to 12 or whatever. Now I don't know how many; and I don't even count them, and I don't even see them.

Q. Just to clarify. So we have not utilized the services of the sheriff's office in order to serve these subpoenas. We've actually served them through our investigators on the sheriff's office itself, but those -- when your staff at the front gets it -- I'm assuming my investigators walk in the front door and

hand them to the person who is seated at the front desk; I'm assuming that's records. They then will transmit them to you because they are subpoenas upon the sheriff's office. Is that correct?

A. It depends. I mean, so I would normally see the court liaison. I would see -- and that's part of the reason why I didn't know, I had no idea why the subpoenas -- because it went through somewhat of a normal -- I don't want to say unnormal, but it just -- no case report number and no -- and I called the court liaison and said, "Hey, have you heard about these subpoenas? Can you tell me anything?"

"No, I don't know anything about it" type thing. "I don't know what it is."

I had been subpoenaed by the investigator in the normal process. And I was in the drug unit for a period of time, so I'm very familiar -- at lunch they'd hand you a subpoena type thing. No big deal.

But it was kind of strange. We were a little weirded out about it because the administration was trying to find out what's going on with these. And then in short order, after some of the subpoenas were issued, then the word kind of got out what was going on with this. And I think the administration shied out of -- you know, kind of cut me out of that loop on

the civil portion of it, which was good for me.

MR. KRAMER: Understood. Anything else? Anything else from you?

THE WITNESS: (Shakes head.)

MR. KRAMER: Captain, thank you. Again, I apologize that we have caused you so much delay. And if and when we need your testimony further, I'll let you know.

(The statement concluded at 12:03 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that STEVE MAYNARD personally appeared before me on June 22, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 27, 2023.

Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named STEVE MAYNARD, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 27, 2023.

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

TARA LEE MALONE

DATE TAKEN: June 22, 2023
TIME: 1:32 p.m. - 1:57 p.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

Cynthia F. Leverett, FPR
Certified Stenographic Reporter
Notary Public, State of Florida
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Chiefland, Florida 32644
386-256-1457

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Florida Department of Law Enforcement
Office of Executive Investigations
2331 Phillips Road
Tallahassee, Florida 32308

- - -

WHEREUPON,

TARA LEE MALONE

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. State your name for the record, please.

A. Tara Lee Malone.

Q. How are you currently employed?

A. Human resources director for the City of Alachua.

Q. How long have you held that position?

A. Just over a year.

Q. And prior to that, did you work at the Alachua County Sheriff's Office?

A. Yes, I did.

Q. In what capacity?

A. I was the sheriff's executive assistant.

Q. For how long?

A. About a year and a half.

Q. I want to come back to what your job duties and responsibilities were; but I want to ask you, prior to holding that position, what was your job?

A. I was administrative services manager for the

Alachua Police Department.

Q. How long did you hold that position?

A. That position? Well, I've been with the city since '97 in varying roles, so maybe since '16-ish.

Q. Do you -- other than working for the sheriff here in Alachua County for the past -- for that period of time, did you ever work directly for Sheriff Clovis Watson?

A. Yes, I did.

Q. And when was that?

A. City of Alachua. Like I said, I started in '97 at the police department, and he was the deputy chief, or major, I think it was, back then, and I was the staff assistant -- or crime analyst. I was hired under a grant first, worked with him there. And then when he was appointed interim city manager in 2002, I went over as his assistant.

Q. And how long were you his assistant?

A. Until 2009, I believe it was, when he retired from the city.

Q. From 2009 until you were hired at the sheriff's office, did you have any professional relationship with Clovis Watson?

A. Not professionally, no.

Q. Did you have a personal relationship with

him?

A. Yes.

Q. Can you describe that?

A. It's just -- he and I have been close over the years. You know, you talk and get to know people you're working with. And one time he was, you know, "Tell me about your parents," just regular conversation. And it came up my father was killed in a motorcycle accident in Alachua, and he was actually -- he recalled it; and I believe he was actually on scene, and it's just kind of been a bond since then.

Q. Is that relationship the same now as it was then?

A. Yes.

Q. And you're still good friends with him?

A. Yes.

Q. Why did you leave the Alachua County Sheriff's Office?

A. I just -- that was a tough beast. It wasn't -- I enjoyed working with him. I know him. You know, we work well together. He knows me. I just didn't -- it just wasn't a comfortable environment.

Q. In what way? When you say "comfortable," I'm assuming you mean you were not comfortable.

A. Yes. Yeah.

Q. What was it about that position that made you uncomfortable?

A. I wouldn't even necessarily say it was the position. Quite frankly, it was, in my perception, a house divided. You had the folks that were part of the previous administration, then there were folks that I guess, for lack of a better term, just frankly didn't like him. And I was guilty by association, is how I perceived it. And I won't say that about everyone. There's almost a thousand employees, so there were good folks there; but I just -- it was a constant upstream swim.

An opportunity came up in Alachua; and they reached out, and I went back. It was a tough decision for me. It was an emotional time because I felt like I was abandoning him.

Q. Okay. So let's go back, then, and let me ask you to address -- when you started at the sheriff's office under Sheriff Watson, were you in the same position that you were in when you left?

A. Yes.

Q. And what was that? What was the title of that position?

A. Executive assistant to the sheriff.

Q. And what were your duties and responsibilities?

A. General. I mean, office, clerical, maintained his calendar, messages, you know, fielded calls if we had to coordinate any type of efforts or there were special requests that came through the sheriff's office.

A bulk of it was just learning my way around too. I mean, their policies and procedures are very different than what I was accustomed to at a larger agency. I can't imagine anybody going into that position without law enforcement experience, quite frankly, because I was struggling, and I felt fairly confident in my abilities and knowledge --

Q. And you had worked in a law enforcement agency for quite some time?

A. Yes.

Q. It just didn't translate?

A. No, I wouldn't say that. It's just different. I don't necessarily look at it as, you know, someone else's way is right or wrong. It was different, and it just took me a while to get used to it.

Like in Alachua, for example, I've been there so long I know what goes where. I know how the

departments work together. A lot of folks just see where they're at and don't realize how it connects and the impacts that it has on an organization overall.

And that part of it didn't really bother me. It's just I'm a bubbly person. I say hello. I smile. I shake hands. I give somebody a hug. There were times it was just -- you'd get a, you know, grimace or a snuff.

And I can even remember some of the folks that I did talk to that I had befriended, they were like, "Well, they don't know you."

I'm like, "They don't even give you a chance."

Q. So let me ask you, who else was on the command staff while you were there?

A. Initially, it was Mr. Clark and Simmons, I believe. I really didn't work with them. They would come in periodically and say hello. For the most part, they went in and, you know, spoke with the undersheriff.

Afterwards, Mr. Corwine came in. He was one of the majors, and then Blizzard was promoted. Stafford was promoted, so he would have been part of command staff at that point.

Q. Were there other non-law enforcement

personnel who held administrative positions other than you?

A. Yes.

Q. Like, I mean, that would have been -- I don't know how else to describe it, but in the sheriff's suite? Like, was there an executive director or --

A. Mr. Rush was there. And then later on Ms. Judd, who's my mother, came in as the chief of staff.

Q. Is she still there?

A. No, she's not. She's retired.

Q. Okay. And when did she leave?

A. I think it's only been a month or two ago. Just recent.

Q. What's her full name?

A. Danielle Judd.

Q. She's your mom?

A. Yes.

MR. KRAMER: Go off the record for a second.

(An off-the-record discussion was had.)

BY MR. KRAMER:

Q. Do you know who Michelle Klement is?

A. I do.

Q. And were you involved with any incident with her and the sheriff that resulted in her transfer?

A. No, I was not.
Q. Did that happen while you were at the sheriff's office?
A. No, actually, I don't believe it did. She reported to Ms. Judd.
Q. Okay.
A. I'm almost positive only because I did run into her outside of the office; and I'm pretty sure I was at the city, because she told me that she was transferred.
Q. Who took your position when you left? Do you remember?
A. Yes, Courtney Barecca, at my recommendation. Well, actually, I apologize. I think they put her into the undersheriff's executive assistant, and then she transitioned over after I left.
BY INSPECTOR SNOWDEN:
Q. Were you present during a time when Michelle Klement had issues, she was called up to the sheriff's office to speak with him?
A. I want to say there may have been more than one. I did hear about one that she was pretty upset about, but I wasn't present.
Q. Do you know if your mom was?
A. I think she may have been for one of them.

Q. Was the sheriff always the same person at his last job where you worked together as he was here at Alachua Sheriff's Office?

A. Honestly, if anything, he was a little bit more lax. He was -- I don't mean this in a bad way, but his presence sometimes can be intimidating by others; it took me a while to navigate, you know, as you get to know someone, so I get it.

But there were things that before, I was like, "Oh, that's not going to go well."

He was like, "Well, you know."

I was like, "Huh."

So I don't know if that was just with time, but ultimately still, yes, the same.

For the most part, I could -- if someone asked me -- because there were times people would say, "Hey, what do you think about this?"

I'd say, "Look, not to speak for him, but I can tell you historically it's going to play out like this or this is how he would approach that."

So I wouldn't say there was a difference. Like I said, if anything, he was a little bit more lax, lax in response, maybe.

Q. When it came to promotions within the sheriff's office, how was that process worked out?

A. He would take his time. He'd have me pull up the individual's photographs; because the sheet that they used to produce from HR was a spreadsheet that the picture was about that big, so he wanted to, you know, have something he could look at. And then they had typically bios that went with them or where they ranked on the list.

Now, granted, the ones that went to command staff that were outside of the process, the promotional process, were different, but he would review them. He'd change things around or -- sometimes I would type the personnel orders, so that's the only reason why I would know he was looking at something or talked to someone, and it would change.

BY MR. KRAMER:

Q. Why would he need a photograph?

A. He just liked to -- so he can see it on the -- like I said, it was about that big. I think he was trying to learn people too. Like, I would see a name, and I would look up their picture and like, okay, yeah, I remember that; but that was just trying to get to know people, for me.

Q. Is there some job-related function that is tied to someone's appearance?

A. No, I don't believe so.

BY INSPECTOR SNOWDEN:

Q. You said sometimes he would change the order around. Did you mean if somebody was at the top of the list, and there was a candidate that would end up being promoted that was lower down?

A. No. It would just be -- sometimes it would be like where their assignment would be, if someone was coming in; because then if he promoted somebody else, then that would change. Because sometimes we would have massive "go." So if they pulled from one person initially, they would put them in another spot, and they would have to move them to fill a vacancy for another promotion.

Q. So the promotions that were made, say, for a nontested position, do you know how they were arranged?

A. No. Those I sometimes found out after the fact.

Q. The order would just come down to you?

A. I didn't always do the order. That was just if it was something that he was working on. It wasn't all the time, I guess, is what I'm trying to say.

Like when Bella was promoted to major, Stafford was promoted to major, I didn't know about those until they happened.

Q. Did you type the order and send those out with the sheriff's signature, or would that come from HR?

A. One of two ways. If it was one he wanted me to do, I would pull a number, assign a personnel order number and type it. And then he would sign it, and I would send it out.

Q. Did you have anyone who reported to you?

A. No.

BY INSPECTOR RIDDICK:

Q. The information flow between the sheriff, the suite, I guess you'd say, not just the sheriff, and the rest of the sheriff's office, how would you describe it?

A. Just within the suite? I mean, I guess it depended on who was involved in whatever was going on. I would say the majority of the time the undersheriff would be involved. If it was something, you know, they needed to let me know or needed me to document, they would let me know.

Q. Were they memo writers? Were they heavy about sending a memo to the patrol, we need this or, you know --

A. I don't know that there's a specific answer to catch all of that. For example, you know, we would

get a request for assistance from the UPD for football games. You know, I got the email. The sheriff signed off on it, and I would walk it down to patrol.

Q. Speaking of the sheriff's signature. Stuff that came from below, you know, anything that -- say I'm chief of detectives, and I need -- or I want to recognize half a dozen of my guys for a good job. How did that work?

A. My understanding, it would go up through their chain of command and then come in. We had a log. As soon as anything came into the suite, myself or the other assistant, whoever received it first, would, you know, document it. I'm pretty sure, actually, we had a time and date stamp.

Q. What was the turnaround on it?

A. It depended on what it was, quite frankly. We would always have a folder. Laura would have stuff she would go over daily with the undersheriff. I would have my folder with the sheriff. Sometimes there were things he wanted to hold off on for whatever reason. And then if it was something he was either anticipating or knew about, you know, he would sign it. And then we would make sure it went back to whoever it needed to go to.

BY MR. KRAMER:

Q. Did you handle requests for secondary employment?

A. They did come through our office. I honestly don't -- I'm trying to remember if he signed off on those, or the undersheriff; but yes, they did come to the suite. But again, they were logged with our regular routine, the correspondence file.

Q. I don't know how it works over there. I know how my office runs, which is when we have a new employee, I swear them in, raise your hand, take an oath. Did the sheriff do that with his employees?

A. I don't recall that, no.

Q. So how was the swearing process done?

A. I don't know. I wasn't involved in it.

BY INSPECTOR SNOWDEN:

Q. If CID had a major case that they needed to discuss up the chain of command, would that go -- what's that process? Say the captain of CID --

A. As I recall, they would go to their major. And the major would come into the suite and either get with undersheriff or sheriff; and if it was something, the undersheriff probably would get with the sheriff.

Q. What about patrol?

A. Same concept as far as I know, yeah.

Q. What about professional standards?

A. I think those were a direct report to the suite, so I don't know if they went always directly to the undersheriff or the sheriff. That wasn't always the case. Actually, I'm trying to remember when I first started, because I wasn't familiar with that as far as the forms and whatnot.

I think Captain Kelly was over OPS at the time, but I don't know -- I can't remember who they reported to. That was new to me. I hadn't been involved in that.

Q. How about as you stayed there a little bit longer, who did they end up reporting to?

A. It was a direct report to the sheriff, but I feel like there was a change in the org chart because I -- again, that was another thing as far as accreditation, anything that went had to go through there first.

And that was just something I wasn't, you know, accustomed to, so we were -- Captain Biel was over that, very much involved with her. Then if something did change, she had to go through the whole -- you know, wherever it was mentioned in the policy and update it.

Q. So would the chief inspector of OPS, would they go directly to the sheriff to talk? Or would

they go to the undersheriff? Or would they go to the colonel?

A. Well, the colonel wasn't always the colonel. So he was the major initially, but I want to say it went to -- they had a fast-track process and then the formal.

I know the sheriff was the last one, but I believe it still did go through the chain. I think there was a recommendation from first supervisor, captain, major, undersheriff, and then sheriff. It's been a bit, but I think that's how it went.

Q. I think, more direct, my question is, if the chief inspector came to the suite and had to talk to somebody, who would that be?

A. The sheriff or the undersheriff. I've seen it both times.

Q. Did Sheriff Watson reach out to you for the position that you had as his executive assistant, or how did that come to be?

A. That was actually something we both kind of talked about. I had kind of reached as high as I could go at APD, and it was something kind of just jokingly, you know -- because even when he went to state house, he was, you know, "You can always come up here," just bantering with one another.

Like I said, when he did get into office and I talked to -- Chad was my chief at that time at APD. And at the time I didn't think I was going to go, but, you know, after just reflection, I thought it would be something new, a new opportunity.

Like I said, I'd kind of reached my cap. Without the position that I'm in now, there really wasn't anywhere else for me to go.

Q. And Chad Scott followed you. How long was that?

A. That was probably -- I believe it may have been less than a year, but it was a bit. Or maybe right at -- Jessie, I think, became chief February of last year, so it may have been just over a year.

BY INSPECTOR RIDDICK:

Q. Did you keep the sheriff's calendar --

A. Yes, sir, I did.

Q. -- for him?

Speaking of the swearing-ins and just general HR stuff, was he deeply involved in HR and stuff and have to go to meetings? Or did he leave that up to your mother, I guess, once she took over?

A. Actually, at one point I was going to provide that. I had a history in HR, and at one point he had asked me to kind of do an audit and overview of the

processes there. It just seemed like there was a little bit of a disconnect with that department.

I wouldn't say that he was intricately involved. Quite frankly, there had been some complaints from within about how that department was running; and he had talked to me about it, and I had gotten direction to do that. We had a temporary office, and I just never made it in there. We just never really had the time, quite frankly.

But I would be involved, you know, if something did come up only because I know how he is, and he would want certain information. So if anything did come to my attention, I would reach out and ask questions.

BY INSPECTOR SNOWDEN:

Q. It's been said that he's very direct when it came to respect of the office. Can you elaborate on that a little bit, or his position?

A. I just think that's a matter of the position. I mean, it's -- and again, this is in my view; I know it's not shared, but it's reciprocated. And I also would even go so far as to say, you know, you may not respect the person, but you will show the person respect, if that makes sense. You can not respect but treat someone with respect, I think, is maybe more the

mantra. I don't know that it's anything detrimental. I don't look at it that way.

Q. Conversely, were there issues if he perceived that he was being disrespected?

A. Again, that was kind of one of the things that I would say he was a little bit more lax on. You know, he'd just kind of -- one of his sayings is don't accept the invitation to hate.

So if someone's, you know, intentionally or a perception of intentional, he would just give them their space. If they would come around, they'd come around; if they didn't, they wouldn't.

A lot of what happened there, to me, was just on a much larger scale than how it was in Alachua when he became city manager.

BY INSPECTOR RIDDICK:

Q. I was going to ask a follow-up with that. How was he at Alachua, and at APD for that matter, when it came to -- if he was more lax now, what would the old Clovis Watson have done?

A. Maybe been a bit more firm. Again, I just -- I need to give you a historic perspective.

When he became city manager, there was a mass exodus of city employees and department-level -- department director positions; not that there were

that many back then. I mean, it was just -- there was a climate in the community.

We had a death of a child, and the city was, you know, blamed for it and ultimately responsible; so when he came in, there was a lot going on. There were several community sects that were trying to drive the force. They were very anti-development. It was Dollar General. Adam Webb was deceased; that was the child, and it was right there at city hall with a transformer.

So there was lot going on in the community, and again, it was kind of a community divided. And when he was appointed by the commission at that time, I think the perception was that he was a pawn of those who appointed him because the commission wasn't really a cohesive group at that time either. So that's when it turned in -- like I said, it was just what we went through back then in a much larger scale; but again, it ended up -- we had a rough couple of years, but it came together. People that had left came back. I mean, it really made a big difference.

Q. Did they leave on their own volition, or did he ask them to leave?

A. The majority did leave, and then there were two that -- I'm trying to think if -- maybe one was

terminated or may have quit; I don't remember, but again, even those came back.

I'm sorry. I don't know if that addresses your question. That just -- I felt like I had to give you some perspective.

Q. Well, I'm just -- there again, did they leave because they wanted to leave, or did he ask them to leave?

A. The majority left because they wanted to, but again, it was because of the way the commission was running. I think they believed that he was just going to be their -- you know, their pawn, quite frankly.

BY INSPECTOR SNOWDEN:

Q. There's been a lot of promotions, a lot of transfers, especially at the beginning of the tenure of the sheriff. Do you know how those transfers were put into place? Were individuals asked where they wanted to go? Were they told where they wanted to go? Were they resumed positions?

A. I was not involved in that in the beginning. I did -- I know -- I believe -- because I didn't even know who Corwine was when he came and sat at my desk one time, and I was, in my mind, "Who's this guy?"

He was talking to me like I knew who he was, and I had no clue who he was.

So I know he was helping with some of the moves with the undersheriff beforehand, but I really wasn't involved in those. I couldn't tell you. Other than when they came to the suite, and we'd take a picture and they'd get their new badge and stripes or whatever it may be.

MR. KRAMER: All right. Well, that's it, then. Thank you so much. I apologize if we've inconvenienced you. I appreciate you coming in and talking to us.

(The statement concluded at 1:57 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that TARA LEE MALONE, who produced a Florida Driver's License as identification, personally appeared before me on June 22, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 27, 2023.

Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

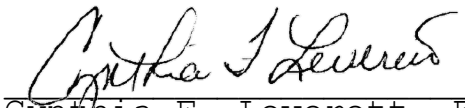
I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named TARA LEE MALONE, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 27, 2023.



Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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SWORN STATEMENT

of

DANIELLE JUDD

DATE TAKEN: June 28, 2023
TIME: 3:17 p.m. - 4:45 p.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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- - -

WHEREUPON

DANIELLE JUDD

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. Ms. Judd, could you tell us your full name, please?

A. Daniel Joanne Judd.

Q. Are you currently employed?

A. No, I am not.

Q. Are you retired?

A. Somewhat.

Q. Okay. Would it be more fair to classify you currently as unemployed?

A. Yes, but I am going to American University under their masters program right now.

Q. What are you seeking a masters in?

A. International relations. I've got a really solid background in local, state, municipal government. I've been in the business for 35-plus years and just wanted to kind of take a different step.

Q. Okay.

A. So hopefully, in two years, I'll be done.

Q. That sounds wonderful; challenging, but wonderful.

A. Yes.

Q. So I do want to review with you your work history. I understand that you worked with the sheriff most recently. Can you tell me just a review of what your work history is?

A. So I've got 35-plus years of experience in the public sector. I'm a graduate of the University of Florida Political Science Public Administration Program. I started out as -- I was the young lady you would see at the front, the receptionist. I had good mentors over the years that encouraged me to educate myself; I did. So I finished at UF.

In my history, I've worked for the City of Gainesville. I've worked for the Florida Parks Service, obviously, the City of Alachua. The City of Miami Beach, I was their budget officer when I left there. I didn't bring a resume. Obviously, City of Alachua, but it's all public sector experience. And a city manager, obviously.

Q. Where were you the city manager?

A. I was the city manager in Green Cove Springs, and I was down in Fort Meade for a couple of years.

Q. As a city manager there as well?
A. Yes.
Q. That is an extensive history.
Let me ask you, then, during your work history, other than when you worked at the Alachua County Sheriff's Office, did you ever work with Clovis Watson Jr.?
A. I did at the City of Alachua. I think I was there for nearly seven years. I began there as a grant administrator. I have a solid background in that as well.
And then I kind of progressed from there to over planning. And then the final position I had there was the assistant city manager, had several direct report departments.
And I left there in, I think, December of 2010 and became city manager in Green Cove in January of '11 and stayed there for seven and a half years, and then Fort Meade, and then ultimately up here at the sheriff's office.
Q. So let me go back to your time at the City of Alachua. During the time you were at the City of Alachua, was Clovis Watson Jr. the city manager?
A. Yes, he was. At the time I was hired he was the city manager, had just recently been placed in

that position.

Q. And so for the entirety of your time there was he the city manager?

A. Except for maybe the last six months or so, because at that point he was -- they were transitioning to the other assistant city manager, who was going to become city manager; and that was Ms. Tracy Kane.

So there was a brief period of time when that transition was going on, but I think technically he was still city manager. And then, like I said, I went on to Green Cove to become city manager there.

Q. So you last -- before you started working at the sheriff's office here most recently, the last time you worked with Clovis Watson would have been 2010?

A. Correct. Before the sheriff's office, yes.

Q. Okay. And during the interim between -- well, let me go back.

When you were working at the City of Alachua with Clovis Watson Jr., what was the nature of your relationship with him?

A. The last position I held was assistant city manager. I worked on a lot of capital projects, like I said, had some direct report departments, ran the planning, zoning, building, functions, code

enforcement.

I have a very strong background in finance and budget, so I worked on the budget there.

Q. Did you work directly with Clovis Watson Jr.?

A. Yes. He was my direct supervisor. He was my boss.

Q. How would you describe your relationship with him when you worked with him in Alachua?

A. Professional, cordial.

Q. And was there any form of personal relationship with him? Did you associate with him outside the office?

A. I didn't socialize with him outside the office, but he has a personal relationship with my daughter. They're very close, but that's not -- that has nothing to do with my employment or anything.

But yeah, I would characterize as that I knew him in context outside the office. We didn't socialize. We didn't run in the same circles, but I did know him. You know, like, I'd been to his home once or twice for events, but that's it. You know what I'm saying? We did not socialize.

Q. In the interim, between 2010 and when you became an employee of the sheriff's office, did you maintain a relationship with Clovis Watson Jr.?

A. No, I don't recall. When I went to Green Cove and then went from Green Cove to Fort Meade, I don't recall seeing him during that time period.

Q. Now, your daughter, did she maintain a close relationship with him during that time period?

A. I would say so. She's been local, you know. And she initially, I think, worked for him as his executive assistant, and so, yeah, I'm assuming they maintained a relationship during that time.

Q. How would you -- back in 2010 and before when you worked with him, with Clovis Watson Jr., how would you describe his management style?

A. He's very -- I would characterize it as direct, lets you know what his expectations are; you know, doesn't micromanage folks, just gives you some general parameters of what he's looking for and gives you the leeway to kind of figure out the best ways and means to get the project done.

I didn't have any trouble working with him, but, you know, I'm a very independent person. You just give me some general parameters, tell me where you want to end. And my work has always been very solid. So whenever, you know, I worked for either city manager or when I became a city manager, you know, my mayor and commission always knew that

whatever information I was giving was solid, I did all my background work, that type of thing, and I took pride in what I did.

So I'd say that's a characterization.

Q. Okay. So let's move forward, then, to around the beginning of 2021. How did you ultimately become employed by the Alachua County Sheriff's Office?

A. I had a conversation with -- at that point he was the sheriff. He'd been in office for a couple of months, and he was looking to, you know, kind of build his team.

I was in the final year of my contract down in Fort Meade. And, you know, a conversation struck over the phone, and he indicated to me that, you know, there might be a position available. And so we had a dialogue and one thing led to another. And then I gave notice to Fort Meade sometime in March, I think, somewhere thereabouts.

Q. March of 2021?

A. Yes.

Q. And when you are initially hired by the Alachua County Sheriff's Office, what is your position?

A. It was chief of staff, and the duties under that were basically the civilian side of the house.

Q. Okay. And so at that point reporting to you would have been finance?

A. Yes.

Q. And personnel?

A. HR, initially, and then at some point in time it was moved directly under him. I had the combined communications center, which also included radio communications. I had the whole information technology grouping, which was huge for the sheriff's office. I had property, facilities, evidence. I think that's it. Property, facilities, evidence. I'm just trying to go through the list. I think that's all of it.

Q. So you mentioned that initially you had HR, but then eventually, or at some point, it's moved from you to the sheriff?

A. Correct.

Q. And what happened there? Why would that occur?

A. I don't know. That was a decision that he made.

Q. Was there a problem that foresaw that, you know, that occurred?

A. Not that I'm aware of. I think he just wanted to have that particular department as a direct

report, which is not unusual sometimes. At time, even based on my experience, the city manager, sometimes areas like finance and/or HR will be direct reports. Unlike police and fire, sometimes they can be high profile areas.

I don't recall the reason being, but -- other than at one point in time it was moved over to report to him.

Q. While you had HR under your administration, was there a requirement that applications for employment or applications for transfer within the agency be accompanied by a photograph?

A. No. I don't recall anything about applications, not that I have -- in other words, if you wanted to apply for the job, you had to submit a photograph. I don't recall anything like that.

I know that with regards to HR processes, when -- they would call them personnel orders, like this particular individual was moving from one area to the other, or particularly if there was a new hire or a transfer, when the hiring manager would make a recommendation, you know, you would outline all the candidates that applied for the position, internal or external, which is not unusual.

And then I do recall with those cover memos,

that there would be a photo if it was a current employee off of the -- I forget the name of the program that you could, you know, go in and have a photo attached to it.

Q. And was that something that was implemented while you were in charge of HR?

A. No, I don't recall that then; but I do know that, I guess, in the last year or so, that he had asked to have photographs attached to what I call the hiring memos, you know, who interviewed internal, external. He wanted to have what I call a package, which is not unusual, of -- you know, if someone turned in a resume or whatever. But if they were current employees, then you would have a photo off of whatever that software system was internally.

Q. And do you have any understanding of what the rationale was to why a photo of a current employee would have to be included?

A. My interpretation was that he was new to the agency, wanted to learn the different employees, and that that helped him match a name with a face. I mean, that was my interpretation of that.

Q. Is that because of a conversation that you had with him or had with someone else or --

A. No. That's my interpretation, knowing that

he wanted those things attached. That was my assumption.

Q. When someone is hired as an employee who is nonsworn, that would have most often fallen under you, correct, initially?

A. Well, not necessarily. So let me back up a little bit.

So if there was a new hire for a civilian position -- like, during the time I was there, we had an IT director retire. We went through recruitment. Do you know what I'm saying? We had a panel review and made recommendations; but ultimately, in a constitutional office like that, the hiring authority is always the sheriff, not -- unlike in a city, the final hiring authority is the city manager. So you would make a recommendation to the sheriff on your top selection.

Q. Correct. And my question was bad in the sense that what I was really asking is that the person would ultimately fall under your input once they were hired because you had the vast majority of nonsworn employees.

A. Yeah, that would be a good characterization.

Q. So were those individuals required to take an oath of office?

A. The only thing I can tell you is I'm assuming as such. I know when I was hired I had to sign what I thought was an oath of office, and there was another statement about -- I don't know. It's the old statement -- I hate to use the word Americanism versus communism, I don't know, something along that line.

But whatever that statement was, I signed it. It basically pledged -- you know what I'm saying -- that you understood that you were taking a position.

I never was asked to do an oath of office. You know, I never did like what I did here today, but I do recall signing some kind of form.

Q. When a deputy sheriff is hired, when during that process would that person take the oath of the deputy sheriff, the oath of office with the deputy sheriff?

A. I don't know. You'd have to ask HR about that.

Q. And my understanding, from looking through some records that we've received, is that it shows that you do a final checklist of a hiring packet.

A. Okay. So I think what you're referring to is when -- regardless of the position, they would put together an entire application packet. It would have the individual's background, the application that they

filled out, the results of the psych eval, and also the results from the lie detector test, whatever that technical term is. And I think those were the major components.

And so there -- it would start with the hiring -- I think it started with HR. That went through the hiring manager, then came to me. It was the undersheriff, and I think at the time when the colonel was brought on board, and the sheriff; but like I said, the final signature on that form would be the sheriff.

I would look at the packet. I would weigh in on my recommendation. And I can tell you that I did not always necessarily recommend a hire. If I had concerns, I would write at the bottom, you know, "See page whatever," you know, that type of thing. Ultimately, like I said, it went to the sheriff. And at the end of the day, I did not know what the final decision was. You know what I'm saying? It didn't come back to me.

But I was very forthright. If I saw something that I thought flagged in the file, I would mention it, and I'd write it down.

Q. Okay. But part of that was not to ensure that there was a proper -- that all of the

documentation that was necessary for the hiring of an employee was present?

A. I wouldn't characterize it as that. What I would share with you is, I always made sure when those files came to me that they were a full packet. If I thought that there was a part of the puzzle that was missing, I would say something. I would ask. You know what I'm saying?

So I just want to clarify that.

Q. Okay.

A. But I guess I would call it a completeness review. That would be the correct characterization. So yes, I did do that.

Q. So I want to ask you about a couple of the specific situations that you may have knowledge of, the first of which is Michelle Klement.

A. Yes.

Q. Do you recall Michelle Klement?

A. Yes, I do. She was a direct report to me.

Q. And prior to her being transferred to the jail, how would you have described her job performance?

A. I would describe her as very confident, professional. I know she's a leader in her field. At one point I think she was telecommunicator of the

year, or something along that line.

That operation, as it is anywhere, is a pressure cooker, so it does take a certain toll on an individual. We were down a lot of positions, which I know was hard; but I thought that she was a professional, and I enjoyed working with her.

Q. So at some point there is some incident that occurs where, for lack of a better way to describe it, something happens where she is, I guess, blamed for something that has gone wrong. Do you know what I'm talking about?

A. That's kind of an open-ended question. I'll do my best.

Q. I mean, it has to do with -- and I can give you more specifics to make sure we're dialed in on the same incident because, ultimately, my question is very simple: Can you tell me in your perception what occurred?

It is the situation that has something to do with the combined communication center dispatching for the GPD task force on the interstate.

A. So that would have been my response.

So that's the interdiction team. There was a point in time, as you know, where, for whatever reasons, we, meaning the sheriff's agency, stepped

back and took a pause from that.

So I do recall that there was a -- not a scheduled meeting, but a meeting called by the sheriff in his conference room. I was there. Michelle was there. I think at that time Major Blizzard was there, who was over like the support services area. I don't know if Chad Scott was there or not. I mean, I'm trying to remember the point in time he came on board in that capacity. Josh Crews was there. At that time I think he was a captain, because that was an area he was over. I don't know if Jake Rush was there, general counsel. I'm trying to kind of go around the room. I don't know. There were at least six, seven people, and I do recall the topic came up.

At one point Michelle got very emotional; I remember that. And she asked to be excused and basically left, went to the lady's room or whatever, came back a few minutes later and we, you know, finished the meeting, you know, whatever, whatever.

And I believe at that point that played a role in his decisions; that's my opinion.

Q. So what was the nature of the concern with Michelle in that meeting? Like why is she -- why is she becoming upset? Why is the meeting occurring with regard to this incident?

A. Probably questions you need to ask Ms. Klement; but my observation as a manager is, as I indicated to you, she was under a lot of stress. And I was -- I guess, as a manager, I think my job is to mold people. And I was hoping that there would be some way that I could work with her to get her to step back, take some time off, you know, do whatever she needed to do. And it wasn't her fault. Do you know what I'm saying? It wasn't her fault.

And I think that the sheriff felt that the behavior exhibited in that meeting was unprofessional and -- you know, and I understand that. And it wasn't meant to be disrespectful at all.

I just think that as a result of that, there may have been some other things that I don't know about. I think that he made that decision, that he didn't feel or think that she would be the right fit for that job. And, you know, any manager can do that. Any manager can place people where they think is the right spot; but for me, as a manager, I always prefer to sit down and talk with people and say, "Look, this may not be working out. Let's figure out another path here."

To the best of my knowledge, that didn't happen. And sometime after that, I don't recall the

time frame, he told me, you know, that he was going to take her out of that position. And he ended up bringing on Patricia Ford Thomas from UF, who I understand at one time had worked in combined communications center and, I think, actually had trained Ms. Klement at one point in her career. So obviously, she's qualified for the job.

So I had to sit down and have that dialogue with her. And then the sheriff transferred her to the jail, no decrease in salary. And then a few months after that I remember she ended up getting Ms. Thomas' position -- you know what I'm saying -- and went over and worked at UF.

Q. So you mentioned that the circumstances -- I think this is what you're saying, so I'm really asking you if this is correct, what I'm saying.

The circumstances that caused her to be present in that meeting where that -- where whatever happened that was not her fault, whatever those circumstances were. Is that what you were saying?

A. From my perspective, no. I mean, she -- she flagged it, I remember, either earlier on that day or another time. You know, she called me and said, you know, "I'm concerned, you know. We're doing these breaks."

You know -- and I understand what an interdiction force is, and you've got to be able to have the right communications. And from my observation, what was happening is that GPD was not doing what they needed to do. There was clearly a miscommunication from the command at GPD to their folks as to what channel they should be on, how we should -- you know what I'm saying -- flow through.

It's a combined communications center. We still have to do their dispatch, and we're certainly not going to dispatch for someone just because, you know, we're doing a different policy switch. So that was my observation.

Q. So I guess what I'm wondering is, we have an employee who's present in a meeting who is not involved for whatever this problem is, and from there we end up with that employee having some kind of what you've described as an emotional time --

A. Yes.

Q. -- in the meeting.

A. Yes.

Q. And then, following that, we have that employee being transferred to a position that's essentially -- has nothing to do with what she has ever done in her career.

So what is it that -- how do we get from her not being at fault to her to having this emotional moment that is so devastating to the sheriff's perception of her that he transfers her with no salary reduction to something she has no training in doing, if you know?

A. I do not, no. No. He did not discuss it with me.

Q. I understand. But you are an extraordinarily experienced manager in these type of situations, and you can understand that that series of events, going from someone who is not at fault to has some -- I don't know what would happen to a non-at-fault employee having some kind of emotional situation in a meeting, and that that leads to her being essentially put in a position where she is -- you could hire somebody off the street to do it.

Like, I just don't understand how we could have that sort of sequence of events just based upon someone having an emotional day. Do you understand what I -- does that make a lot of sense?

A. I understand your characterization.

Q. Am I missing something?

A. I've shared with you everything that I have direct knowledge of.

BY INSPECTOR SNOWDEN:

Q. Do you know what made Ms. Klement so upset?

A. I think it was stress, quite frankly; I really do. When I met Michelle initially, I think she wasn't quite sure how to take my management style, quite frankly. And so, like anyone else, you kind of merge. And then she, you know, figured out where we were headed, what we needed to do, my management style.

I work with people. They don't work for me. I want people to succeed. And we ended up working together very well. I pushed hard on getting positions filled, and Michelle and I were on the same page. I even wanted to do things differently but didn't get support for it, quite frankly. I mean, that's common knowledge. I wrote a white paper on the topic.

I just think that he, as his purview, you know, as a constitution officer, wanted someone else in that position. And I don't know the relationship between him and Ms. Thomas from UF, but Michelle, I will say, to her credit, behaved or carried herself extremely professionally, was respectful.

We had, I don't know, Thanksgiving or one of the employee banquet things, you know, and were

serving people; and the sheriff came by, and she was very professional to him. She --

Q. Was that after the fact?

A. Yes, it was.

And so I will share with you that she carried herself with class, the same way I would have done it if I had been in a similar position. It just goes with the nature of the job.

Q. Anybody else that was in that meeting that wasn't at fault but were still over that? I think you said Major Blizzard and Captain Crews. Were they emotional, or was there any issue with them? Or was there anything --

A. No, not that I can recall. Like I said, as I indicated -- I'm saying more than I need to or should.

You have to understand when an employee is under stress -- and that is my professional observation of Michelle, and she worked -- she is one that really wants to have perfection, you know. And so I think that she just felt like she was being blamed for something.

And I'm using the words "felt" and "feel." You know what I'm saying? And so I think that she just got emotional. She almost like was crying a little bit, holding back tears, and she excused

herself.
BY MR. KRAMER:
Q. What was the sheriff's demeanor during the meeting?
A. He was very direct, you know, not -- not unprofessional or anything, but he, you know, indicated and asked some questions and -- now I'm just trying to remember. It's been like a year or so ago.
I'll be honest with you, I don't really know why she got so upset like she did. I'm just sharing with you kind of my, you know, looking back, hindsight recollection of it.
I know I checked on her before I left that day, went over and talked to her a little bit, you know, told her, you know, kind of like, you know, step back, take it easy.
You know, you have to be empathetic and know when an employee has reached their max, and I think that was it. So --
Q. It seems like the answer here might be that she was being blamed for something that she was not at fault for. That seems like it would upset an employee, at least that's the common sense of what I'm reading into this situation. Am I accurate in that? Is that why she's upset?

A. I think there may have been other things. You know what I'm saying? And I don't know what those other things would be. I just know that she got very emotional in the meeting, and the -- like I indicated to you, she is -- she's very meticulous, very -- takes her job -- I don't know -- to heart.

You have to understand the call load that we have over there. You know we had, you know, all kinds of stuff, and it just -- I think it was too much; I really do.

Q. Sure. I just -- I guess it would -- if you're telling me you don't recall, that would be -- I just have a -- I don't know that the why of it would be a mystery in that situation. Like it seems like it would be you've got a sheriff who's not happy about something. You've got an employee who is not at fault and very upset about what's happening at the meeting. The why in it doesn't seem like it would be a mystery in that situation. The why of why she's reacting the way she is, that she's under stress, fair; but what's causing the stress doesn't seem like it would be in that situation.

A. I've shared with you my observation. We were severely under staffed. People were having to pull a lot of hours. She and I, as well as her assistant, I

think her name was Kim Kutner, were concerned about the staffing, and it just seemed like we -- you know what I'm saying? We couldn't get where we needed to go. And I think that, you know, it's one of those things where it kinds of builds.

And, you know, you have to understand that you're dealing with an individual that's very professional. And if an individual feels that they've somehow failed, right, you know, that person gets very emotional.

Her thing always was officer safety. You know what I'm saying? Make sure everything is done correctly. And, I mean, I don't know if there was something else that happened earlier in the day -- you know what I'm saying -- where the sheriff was dismayed about something; I don't know.

All I know is that we got called into this meeting, and she got very emotional.

BY INSPECTOR RIDDICK:

Q. Ms. Judd, you've made a very good description of your observations, and it sounds to me like you're blaming Ms. Klement for getting upset; but at the same time you've told us that y'all had worked through everything, y'all were -- how long had she been in this job?

A. She got promoted as the director of that area not long after Mr. Watson was put in office.

Q. How long had she been in communications?

A. Oh, God. Probably 20 -- I'm guessing her entire career was probably communications.

Q. So she probably worked her way up the ranks?

A. Yes. Yes, absolutely.

Q. So she's probably been short staffed for 20-plus years. Communications are notoriously short staffed.

A. Right.

Q. So, like I said, it sounds like you're blaming her for being upset, but there has to be some sort of stimuli that caused her to have this breakdown in this meeting. What was that?

A. I'm sharing with you that I don't know.

Q. What did the sheriff say? What did Captain Butcher say? What did anybody say to her, ask her, accuse her of that caused this? I'm sure she just didn't sit -- wasn't just sitting there listening to this meeting and started crying?

A. All I can tell you is that I don't recall everything that was said. I know that she felt somehow that she was blamed. You know what I'm saying?

Q. What would make you think that? What was said to make you think that?

A. I think there may have been some comments by the sheriff that made her feel uncomfortable. I mean, I'm not trying to dodge the question. I don't remember much. All I know is that it was a very tense meeting. You know what I'm saying? He felt somehow that whatever he wanted done hadn't been done or something, and --

Q. Did he raise his voice?

A. Not that I --

Q. Did he slam his fist on the table? Did he shout at her?

A. No, I don't recall any of that behavior.

Q. So what would make her get so upset? If nobody else is speaking -- and we'll move past that because you can't recall.

She'd been in that -- not that job, but communications for decades. As a manager, you'd have -- put you on the other side of the desk. You had this happen. She gets upset. You talk to her, you calm her down, and then you move her into some place that she has no knowledge of. How is that beneficial to the agency?

A. So, from my perspective, I don't think it is.

Again, that's my perspective.

Q. And that's all I'm asking, ma'am.

A. And that's it.

BY MR. KRAMER:

Q. You're free to expand if you want. I don't want you to feel like you were cut off.

A. No. I just think that part of it felt like it was retaliatory in some fashion, in my opinion. And as I -- again, my opinion. And as I shared with you, I have a different management style. And as I said, I think that at times, I think, perhaps during the meeting, you know, she may have felt a little bit intimidated, you know, and so that may, you know, in some way -- you know what I'm saying -- cause an individual to get that way.

I mean, yes, I know communications is a churn. You know what I'm saying? And communications, with all the dispatchers, there's what I call the drama constantly, constant drama, okay, if you've ever had a police department; and I've had one of those.

But the staffing level was different then. You know what I'm saying? We had gone through COVID-19. You know what I'm saying? There were a lot of factors, I think, external to the organization. And for whatever reason -- you know what I'm saying --

she had a breakdown. She got extremely emotional.
BY MR. KRAMER:
Q. And I just want to follow up on one other thing with that. At any point did you or anyone that you're aware of ask her to apologize to the sheriff for her conduct?
A. I never asked her to apologize.
Q. Did you ever ask her if she was going to apologize to the sheriff?
A. No, I don't recall that.
Q. Do you know if she ever did apologize to the sheriff?
A. Not that I know of.
Q. Are you aware of anybody else who may have asked her to do that?
A. I don't have direct knowledge of anyone asking her to apologize.
Q. To your knowledge, did she apologize to the sheriff?
A. Not that I am aware of.
Q. Are you aware of the sheriff having an expectation that she should apologize to him for her conduct during that meeting?
A. He may have had an expectation of that, but I think he had -- he had made a personnel decision, and,

you know, that was it.

Q. After her transfer to the jail, was there any discussion about her -- about further disciplining her while she was at the jail?

A. No.

Q. So was -- do you ever become aware of Dorian Keith attempting to discipline her while she was at the jail?

A. No, not that I can recall anything.

BY INSPECTOR SNOWDEN:

Q. Who held the position that Ms. Klement took prior to her taking it?

A. I think his name was Jim Lanier, and he left right after -- he left right after Mr. Watson took office. He made some personal changes, which is not atypical of a constitutional officer after he came on board, and that particular individual was let go. And then Miss Michelle moved up a slot, and then the person that was up under her moved up a spot. And Ms. Klement was in that position when I came on board.

BY MR. KRAMER:

Q. So are you familiar with an employee by the name -- former employee by the name of Annie Waller?

A. No.

Q. So Annie Waller was a deputy sheriff. She

was involved in an officer-involved shooting. She was placed on standard, you know, desk duty following the shooting.

A. Okay.

Q. Then there was a disciplinary incident with her where she was alleged to have broken a monitor --

A. Oh, okay. Now I --

Q. -- at the sheriff's office.

A. -- recognize the name.

Q. I thought that maybe if I give you some --

A. Okay. Got it.

Q. -- background, it would ring a bell for you.

A. Right.

Q. Ultimately she ends up being disciplined, and she ends up either quitting or leaving the agency; I don't remember which one it is, but my question really relates to when she left the agency. It's my understanding that for some period of time the agency refused to pay her the balance of her leave or monies that was owed to her.

Does that ring any bells with you?

A. No. I mean, when someone leaves, if they've left in good standing -- you know what I'm saying? And a deputy sheriff would be covered by the PBA agreement. There's a process you go through -- you

know what I'm saying -- to discharge and insurance, whatever the case may be.

So I know that -- on that one, I think Jake Rush may have been involved in the final, you know, process that went out on that one.

Q. My question ultimately for you, and it doesn't like you're going to be able to answer it, so I understand, was, do you know why -- what the rationale would have been to withhold paying Annie Waller monies that may or may not have been owed to her?

A. The only thing I can tell you is that at times -- and it depends on the organization -- if an individual doesn't leave in good standing -- you know what I'm saying -- you can ratchet back some things. And so I'm not sure, you know, what the final resolution on that is or how it concluded at the end of the day.

Q. Is that something that would be under your purview at the sheriff's office at all, or do you just hear about it?

A. It wouldn't be under my purview in the sense that, you know, I'm not going to pay this person, but it would be in the purview of me being told -- you know what I'm saying -- to pause on this or to wait or

something along that line in terms of the checks. I mean, I would have known.

And it's been a while, but when you mentioned the name about the throwing of the monitor or whatever, I think that one was the one that was performance enhancing drugs or something.

Q. I never heard that one.

A. I'm trying to remember. I think -- I could have it confused with someone else, but I think that was the one where she may have been, at the end of the day, found to, you know, be using something that was inappropriate.

Q. Okay. Interesting. Well, that one will require more research on my part because that is news if that's correct.

A. Hopefully, I haven't led you down the wrong path.

Q. I didn't really know if that would fall within your -- the purview of your responsibilities at the sheriff's office, but I wanted to ask.

One of the things that I'm interested in is whether or not there were policies or standard operating procedures that were being implemented by the sheriff about decreasing the amount of things that would be placed in writings, IOCs or emails, to

document the activities of the sheriff's office.

Does that ring any bell for you?

A. Can you rephrase the question, make sure I understand?

Q. I'll make it more simple for you.

A. Okay.

Q. We have heard on multiple occasions from multiple witnesses that multiple individuals were told, "You're putting too many things in writing. You're putting too many" -- "we're getting too many IOCs," which is interoffice communications. I'm assuming that's a standard form at the sheriff's office.

A. Right.

Q. "You're putting too many things in emails. It's creating too many public records," is that something that was --

A. I do recall hearing about that in the office, but I would share with you my perspective on that.

Q. My question, really, is, is what is the rationale behind that? Why is that being told to employees?

A. So I'll be very direct on that. So Lord knows that agency needs an overhaul; that's all I can tell you. It's antiquated.

So you would have people in general write an IOC on something that you could just pick up the phone and talk to somebody about. And that would be my characterization of it, quite frankly, not that -- at least from my standpoint, not that we don't want you to write something down so it won't be a public record, but, you know, just pick up the phone and talk to somebody and ask a question on what you need. And that's my observation on that.

I don't think that it was done to not have a public record. I can say that, from my own perspective, if I want something documented, I'm going to put it in a public record, and it's either going to be in a memo or an email, period.

Q. I'm sure with your experience that you fully understand the public records laws and the governing of the sunshine laws and those kinds of things.

A. Yes.

Q. So let me ask you this. Are you aware at the sheriff's office there was a system in place so that text messaging using agency phones would be captured?

A. Yeah, I mean, that's under IT. So as far as I know, that standard is in place, yes. Now, I don't think it was when I first began there, but it is in place as I recall.

Q. Correct. And as a professional in this area, you and I both probably have this same issue, which is employees are required to retain public records when they create them on behalf of the agency.

A. Yes.

Q. And communications may or may not, depending upon the nature of the communication, become a public record, correct?

A. Uh-huh.

Q. If it's a case for us, if it's case related, it's public record. If it's "When are you going to meet me for lunch?" it's not public record, right?

A. Uh-huh.

Q. So my question really relates to, are you aware that the sheriff did not implement this capture procedure on his agency-issued telephone?

A. No. I mean, the only thing -- the only thing I know of is when we got the new radios which can show where you're at any point in time, the P25s, I do recall that his radio didn't show his location for obvious security reasons; but I'm not aware that any text messages on his phone were not captured. I'm not aware of that.

Q. You would -- would you agree that if that's what the agency is using to ensure the capture of

public records for the agency, that it would have been appropriate for that to be on the sheriff's phone because he is primarily one who could create public records?

A. I would say you need to follow the public records law.

Q. Sure. Don't we all.

A. Yes.

Q. Okay. But you personally are unaware whether or not he implemented that procedure on the phone that was issued to him from the sheriff's office?

A. I don't recall that.

Q. Are you aware of any other person with the agency that you -- that you do have knowledge of whether or not they implemented that on their agency-issued telephone?

A. Not that I know of. I know on my agency phone, you know, when I turned it in, everything was there.

Q. Understood. When you received an agency-issued phone, or at least when this system went live, there was probably some text message that you received that said you have to log into this system, this is what's going to happen, and you have to complete the some action to cause the phone to start

recording those messages.

A. All I can tell you is when I got my phone, it was ready to go. I didn't undo anything. Everything was captured, to the best of my knowledge.

Q. And IT might have instituted that on your phone before they gave it to you.

A. Well, actually, in the sheriff's office, the radio shop gets involved in the cell phones.

Q. Oh, so it's not IT. It's radio.

A. Yes, which is under the CCC umbrella. The radio shop is under that, although ultimately I think it was supposed to move over to IT, which is a better fit; but at the time that I was there, that was the hierarchy.

BY INSPECTOR RIDDICK:

Q. What's CCC umbrella?

A. Combined communications center, and I think they called it the technical services division or department; and that had the whole CCC, and it had the radio shop under it. And then IT was kind of everything else.

Q. Do you know anybody else at ASO that did not enable their GPS location for safety reasons?

A. Maybe the undersheriff.

Q. But nobody you know for a fact?

A. Uh-uh. The only one I know for sure was the sheriff for security.

Q. Let me ask you this. When you were in your position, did you have anything to do with the office of professional standards?

A. No. You mean internal affairs?

Q. Yeah.

A. No.

Q. So would you be party to communications, like hearing things with the sheriff and undersheriff regarding the IA, internal affairs?

A. No, but, I mean, to be truthful, I was involved in internal investigations during my tenure there, but nothing to do with, you know, what -- what might open cases be. You know what I'm saying? All those meetings were held directly with the undersheriff, to the best of my knowledge.

Q. Speaking of the undersheriff, how would you describe your relationship with the undersheriff?

A. I thought it was positive. I saw him daily, and I worked well with him. I've known Joel for several years. At one point -- I think he was the chief in Alachua at one point, and was in High Springs as well, so I know him. I mean, I wouldn't say that we're close friends, but I had a good relationship

with him.

Q. When you were hired to do the job, did you feel that you either had the requisite knowledge to do the job or that you could easily and readily obtain the necessary training to perform the functions of your duties?

A. From my perspective, I hit the ground running, and it's because of my background, you know. And so I -- you know, from my standpoint, I was qualified for the job.

Q. Would you make that same description of the undersheriff?

A. Yes.

Q. You feel that when he got there, he was prepared to perform the functions of running 1000-person office?

A. I do. I do recall that he, I guess, had a long tenure with the sheriff's office at some point, long-term career law enforcement professional. So yes, I would characterize him as qualified.

Q. Ultimately, when you left the sheriff's office, what was the reason why you left?

A. I told the sheriff in December of '22 that I had made a personal decision to step down, so I gave him five, six months' notice. In the letter that I

gave him I also indicated to him that I wanted to move in another direction, and that I was contemplating continuing my education.

Q. So you would have come on there around -- you were there for approximately 18 months?

A. Oh, no, I was there for two years and three or four months. I started in like March of '21 and left in May of '23.

Q. So two years and a month or so. And was there any difference in the sheriff's management style between the way he managed when you worked for him the first time and the way that he would manage the sheriff's office when you worked for him the second time?

A. Yes. In my estimation, I -- I've known him for a very long time, and I think that -- again, my observations, my opinions, that I do know that the transition between the former sheriff and the current sheriff did not go well. I know that, you know, when you have a transition of power, you're supposed to let the new team come in. For whatever reason, Sheriff Darnell did not permit that, so I think that was difficult. And, of course, all that occurred before I came there. So I think any new sheriff coming on board would find that difficult, to have a change in

leadership as a result of that.

The first year I didn't really notice anything different. You know what I'm saying? The last year, maybe not the last full year, but I felt like we were not going in -- please understand I'm not a law enforcement officer, and I have a tremendous amount of respect for him. I felt like we were not going in the direction that I thought we should be, quite frankly.

I'm a very driven professional. I want to get things done, and I felt like we were just starting and pausing and starting and pausing. And for me, from my standpoint, I, you know, felt like we could have done more, and I didn't understand why; I really didn't.

Q. I'm sorry you said that, because my question was about to be, why? Why are we starting and pausing? What was the reason why you feel like you weren't accomplishing things?

A. I just feel like there would be a project, and you'd do all the information; and it would say okay, and then it would just kind of linger for months. And then when you would ask about it again -- you know what I'm saying? And so -- and that characteristic is nothing I've seen in all the years

I've known him, so I didn't understand that.

Q. I don't know the nature of your relationship with him. There are many people here would feel very comfortable coming to me and saying, "Hey, I don't understand what you're doing here. Can you explain it to me?" but not every constitutional officer is approachable that way.

Were you able to have that conversation with him, or did you try?

A. So from my perspective, I think -- again, this is my opinion. I think I gave up at one point, quite frankly. I felt like the agency was undergoing what I call group think, which I'm sure you know what that is. And towards the end of my tenure there I felt like I was the person that, you know, would be the one that, gee, should we really do this? Is this a good idea? But everyone else was like, let's go do this, or whatever. And I got tired of it, quite frankly.

Q. So it seems like it's two-fold. There's things that need to get done that are not getting done, or they get started and never completed; and you have things that you think should not be done, and you're saying, "Hey I don't think we should do this," but you're not being heard. Is that fair?

A. To a certain extent, but please understand I didn't see the sheriff that much. My daily thing was with the undersheriff, who I know kept the sheriff apprised of everything. You know what I'm saying? And so it just --

Q. Can I ask you a question?

A. Yes.

Q. Was that different than when you were in Alachua with him?

A. Oh, yes, absolutely.

Q. Because it seems like you would have seen him frequently in Alachua.

A. Yeah.

Q. Daily.

A. Yeah.

Q. And then when you're working with him at the sheriff's office -- and I don't know how the sheriff's office is laid out, but I would assume that -- I've herad it called "the suite."

A. Yes.

Q. That you would have been in the suite where he is located.

A. Yes.

Q. But yet you were not having a lot of contact with him?

A. Not so much. You know what I'm saying? Like I said, the undersheriff was there daily. And certainly, if I needed to talk with him, I would go in the back and set up a meeting.

But I think, like I shared with you, from my perspective, I was somewhat frustrated and felt like I couldn't really articulate and have the conversations that I wanted to have. It was different somehow for me.

Q. Let me ask you this. If I understand, and you tell me if I'm wrong, the sheriff is obviously the head of the organization; but then it seems like the way it was divided is that Undersheriff Decoursey would have the law enforcement side, but you're sitting on the same level as Undersheriff Decoursey because you've got all the civilian side, right?

So you should have two people who are sitting directly under the sheriff, who are running -- you have a larger side of the agency. If I understand it correctly, there's far more civilian employees than there are sworn employees.

A. Oh, no, it's the opposite.

Q. Is it?

A. Yes. Yes.

Q. Well, I guess I'm not counting correctional

officers.

A. You have to look at it that way, yeah.

Q. How many employees did you have?

A. Oh, gosh.

Q. Rough. You don't have to give me exact.

A. I think agency-wide was probably between eight and nine, so I was probably 200, maybe.

Q. Okay.

A. Yeah, it's the other way around, actually.

Q. Okay.

A. So, you know, while I was there, I -- from my perspective, I made changes that needed to be made; the sheriff allowed me to do them.

I will share with you that a real problem with that agency is that the sworn folks basically ride herd over the civilian side, and it didn't take folks long to see that I wasn't going to tolerate that; so I didn't.

And I had a good relationship with all the civilian areas that I worked with. And I think what people don't understand, probably more than you're interested in hearing, is typically when you have people running around with badges and guns, they're not in the same building with you. They are in a sheriff's office, and I think that's a certain factor

when you have those folks like a major or someone that's higher on the chain coming into a department and -- you know, they would constantly -- and the undersheriff and sheriff worked diligently on this -- explain to people, no, you just can't go over there and start, you know, directing these civilian agencies. We have a chief of staff over there.

So, you know, I didn't take it personally, but I can tell you that there was definitely some resistance there to someone who's not, quote, unquote -- you know, the employees used to say the analogy over there was if you weren't sworn, you weren't born, or something like that. You know what I'm saying?

Q. Was the person who preceded you a sworn officer?

A. Yes.

Q. And the person who's now in your position is a sworn officer?

A. Yes. From my perspective, it should be a civilian running that side of the office, quite frankly; it really should be.

Q. Understood. So I just do want to circle back to my question about you leaving. This frustration and your sort of desire to see the agency move in a

good direction, the group think, you know, all the those things you've talk about, those are things that weighed into your leaving?

A. Yes, it did.

Q. And do you feel like the experience that you had coming into the job was appropriate and necessary to handle a job of that size?

A. I do, yeah. I mean, I don't think that someone who had just worked in a few cities or a county -- you know what I'm saying? A good part of my job was the interface with the county, which was huge not just on the money side, but getting things done. And, I mean, I had a very good relationship with the county, did the lead on that.

At one point in time I was actually over the jail, very early on when I got there, I think, and had a really good working relationship with the major over there. There was some major, major contracts we did, 21 million-plus contract on health care. I worked that through. That took -- that was very time intensive.

So yeah, big contracts like that, I was always involved in those in a variety of topics.

Q. And you have the history to do that because you've done -- Green Cove Springs is large.

A. Yes.
Q. It's a fairly large city. It's not Williston.
A. Right. It's the county seat of Clay County.
Q. Okay. But the person he had replace you a year and a half ago was a deputy sheriff?
A. Correct.
Q. Is that an appropriate person to serve in a role that supervises 200-plus people and is responsible for a budget of 50-plus million dollars?
A. Again, you're asking me an opinion question.
Q. Okay.
A. I have absolutely no respect for Mr. Yaeger, period. I think he's unqualified, I think he is unprofessional, and I'll just leave it at that.
MR. KRAMER: Right. Okay.
BY INSPECTOR SNOWDEN:
Q. Did you ever see him do anything that you thought might be unethical?
A. I think the treatment that he gave Captain Butcher is unethical in my book, yes, I do.
Q. Anything else that you --
A. He -- I know that, you know, before I left -- I mean, this is petty stuff, but to me it's unprofessional, quite frankly.

We made room for an office in the suite for him so that he could transition with me. And not long after I was there he had folks in facilities -- or he did this before he came, and I know that the sheriff and undersheriff were appalled by his behavior, quite frankly.

He, for whatever reason, decided that I didn't need a phone at my desk. Because when you move positions around, you take my phone, you do this -- I don't know. I have no idea what his thought process was. And somehow I found out that they were going to take my phone and give it to, I don't know, one of the captains or the majors or somebody, you know, when you do this musical chairs.

Now, remember I've still got several weeks with the county. It's just before our budget is due statutorily, and for whatever reason, I guess they assumed that I would do all my work on a cell phone. And I know he was involved in that process, so I chalk that up to immaturity.

And then the other thing he did, at one point he had the folks from facilities send me an email saying that they wanted to know when they could paint the office. And I responded with a very curt email, and I said, "Look, I'm here whatever it takes me

through Friday. You want to paint, you come over the weekend." Do you know what I'm saying?

It just -- like I said, it's immaturity. It's unprofessional. And what he -- you know, the debacle that ensued with him and Captain Butcher, you know, was unnecessary. She was not in his chain of command. And I know for a fact that his whole thing with her was that her demeanor was unprofessional. He didn't like the -- I don't know, something or other.

He has a real power complex, and I do think he has an issue with women in positions of authority, quite frankly. And Captain Butcher is not a mild and meek individual. She's a professional like I am, and you just don't operate that way. I mean, it is petty, but, you know, I mean, come on.

BY MR. KRAMER:

Q. It's not petty. It's important. I do want to follow up with this.

Were there other individuals who were either available in the community or available in the sheriff's office who would have been properly trained or better -- had better experience to assume the role as you were leaving than someone who by all accounts essentially has zero experience in doing any of the functions that you've described here?

A. Not that I know of; I really don't. I mean, we -- you know, we were running high vacancies, but everybody is. You know what I'm saying? And I can't think of anyone that I know of that would have that kind of civilian background.

I did not get involved in operations at all. That was pretty much Colonel Scott, the majors or whatever. So honestly, there was no one there.

I made the assumption, you know -- and I'm still bound by a code of ethics, so you can tell that it's hard for me to talk about some things.

I gave five months' notice. I thought there might be people, you know, outside, Tallahassee, other contacts that he might want to bring in, and it didn't happen.

Q. Was there any effort to recruit anyone to properly replace you?

A. I don't know. I really don't know. I know I told the sheriff and undersheriff, "Look, I'm here if you need me."

An extra copy of the budget book was made -- you know what I'm saying -- along with the sets left at the agency so that I can, you know, guide them over the summer or whenever the hearings take place in September. I told them I'm more than happy to do

that.

So I don't know, but, you know, again, I don't have any respect for the man; I truly don't.

BY INSPECTOR RIDDICK:

Q. Your number two wasn't up to the strength to take your job?

A. Well, who would you say would be the number two?

BY MR. KRAMER:

Q. You've got a bunch of number twos.

A. Not really, because I've got the IT director, I've got Mike Roberson. Remember, I shared with you there was a retirement there. So he was still on his one-year probation doing a jam-up job. Michelle was new to her area.

Now, Patty Justice was the CFO, but her area of -- she had a lot of institutional knowledge, very sharp, very bright, also a CPA, but her knowledge was that budget.

Q. So nobody with HR experience.

A. No, and there really wasn't. There truly wasn't, quite frankly. And it's not that -- you know, I always tell folks you can be replaced; so it's not like I can't be replaced, but I don't -- I didn't see anyone inside the agency that could.

Q. So it would have been logical to reach out to --

A. And I don't know what kind of call or contacts were made.

BY MR. KRAMER:

Q. If there was advertising for the position done, would it have come through you?

A. Not necessarily, but I don't recall seeing it posted. You know, when you go to the sheriff's website for positions, I don't recall seeing it posted there. So in any event --

Q. Well, what would the -- I'm not asking what you got paid. What would the position have paid?

A. It needed to start at at least about 120.

Q. So it's a good job?

A. Yeah, absolutely.

Q. I'm sure that there -- if it was unadvertised, then local people who might have had similar backgrounds -- because there are going to be people in government that have similar backgrounds to you who may have been qualified. They wouldn't be aware of it. Fair?

A. That is a fair assessment; but I would also say on the opposite side, is that when you have a position at that level, you want someone that's tried

and tested and that you know.

Q. Do you want someone who has been essentially a disaster in every position that that person has been in prior to taking your position?

A. No; but what I'm saying is that I think when you get to that level -- do you know what I'm saying?

Q. I do.

A. You want someone that it's a good comfortable level. You know what I'm saying? And so -- but did I know or have any knowledge that he was going to be placed in that position? No. That happened, I think, like a few months -- or a few weeks, rather, before I left, so I don't know.

Q. How long would it take you to properly train someone to do that job?

A. Really just a few months if they had the background like someone like myself, or my caliber. I mean, it's not a difficult job, but you got to know what you're doing. And a good part of the job is managing people and knowing when to push the envelope and when to step back a little bit, and you don't get that by a degree. You have to have years of experience and --

Q. Sure. And being a repeated failure at managing people would be not a good qualification?

A. That's your statement.

MR. KRAMER: Understood. I don't know if she put a question mark after that or not.

Okay. Any other questions?

BY INSPECTOR RIDDICK:

Q. Have they reached out to you since you left to help with the budget?

A. I got one call from Major Crews. They are starting some PBA negotiations and was asking me about a potential pay plan that I had worked on before I left, and I responded to him. I didn't hear back, but I did, you know, answer his question.

Other than that -- other than him, I don't think anyone else has reached out work-related. I mean, I've heard some employees, "Hello, how you doing?" How's school?" but I think that was the only directly related question with regards to work as I recall.

Q. So, I mean, it's what? June the 28th. Your budget is due to the county commission.

MR. KRAMER: Oh, no, it's already passed.

A. It's already done. It's gone May 1st.

Q. Are you in July?

A. No, we're --

MR. KRAMER: It's October 1, but they require

the budget submitted, and then there will be hearings about the budget; which is what she's referencing, is that the sheriff's budget has at times been contentious at the county. And that's what she's talking preparing for, is those hearings that are coming up.

INSPECTOR RIDDICK: Okay.

THE WITNESS: So, you know, that played into, you know, me staying through that first week in May.

BY INSPECTOR RIDDICK:

Q. To get it ready?

A. Yeah. My classes started on the 4th, and then I think it was on May 4th in the morning I gave the presentation to the county commission. So I got them everywhere they needed to go statutorily, made recommendations, had met with the sheriff, knew we got proposed what we wanted to propose, so it's a good budget, a good request.

BY INSPECTOR SNOWDEN:

Q. You said earlier on in the interview that the candidates that were recommended or that were not recommended, you made notes that were given to the sheriff. Are you familiar with him ever promoting or hiring or transferring a person that wasn't

recommended?

A. I didn't always necessarily know the outcome of them. You know what I'm saying? I suspect there may have been people that -- you know what I'm saying? I wrote, you know, "Look, this is not a good idea."

On some of them, you know, I just put "defer to sheriff." You know what I'm saying? That's a polite way of telling him I think you really need to think this one through.

In any event, at the end of the day I didn't know, you know, for sure what the final thing was unless -- until they ended up being put on the payroll -- you know what I'm saying -- that type of thing.

Q. What about internal transfers?

A. Internal transfers were usually done in those personnel orders. Like, you know, I'm moving this person there, taking that person there, that type of thing. I wasn't involved in that. Those meetings were held with the sheriff and Chad Scott, the undersheriff, and they would, you know, figure out, you know, what folks are wanting to go there, that type of thing.

Q. So just those three, Chad Scott, Decoursey, and Sheriff Watson?

A. And I think Jake Rush was in those at times, and at that point Chad Scott would have been on board. And they would -- you know what I'm saying -- go through, list the names of the candidates or who had -- if it was a sergeant or lieutenant who had taken their exams or whatever, but I was not brought into that process.

Q. Last question I've got. Do you know why Captain Crews was taken off as commander of the SWAT team?

A. I do not.

Q. Do you have an opinion?

A. He's now a major. Perhaps it had something to do with that, because he became the major over -- I'm trying to get all switches. I think when I left he was the major over support services, which is detectives, you know, that whole wing. And, you know, perhaps the thought was that too much -- you know what I'm saying? I don't know; I really don't, and I don't know at what time that change took place.

BY INSPECTOR RIDDICK:

Q. You made a comment, and I meant to ask right after that, I apologize, that you met with Joel Decoursey because he was there on a daily basis.

A. Uh-huh.

Q. The sheriff wasn't?

A. He was not physically in the office every single day, but, I mean, that's not -- that's not unusual.

Q. So you weren't saying that he was AWOL. He was just off doing sheriff stuff?

A. No, he was just, you know, performing the duties in another capacity. He checked in all the time -- you know what I'm saying -- that type of thing.

Physically, you know, he wasn't necessarily in the office each and every day but was in constant contact with the undersheriff and his command team. And if there were assignments for me, I would either get them from his assistant -- and quite frankly, if I needed him, I could call him. You know what I'm saying? That was always an option.

Q. Did you text with him? You know, would he text you stuff?

A. I'm trying to remember. There probably were some times when he texted me some things.

INSPECTOR RIDDICK: That's good.

MR. KRAMER: Thank you very much. I know you were very much respected and appreciated at the sheriff's office, and I'm sorry that you're not

there anymore. Thank you for the service that you did give.

THE WITNESS: Okay. Thank you.

(The statement concluded at 4:34 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that DANIELLE JUDD, who produced a Florida Driver's License as identification, personally appeared before me on June 28, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 30, 2023.

_____
Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named DANIELLE JUDD, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 30, 2023.

_____
Cynthia F. Leverett, FPR
Certified Stenographic Reporter

SWORN STATEMENT

of

JAMES MATTHEW BECK

DATE TAKEN: April 26, 2023
TIME: 4:44 p.m. - 5:13 p.m.
PLACE: State Attorney's Office
Gainesville, Florida

Examination of the witness taken before:

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- - -

WHEREUPON,

JAMES MATTHEW BECK

acknowledged having been duly sworn to tell the truth, and testified upon his or her oath as follows:

THE WITNESS: I do.

EXAMINATION

BY MR. KRAMER:

Q. Could you tell me your whole name, please?

A. James Matthew Beck.

Q. And how are you currently employed?

A. I'm a lieutenant for Alachua County Sheriff's Office at the department of jail.

Q. And what are your responsibilities?

A. I'm a shift commander on Team 2, nights.

Q. How long have you been an employee of the Alachua County Sheriff's Office?

A. A little over 15 years.

Q. Are you both corrections and law enforcement certified?

A. No, I'm strictly corrections.

Q. Has that -- I think I should know the answer to this question, but has all your time been at the jail?

A. Yes, sir. I had some time at training, but it was for the jail; and then OPS, but it was on the

jail side. I did some road cases, but it was primarily as a subject matter expert for the jail.

Q. Do you have other law enforcement experience or correctional experience?

A. No, sir, just the sheriff's office is it.

Q. Okay. Was there a time in your career at the jail when you were assigned to the office of professional standards?

A. Yes, sir.

Q. And while you were at the office of professional standards, what time frame is that? Not necessarily the days, but like who's the sheriff? Who's the commander?

A. Clovis Watson, Jr.

Q. And who are you responding to?

A. The first one was the John Richmond, was the first captain I had when I first got into OPS, and then Brandon Kutner, and that was it. I got promoted out of there.

Q. At the time when you were a sergeant?

A. No, I was a lieutenant at the time. I got promoted to captain out of OPS, and then ultimately -- that's different story, but was told that I would not make my probation ten months into it. And I was demoted back to lieutenant and sent back to night

shift.

Q. Well, we'll get to that story.

A. I hope so.

Q. So let me ask you this. When you went into OPS, did you have any experience that would have made you appropriate for that position?

A. No, sir. I mean, I'd never done any officer discipline or anything like that. I got that after I was appointed at that spot.

Q. And when you arrived there, were you assigned to another officer who had extensive experience doing those kind of operations?

A. The senior person at that time was Lieutenant Kyle Simon. He was the most experienced prior to us, because there was three of us. I think Sherry French had some previous experience, but at the time Kyle was the one that had been there longer than anybody currently that was assigned there.

Q. For lack of a more artful way to say it, did he know what he was doing?

A. Yes and no. It was kind of the blind leading the blind. He's one of the smartest guys I know; but I mean, as for what do you know in six months? So it's kind of one of those deals.

Q. How long are you in OPS before you received

actual training to do the job of OPS?

A. It was probably maybe a month or so. Brett Rhodenizer and I went down to officer discipline class, down in Jupiter, Florida, that FDLE put on. So we went down there, and that was the first formal training that we had gotten.

Q. How long were you with John Richmond before Brandon Kutner comes in?

A. Maybe a couple months. It wasn't that long.

Q. Do things change, operations change, because Brandon Kutner comes in?

A. No, he was a little more detail oriented on certain things, but for the most part it was -- it was the same. There was -- I mean, it's not real, you know, fast-paced. It's kind of feast or famine. Sometimes you've got a lot of stuff; and other times, you don't.

Q. So when he comes in, does he do -- and I'm going to use the word "audit," but I don't now that that's really the right way to describe it. Sort of an inspection of what's pending and what needs to be done when he gets there?

A. Yes.

Q. And does he discover, like, for instance, things that should have been sent to FDLE have not

been sent to FDLE?

A. There was -- because Brett -- when we came back from that class there was things that were brought to our attention that, you know, things need to be sent to FDLE; so we had some questions on some things. So when we questioned him, he started looking into that. And I don't know, you know, what happened after that, but he definitely did start looking into certain things.

Q. Specifically were there cases where the findings were such that the matter should have gone to FDLE because there are certain offenses that require a report to FDLE?

A. Yes, sir.

Q. And did you alert him that those things had not gone to FDLE?

A. There was one in particular that I was actually shift lieutenant, before I got into OPS, when we had a female individual that had done -- basically, falsified a check sheet; and truthfulness is one of the things that's got to go. At that time they were trying to, for lack of a better term, sweep it under the rug.

Q. Do you remember the subject of the investigating officer's name?

A. Camiel Rowe.
Q. Was the allegation for truthfulness founded?
A. They ended up -- I don't know how they -- it's like they downplayed it. I don't remember what they ended up -- she ended up getting a written reprimand for it, and I don't know if it ever went or not.
Q. But your understanding is that you were aware of it, you brought it to your commander's attention --
A. Yes.
Q. -- or your direct report's --
A. Yes.
Q. -- attention, "Hey, this is something that should go to FDLE." And from there, it's up to them to do that?
A. Yes, sir.
Q. It's not your responsibility to send something to FDLE?
A. No, I let my supervisor know, and that was -- at that point, I was done with it.
Q. In no circumstance would you be the person who's physically like putting it in the mail?
A. No.
Q. Okay. Understood. Were there any other similar circumstances to Camiel Rowe, like other cases

where nothing had been sent to FDLE?

A. Most recently I was a captain, and we had two officers in a similar situation where, for a 12-hour period, they were in our mental health housing unit where everybody is on 15-minute checks. And we weren't -- we were looking at something not related to them when we came across them basically not doing their checks, not doing their jobs. And they were falsifying the documents saying they did all their checks when you can clearly see on video that they don't get out of the seat.

I brought that to my major at the time, Dorian Keith, trying to go formal on this because it's something that needs to be addressed. It's a mental health hazard unit. People are in there for a reason. You don't want people to hang themselves or hurt themselves; and if you're not doing your 15-minute checks, it's a big check you're fixing to sign. So we were trying to hold them accountable for that.

And one of the emails I sent to Major Keith at the time was, regardless of our findings, this is something that needs to go to FDLE because of the issue that it arises.

And that was promptly swept under the rug. I was told all they would get is a CC, and then me and

the lieutenant of that shift that were trying to get discipline put on them were demoted probably a week to two weeks after that.

Q. And that goes into what you mentioned earlier, that you're now lieutenant.

A. Yes.

Q. You'd been promoted to captain. And then you bring this matter to the administration's attention, and you're then demoted back to lieutenant?

A. Yes, sir.

Q. And are you told it's because you've brought this matter to their attention?

A. I wasn't given a reason at all. I was just told that I wasn't going to make probation, but it's -- I mean, that was the week before, so it's kind of, you know, hard not to say that's why.

Q. You had no other incident, no discipline?

A. Informal stuff, but nothing that warranted demotion.

BY INSPECTOR SNOWDEN:

Q. During the time of your probation, you had informal discipline?

A. Yes, sir. There was one -- I have copies of all that stuff. The first one was -- it was a misunderstanding. And I tried to explain it to Major

Keith, and basically she wasn't hearing it.

It was a situation between one of my lieutenants was -- basically told the major that I approved somebody to have some time off when I never even had a conversation with them. And just to squash it all, I took the informal write-up just so it would be done. And then I had a conversation with my lieutenant about that.

The next one was, we had one of our officers go to in-service training. They took their, I don't know, five- or six-year-old kid with them because they didn't have child care.

Training, which is a separate division than I was in at the time, made the determination that the training that they were doing, they were okay with the kid staying just this one time. So they made the determination that he could stay as long as he, you know, watched the kid.

I ended up getting a CC for that because she said I should have overrode training's decision to allow him to stay and just sent him home.

BY INSPECTOR RIDDICK:

Q. Were you there when that was going on?

A. No, sir.

BY MR. KRAMER:

Q. I got to make sure I understand. You were given corrective counseling for not overriding a decision that you weren't aware was being made?

A. I knew that it -- I knew about it once they had already made the decision and he was allowed to stay there, but then the next day or two I ended up getting a CC because I was told that I should have overridden training.

Q. So you would have had the opportunity to override it?

A. It was already done when I found out about it.

Q. They are done for the day?

A. He was still there, but he was allowed to stay. So he had already -- it was, I don't know, 8:30. They started at 8:00, but the decision had been made that he could stay for the day.

Q. What time of day do you find out he's there?

A. It was 8:30, 8:45 when I found out about it.

Q. And he was there for the day?

A. He was there for the day, yes.

Q. So I want to go back, then, to when you're in OPS. You're under Brandon Kutner. You're familiar that, in OPS, there's something called the iRecord system?

A. Uh-huh.
Q. Do you know how it works?
A. Vaguely. I'm not very savvy with IT, but I can stumble through it.
Q. You can turn it on, and you can turn it off?
A. Yes, sir.
Q. You know that you can use it to observe conversations occurring and record conversations in the room?
A. Yes, sir.
Q. And that also can occur at another work station if the person just walks into it?
A. Yes, sir, I believe so.
Q. And were you aware that it could be observed in the captain's office?
A. Yes.
Q. Were you aware of anybody using that system to observe conversations that were occurring in the room?
A. Outside of OPS?
Q. Well, no, I mean --
A. Just OPS in general?
Q. Uh-huh.
A. You hear that they would. I mean, as for seeing somebody use it, I never saw somebody use it;

but you would hear that people may be listening while an interview is going on.

Q. You're familiar with the -- with officers have to review the evidence against them?

A. Yes.

Q. The room where officers would do that, was that the iRecord room?

A. Yes.

Q. And is that system always on?

A. I believe in one way or another it's always on, yes.

Q. So if somebody chose to, could they listen to the officer and their counsel --

A. Yes.

Q. -- or their representative --

A. Yes.

Q. -- reviewing the evidence?

A. Yes.

Q. Are you aware of people doing that?

A. I believe Captain Kutner would occasionally do that; but again, that's just -- I don't -- I never saw him physically doing that, but, you know, you hear --

Q. You'd be aware --

A. Yes.

Q. -- that that's a violation of --
A. Yes.
Q. -- something?
A. Yeah.
Q. And if you had seen that, would you have been obliged to do or say something?
A. I would have to, yeah.
Q. So give me an idea of why you believe that occurred.
A. Just office chatter. The three or four of us that were in there, just conversations we would have.
Q. Was there ever an instance where perhaps, you know, Brandon Kutner was aware of things that he might only have been aware of if he had been privy to those conversations?
A. Do you have a specific? Just in general, it's hard. I mean, I'm sure if he was listening, yes, he would be privy to any conversation that was going on in there.
Q. Yeah. I mean, I don't have a specific that I know of. You know, it's just my understanding, like it is yours, that that is something that was occurring while he was the captain there. And what you're saying is, you didn't see it, but you understand that's also correct?

A. Correct.
Q. Do you know of anybody who did see it?
A. No, sir, not offhand. I think Brett was the lead at that point, so he may have had more knowledge about that than me.
Q. Brett?
A. Rhodenizer.
Q. Rhodenizer.
A. Yes, sir.
BY INSPECTOR SNOWDEN:
Q. Would Captain Kutner have knowledge about possible -- if the attorney was in there, having possible violations of 112 being brought forth? Or are you aware of that ever happening?
A. Not offhand that I can think of. Like I said, I know any interview we were doing in there, he was watching us do our interviews; and if something was coming up, he was kind of our overwatcher, for lack of a better word. If something was going a certain way, he could -- if we were potentially stepping on somebody's 112, he could intervene. Or if something was up that we need to either go talk to another witness or something like that, he would watch those interviews; but as for the attorney-client stuff going on in there, I assume, but I have no idea.

Q. But there was never a time that he voiced a concern to you about 112 coming up prior to an interview?

A. Not that I recall.

Q. So at any time, but most specifically while you were in OPS, were you ever directed to reach a particular result in a case?

A. There were certain things, yes, that when Captain Kutner would go talk to the undersheriff, he would come back and basically be like, oh, we got a case. And then we start discussing it, and it was implied that this is what we have, this is where we're going to go.

So it was not -- the four of us that were in there were all of the mindset of we go where the facts take us. We're not head hunting; that's not what we're doing. And it was always implied this is where we're going to go with it, this is what they're wanting us to find.

BY MR. KRAMER:

Q. Were there ever circumstances where instead of doing that, you went where the facts led you; and then that investigation was taken back to the administration and then returned with potentially saying that's not the result we wanted?

A. Yes, sir.

Q. Can you describe when and how that occurred?

A. I'm trying to think specifically like a name of a person. There was -- I mean, we had one, just offhand, that was -- and I think this was right about the time I was leaving, so I don't even know if -- we had -- a guy had done -- a deputy had done something; I don't even remember what it was. He dispatched a CAD or something. The sheriff, they wanted a certain result. Well, what they had, we didn't have. So when it came back, they ended up trying to find a lesser included on it. I don't know whatever happened with that.

Q. But it was clear to you that whatever you had found was unsatisfactory to whatever discipline it was that the agency heads were seeking to impose?

A. Yes.

Q. If I understand correctly, it matters what you find because there's a scale or a rank of an offense number?

A. Depending what it is, yes. The level carries a certain weight depending what it is.

Q. And was it sometimes the matter of you haven't found the right level because we want to impose this discipline, and now we leave this level to

impose it?

A. Uh-huh.

Q. And so you were told basically you need to find something that meets this level?

A. Yeah. I firmly believe that that's why they've had so much turnover in OPS, because they're trying to find the group that is okay with doing that.

Q. Because your group --

A. We were not.

Q. -- were not going to do that?

A. I wasn't. Whatever the facts showed, that's what we did.

Q. Okay. Were you ever party to something where you considered the result of the discipline to be unfair to the individual who got disciplined?

A. We had one with Lieutenant Howard Adams, who had made a comment on a Facebook post and liked it. He ended up getting terminated, and he never even had an interview or anything.

Q. Was it a terminable offense?

A. I think they ended up -- I think he was ultimately charged with insubordination, or however, because one of the comments, he was basically questioning his direct supervisor. So they found a way to fire him without even doing an interview.

Q. Meaning he was never given an opportunity to address the issue?
A. Yes.
Q. And you consider that to be unfair?
A. I mean, everybody gets their day in court, right?
Q. I'm learning that maybe that isn't true when it comes to --
A. Do I think it was a stupid thing to do? Absolutely. Do I think it was something that he should have been terminated for? (Shrugs shoulders.)
Q. Have you ever been asked by anyone to describe the content of what we're talking about today after you got done with this interview?
A. No, sir.
Q. So no one has asked you, "Hey, come back and tell me what" --
A. No, sir.
Q. Other than what we've already discussed, are you aware of anything that has occurred that you think was unlawful, that the administration has done something that violates the law?
A. I mean, there's currently an investigation going on with Lieutenant Glen Stanley. He had an investigation for an allegation of truthfulness, that

he had lied in an official investigation.

So I was still captain when that investigation came across my desk. I looked at all the evidence. There was nothing there to even substantiate even remotely that he lied, so I unfounded. And I sent it up, you know, like how we do. Then it goes to the next person, and so on and so forth.

Q. And it's unfounded when it gets to you?

A. Yes. The major, who's right over me, she said it was founded. And then whatever she stated didn't make a whole lot of sense. Then it goes above her to the colonel. He's unfounded. And it gets to the undersheriff, and the undersheriffs says it's founded. So they're trying to give him two days for lying on a special investigation.

He has in Loudermill with him, explains his side to it, and they changed it. They said, "Okay. Well, this isn't truthfulness, but this is going to be neglect of duty."

Well, if it's not truthfulness, it can't be neglect of duty. So you can't have one without the other, so I don't know how they're going to try to still give him days off for that. If it's not founded for untruthfulness, there's nothing else. You just

can't just pick -- find something that fits.

Q. Anything else that is unethical or immoral?

A. I mean, my current captain was fired for lying as a sergeant with the sheriff's office. He got terminated. He got brought back by Clovis Watson, Jr., and now he's my direct supervisor, from an officer to captain.

Q. So he's fired as a sergeant, and he's hired as a detention deputy?

A. A detention officer, yes. He was a detention sergeant. He got fired for lying in an investigation. He gets brought back after a couple years with the new administration, and then he's now a captain.

Q. Promoted from detention officer to --

A. Captain.

Q. Detention captain?

A. Yes, sir.

Q. And does he -- did he otherwise meet the criteria to be a captain?

A. I mean, it's an appointed position, but he's never been shift commander. He's never been lieutenant. He was a sergeant for a couple three years before he got terminated.

So for an experience to run a division where you have five lieutenants, you know, looking to you

for guidance, I would say no.

Q. Is that normally a position for one who would have to compete for it?

A. It's generally an appointed position. I mean, technically, you can do that, but it's never been past practice.

Q. Has it been past practice that a person would have experience as a lieutenant and a sergeant and an officer?

A. Yeah, generally, your captains, unless it's somebody brought from outside of the agency, it's a lieutenant. Generally the senior lieutenant gets it, or one of the senior lieutenants get it.

Q. Is it a good idea to bring in somebody from another agency?

A. I would say no.

Q. Has that ever happened?

A. Yes. Not necessarily of the jail since we're kind of, you know, self-contained; but generally, if you come up through the ranks there, you kind of stay there because you know the routine.

They did it on -- he brought quite a few with him on the road side when he came in.

BY INSPECTOR SNOWDEN:

Q. Did you say why you were re-assigned from

OPS?

A. I was promoted out. I went from inspector to captain over security operations.

BY MR. KRAMER:

Q. And then back to shift lieutenant?

A. And then back to night shift lieutenant, yes, sir.

BY INSPECTOR RIDDICK:

Q. Is that uncommon, to go -- would you still be the senior lieutenant?

A. I am the senior lieutenant, yes, sir.

Q. To go to night shift?

A. I would say it's common, but that seems to be par for the course for them. They're going to demote me and then punish me by sending me to nights.

BY MR. KRAMER:

Q. Is that something which you can make a request and say, "I would prefer to be on days"?

A. I have not requested it because I go wherever I'm needed. I know others that were moved around in this last shake-up that were requesting certain shifts, not necessarily days or nights, just certain teams for child care issues, and the majority were denied.

Q. Does that seem like a good idea when the

agency is missing more than 100 positions?

A. It's -- the sad thing is, the amount of people that we're down and the things -- even when I was captain, the things that we were trying to do. You know, we're mandating people to work overtime. And then if somebody has pre-approved leave in the pay period, they're to flex out that mandated overtime pay. I don't even know if that's legal because you're forcing somebody to come in on your day off, and then you're not paying them for that day. I mean, technically they're getting paid, but they're not getting that overtime rate.

Q. Correct. It's not protected overtime.

A. I know when Major Stafford was there, he had us using the call-out pay for those days so that it was protected time because the administration did not want to give us a special code to protect that overtime. So we were using the call-out pay, the call-out code, which protected that overtime.

And then as soon as he was gone, one of the first meetings I had with Dorian Keith was -- the first thing she said was we're not doing that anymore.

Anything that they have done since she's become the major has made it harder to get people to work. They're not doing anything to benefit the

employees.

Q. And people continue to leave and resign.

A. Absolutely. I had a guy resign last night.

BY INSPECTOR RIDDICK:

Q. The two COs that got corrective counseling, do you remember their names?

A. Shankevius Carr. And then -- I have copies of the CCs. I can get you all that stuff. I have the email chain between me and the major where I say, hey, this is going to need to go here, and then ultimately -- the conversation her and I said when she said it's going to basically go away to CC, that was a face-to-face conversation; but then I do have email correspondence where she's asking me where those CCs are. So, I mean, I can provide you with all that stuff.

INSPECTOR RIDDICK: We probably should subpoena it.

THE WITNESS: Kurtsey is the last name of the second guy. I'm sorry. It took me a minute to think of that.

MR. KRAMER: If you think you have information to write a subpoena that would get that conversation.

INSPECTOR RIDDICK: Well, we could subpoena

his email.

MR. KRAMER: Why don't you give us the email, and then we'll get the subpoena.

THE WITNESS: You want that whole chain or --

INSPECTOR RIDDICK: Yeah. Give us everything.

THE WITNESS: Another instance we had was with Pam James, Sergeant Pam James.

BY MR. KRAMER:

Q. Correct. I'm aware of Sergeant James.

A. That was in my office in front of me where she was insubordinate. And then they went all the way through the investigation to interview her, and then I was told by Major Keith that that investigation is just going away. And when I asked why, she couldn't give me a reason. She just said it's going away.

Q. And as a lieutenant and captain, does it create management problems in the jail when you have --

A. Absolutely.

Q. -- a person who's a sergeant who's openly defiant --

A. Yes.

Q. -- of a lieutenant?

A. She's untouchable. There's nothing you can

do to her. You can't do anything to her. She is untouchable.

I tried to -- at one point, due to staffing issues, they were wanting the command staff at the jail, me, Captain Warren, Captain Keith, they were wanting all of us to work -- instead of four tens we were working, they wanted us to work five eights. So they want us there every day of the week.

So I asked my admin staff -- I had an admin lieutenant and sergeant -- if they wanted us on that same schedule. They said yes.

So I went to my sergeant, Pam James, and lieutenant at the time, who was Virgil Calhoun, and I said, "Look, they want us working four or five eights, so this is what we're going to do."

And she promptly -- I think she did a week of it and then went to the undersheriff complaining that we were picking on her because she had some lawsuits against the sheriff's office, and I was counseled with picking on her and moving people around. And I was told then that I can't even move officers from shift to shift for staffing needs in my division.

BY INSPECTOR RIDDICK:

Q. Are there any other COs that had done the same thing that were sent over for an IA?

A. As far as I know, anytime we've had them -- I was not the one that sent them, obviously, but there were -- anytime that they went up, if you were, you know, lying on an official document, you know, falsifying checks, all that stuff is supposed to go. Now, whether it did or not, I don't know.

Q. But past practice was that it should have gone?

A. Should have, yes, sir. I mean, we've had people get multiple days off for doing that stuff.

And then for one of the reasons she said that Kurtsey and Carr didn't warrant an investigation, she put it on one other female officer, that she had an incident where she had not done some checks, and nothing happened to her.

I was a captain that entire time, so I didn't know of that incident. When I asked her more details about it, the major, she said that it happened on a specific date. So I go looking at rosters and time sheets to see if that person was actually working, and that person was in the middle of a two-week vacation.

I don't know what information she had, but that incident and that date she gave me was not correct. And I could see the writing on the wall that they weren't going to do anything to these guys, and

the more I pushed -- ultimately, I believe that was one of the reasons I was demoted.

As soon as Major Stafford left, the first meeting I had with Major Keith, out of her mouth was, "Are you going to stay?"

I asked her, I said, "Stay? What do you mean, stay?"

And that's all she could say, "Are you going to stay?"

I'm like, I got ten years left. I'm not going anywhere."

And then here come the frivolous CCs, and I'm promptly demoted.

MR. KRAMER: Understood.

Anything else?

All right. Thank you.

(The statement concluded at 5:13 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF ALACHUA

I, the undersigned Notary Public, do hereby certify that JAMES MATTHEW BECK, who produced a Florida Driver's License as identification, personally appeared before me on April 26, 2023, and was duly sworn to tell the truth.

WITNESS my hand and official seal this July 5, 2023.

Cynthia F. Leverett
Notary Public
State of Florida at Large
My commission expires 9-27-24

NOTARY PUBLIC STATE OF FLORIDA
CYNTHIA LEVERETT
Commission # HH 036051
Expires September 27, 2024
Bonded Thru Budget Notary Services

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF ALACHUA

I, Cynthia F. Leverett, Stenographic Reporter and Notary Public in and for the State of Florida at Large, do hereby certify there came before me the witness herein, named JAMES MATTHEW BECK, for the purpose of giving a sworn statement.

I further certify that the statement was recorded by me stenographically, and that the foregoing transcript is a true and complete record of my stenographic notes taken at the time and place indicated herein.

I further certify that I am neither attorney or counsel for nor related to or employed by any of the parties to the action in which this deposition is taken, that I am not a relative or employee of any attorney or counsel employed by the parties hereto nor financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of me as the certifying stenographic reporter.

DATED this July 5, 2023.

Cynthia F. Leverett, FPR
Certified Stenographic Reporter

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YOU'VE (6:16)(10:11)

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MAY 01 2023

BY:_____

Nature Coast Reporters
PO Box 2392
Chiefland, FL 32644
386-256-1457
Billing@NatureCoastReporters.com
www.NatureCoastReporters.com

BILL TO
Office of State Attorney, 8th Circuit
120 West University Avenue
Gainesville, FL 32601

INVOICE 5622T

DATE 04/30/2023 **TERMS** Net 30

DUE DATE 05/30/2023

REPORTER
CFL

DATE	DESCRIPTION	QTY	RATE	AMOUNT
04/19/2023	Attendance of Reporter at State Attorney Investigation	7.50	60.00	450.00
04/20/2023	Attendance of Reporter at State Attorney Investigation	5.50	60.00	330.00
04/26/2023	Attendance of Reporter at State Attorney Investigation	7.50	60.00	450.00

State Attorney Investigations

SA Brian Kramer

TOTAL DUE **$1,230.00**

Date Invoice Received_____
Date Goods Received_____
Date Goods Inspected
\nd Approved_____
thin 5 working days as per F.S. 215.422)

Thank you for choosing Nature Coast Reporters. Your business is appreciated!

Tax ID: 26-1987689

TERMS: Not billed on contingency basis. Any amounts not received within 45 days of receipt are subject to a 2% late fee and any collection costs incurred

ALACHUA COUNTY SHERIFF'S OFFICE
OFFICE OF PROFESSIONAL STANDARDS

EMPLOYEE PROFILE

Employee:	Kevin Davis	**Date:**	1/23/2023
Position/Rank:	Sergeant	**Employee ID#:**	437
		Current	23-00010
Date of Hire:	3/22/2004	**Investigation:**	Social Media

CURRENTLY ON PROBATION ☐YES ☑NO

Carryover Points as of 3/20/2023 00

THIS SHEET MUST BE ATTACHED TO THE ADMINISTRATIVE INVESTIGATION REPORT.

However, do not assign it a page number within the investigation
(It is simply an attachment).

COMPLAINT HISTORY

Tracking #:	22-00108		
Allegation(s):	Knowledge of Directives	**Disposition:**	Sustained
Date:	10/3/2022	**Discipline:**	Written Reprimand
Tracking #:	16-FC-69		
Allegation(s):	Preventable Vehicle Crash	**Disposition:**	Sustained
Date:	8/8/2016	**Discipline:**	WR; 1 day loss of vehicle
Tracking #:	15-FC-41		
Allegation(s):	Unfavorable Conduct	**Disposition:**	Sustained
Date:	10/23/2015	**Discipline:**	Two days susp w/o pay
Tracking #:	15-IA-29		
Allegation(s):	Unfavorable Conduct	**Disposition:**	Sustained
Date:	6/10/2015	**Discipline:**	One day susp w/o pay
Tracking #:	11-FC-98		
Allegation(s):	Court Related Matters	**Disposition:**	Sustained
Date:	10/18/2011	**Discipline:**	Written Reprimand
Tracking #:	09-DA-57		
Allegation(s):	Driving	**Disposition:**	Sustained
Date:	5/1/2009	**Discipline:**	WR; 1 day loss of vehicle

Tracking # 23-00010
Allegation: Insubordination (50 points)

ACSO Sheriff' Office
OPS Comparable Report

Tracking Number	Allegation	Points	Action taken	Narrative	Disposition	Completed date
22-FC-31	353.V.A.07 - Insubordination	Level 3 (20 points - 1 yr)	Written Reprimand	Written Reprimand	Closed - Sustained	06/22/2022
2022-00055	353.V.A.07 - Insubordination	Level 5 (50 points - 2 yrs)	Disciplinary Suspension Disciplinary Probation	Five Day Suspension completed 7/18 - 7/22/2022 12 month disciplinary probation for sustained Level 5 allegation	Closed - Sustained	07/20/2022

R. Butscher/23-00036
F. Williams/23-00011
H. Adams/21-IA-64
5 ROLLING YEARS

ACSO TRACKING LOG

Tracking No	Involved Employee's Department	Allegation	**Findings	Date of Findings	C/O + Current Points = Total Points	Disc Matrix for Total Points Received	Above, Below or Within Guidelines	Loudermill	Discipline Received
21-FC-51	Department of Support Services	Insubordination	S	09/21/21	0+50=50	2 days - Termination	W	N	15 days susp w/o pay; 12 mos disciplinary probation; Loudermill resulted in Termination
21-FC_96	Department of Operations	Insubordination	S	11/03/21	0+50=50	2 days - Termination	W	N	5 days susp w/o pay; 12 mos disciplinary probation

Tracking No	Involved Employee's Department	Allegation	**Findings	Date of Findings	C/O + Current Points = Total Points	Disc Matrix for Total Points Received	Above, Below or Within Guidelines	Loudermill	Discipline Received
20-FC-06	Department of the Jail	Insubordination	S	03/09/20	0+50=50	2 days - Termination	W	N	3 days suspension w/o pay; 12 months disciplinary probation 03/13/20
20-FC-50	Department of the Jail	Insubordination	S	10/16/20	0+50=50	WR - 2 days suspension	W	N	Written Reprimand; 5 days suspension without pay; 11/10/2020
20-FC-67	Department of the Jail	Insubordination	S	09/30/20	0=50=50	2 days - Termination	W	N	2 days susp w/o pay; 12 months disciplinary probation; notice signed 10/6
20-FC-82	Department of the Jail	Insubordination	S	11/16/20	0+50=50	WR - 2 days suspension	W	Y	1 day susp w/o pay; 12 months disciplinary probation; notice signed 11/17

Tracking #	Involved Employee's Department	Allegation	**Findings	Date of Findings	C/O + Current Points = Total Points	Disc Matrix for Total Points Received	Above, Below or Within Guidelines	Loudermill	Discipline Received
19-FC-04	Department of the Jail	Insubordination	S	03/14/19	0+50=50	2 days - Termination	W	N	2 days suspension w/o pay; 12 months disciplinary probation 08/19/2019

Tracking #	Involved Employee's Department	Allegation	**Findings	Date of Findings	C/O + Current Points = Total Points	Disc Matrix for Total Points Received	Above, Below or Within Guidelines	Loudermill	Discipline Received
17-FC-07	Department of Support Services	Insubordination	S	3/15/2017	25+50=75	5 days-Termination	W	N	Five days suspension w/o pay; twelve months disciplinary probation 03/15/2017
17-FC-39	Department of the Jail	Insubordination	S	6/30/2017	0+50=50	2 days-Termination	W	N	Two days suspension w/o pay; twelve months disciplinary probation 07/25/2017
17-FC-58	Department of the Jail	Insubordination	S	8/9/2017	0+50=50	2 days-Termination	W	N	Three days suspension w/o pay; twelve months disciplinary probation 09/28/2017

50 Points or more regardless of allegation

ALACHUA COUNTY SHERIFF'S OFFICE 2010-2023

Tracking Number	Points Received	Completed date	Action taken	Narrative	Allegation	Alg: Finding
23-00011	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs)	03/21/2023	Termination	Two Level 5 charges sustained = 50 points each = 100 total points	353.V.A.02 - Conduct Unbecoming an Employee 353.V.A.07 - Insubordination	Sustained
23-00036	Level 5 (50 points - 2 yrs)	03/20/2023	Disciplinary Suspension	Suspension without pay served 4/5/2023; 12 mos disciplinary probation beginning 3/20/2023	353.V.A.07 - Insubordination	Sustained
22-00055	Level 5 (50 points - 2 yrs)	07/20/2022	Disciplinary Suspension Disciplinary Probation	Five Day Suspension completed 7/18 - 7/22/2022 12 month disciplinary probation for sustained Level 5 allegation (Insubordination)	353.V.A.07 - Insubordination	Sustained
21-FC-51	Level 5 (50 points - 2 yrs)	07/07/2020	Disciplinary Suspension Disciplinary Probation	15 days susp w/o pay; 12 mos disciplinary probation; Loudermill resulted in Termination	353.V.A.07 - Insubordination	Sustained
21-IA-64	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs)	10/18/2021	Termination	Resigned in Lieu of Termination 10/19/2021 as a result of Loudermill Hearing	353.V.A.07 - Insubordination 353.V.A.02 - Conduct Unbecoming an Employee	Sustained
21-FC-78	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs)	09/10/2021	Termination	Termination	353.V.A.07 - Insubordination 353.V.A.06 - Untruthfulness	Sustained
21-FC-89	Level 5 (50 points - 2 yrs)	11/02/2021	Disciplinary Suspension	Employee resigned during investigation.	353.V.A.07 - Insubordination	Sustained
21-FC-96	Level 5 (50 points - 2 yrs)	10/24/2021	Disciplinary Suspension Disciplinary Probation	5 days susp w/o pay; 12 mos disciplinary probation	353.V.A.07 - Insubordination	Sustained
21-FC-116	Level 5 (50 points - 2 yrs) Level 3 (20 points - 1 yrs)	11/29/2021	Termination	Suspension without pay from 12/28/2022 though retirement date of 1/17/2022.	353.V.A.07 - Insubordination 353.V.C.05 - Neglect of Duty	Sustained
20-FC-09	Level 5 (50 points - 2 yrs)	02/28/2020	Disciplinary Suspension Disciplinary Probation	3 days suspension w/o pay; 12 months disciplinary probation 03/13/20	353.V.A.07 - Insubordination	Sustained
20-FC-50	Level 5 (50 points - 2 yrs)	07/29/2020	Disciplinary Suspension	Written Reprimand; 5 days suspension without pay; 11/10/2020	353.V.A.07 - Insubordination	Sustained
20-FC-67	Level 5 (50 points - 2 yrs)	08/30/2020	Disciplinary Suspension Disciplinary Probation	2 days susp w/o pay; 12 months disciplinary probation; notice signed 10/6	353.V.A.07 - Insubordination	Sustained
20-FC-82	Level 5 (50 points - 2 yrs)	11/10/2020	Disciplinary Suspension Disciplinary Probation	1 day susp w/o pay; 12 months disciplinary probation; notice signed 11/17	353.V.A.07 - Insubordination	Sustained
19-FC-14	Level 5 (50 points - 2 yrs)	01/31/2019	Disciplinary Suspension Disciplinary Probation	10 days suspension w/o pay; 12 months disciplinary probation 02/23/19	353.V.A.07 - Insubordination	Sustained
19-FC-21	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs)	03/22/2019	Termination	Resigned in lieu of termination; not eligible for rehire 03/26/19	353.V.A.04 - Contraband in the Secure Envelope of the Department of the Jail 353.V.A.07 - Insubordination	Sustained
19-FC-64	Level 5 (50 points - 2 yrs)	08/01/2019	Disciplinary Suspension Disciplinary Probation	2 days suspension w/o pay; 12 months disciplinary probation 08/19/2019	353.V.A.07 - Insubordination	Sustained
18-FC-89	Level 5 (50 points - 2 yrs) Level 4 (30 points - 2 yrs)	12/07/2018	Disciplinary Suspension Disciplinary Probation Demotion from Lt. to Sgt.	15 days susp w/o pay; 12 mos disciplinary probation; Per Loudermill - resign as Sgt. in lieu of demotion	353.V.A.07 - Insubordination 353.V.B.01 - Performance of Duty	Sustained
17-FC-07	Level 5 (50 points - 2 yrs)	02/01/2017	Disciplinary Suspension Disciplinary Probation	Five days suspension w/o pay; twelve months disciplinary probation 03/15/2017	353.V.A.07 - Insubordination	Sustained
17-IA-30	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs) Level 3 (20 points - 1 yrs) Level 2 (10 points - 1 yrs)	05/09/2017	Termination	Resigned while under investigation as part of plea agreement	353.V.A.01 - Criminal Conduct 353.V.A.07 - Insubordination 353.V.C.14 - Unfavorable Conduct 353.V.D.07 - Driving	Sustained
17-FC-39	Level 5 (50 points - 2 yrs)	05/19/201	Disciplinary Suspension Disciplinary Probation	Two days suspension w/o pay; twelve months disciplinary probation 07/25/2017	353.V.A.07 - Insubordination	Sustained
17-FC-58	Level 5 (50 points - 2 yrs)	07/28/2017	Disciplinary Suspension Disciplinary Probation	Three days suspension w/o pay; twelve months disciplinary probation 08/28/2017	353.V.A.07 - Insubordination	Sustained
15-FC-58	Level 5 (50 points - 2 yrs)	08/25/2015	Disciplinary Suspension Disciplinary Probation	Two (2) Days Suspension without Pay, Twelve (12) Months Disciplinary Probation 10/1/2015	353.V.A.07 - Insubordination	Sustained
15-FC-65	Level 5 (50 points - 2 yrs)	09/21/2015	Disciplinary Suspension Disciplinary Probation	Two (2) Days Suspension without Pay, Twelve (12) Months Disciplinary Probation 10/1/2015	353.V.A.07 - Insubordination	Sustained
13-FC-05	Level 5 (50 points - 2 yrs)	01/09/2013	Disciplinary Suspension Disciplinary Probation	Two (2) Days Suspension without Pay, Twelve (12) Months Disciplinary Probation - Employee Resigned prior to signing final discipline 3/29/2013	353.V.A.07 - Insubordination	Sustained
13-FC-24	Level 5 (50 points - 2 yrs) Level 4 (30 points - 2 yrs)	02/19/2013	Disciplinary Suspension Disciplinary Probation	Employee Resigned Prior to Discipline Being Served 6/17/2013 - Intended Discipline was Five (5) Days Suspension without Pay, Twelve (12) Months Disciplinary Probation and Eight (8) Hours Ethics Course	353.V.A.07 - Insubordination 353.V.B.01 - Performance of Duty	Sustained
13-IA-34	Level 5 (50 points - 2 yrs) Level 4 (30 points - 2 yrs) Level 1 (0 points - 1 yrs)	04/03/2013	Disciplinary Suspension Disciplinary Probation	Eight (8) Days Suspension without Pay, Six (6) Months Disciplinary Probation, Six (6) Months Performance Improvement Plan and Letter of Apology	353.V.A.07 - Insubordination 353.V.C.08 - Criticism of Order 353.V.E.02 - Relationship - Fellow Employees	Sustained
13-FC-49	Level 5 (50 points - 2 yrs) Level 2 (10 points - 1 yrs)	04/26/2013	Disciplinary Suspension Disciplinary Probation	Three (3) Days Suspension without Pay, Twelve (12) Months Disciplinary Probation	353.V.A.07 - Insubordination 353.V.D.06 - Possessing and Maintaining a Current and Valid Motor Vehicle's Operator's License	Sustained
13-FC-101	Level 5 (50 points - 2 yrs) Level 4 (30 points - 2 yrs) Level 3 (20 points - 1 yrs)	10/23/2013	Disciplinary Suspension Disciplinary Probation	Ten (10) Days Suspension without Pay, Twelve (12) Months Probation and Performance Improvement Plan 12/19/2013	353.V.A.07 - Insubordination 353.V.B.01 - Performance of Duty 353.V.C.05 - Neglect of Duty	Sustained
12-FC-13	Level 5 (50 points - 2 yrs) Level 1 (0 points - 1 yrs)	02/22/2012	Disciplinary Suspension Disciplinary Probation	Two (2) Days Suspension without Pay, Twelve (12) Months Disciplinary Probation 03/07/2012	353.V.A.07 - Insubordination 353.V.C.05 - Knowledge of Ordinances	Sustained
12-FC-14	Level 5 (50 points - 2 yrs) Level 2 (10 points - 1 yrs)	02/23/2012	Disciplinary Suspension Disciplinary Probation	Employee Resigned Prior to Completion of Investigation 2/23/2013	353.V.A.07 - Insubordination X 3 charges 353.V.D.05 - Proper Care of Equipment	Sustained
11-IA-12	Level 5 (50 points - 2 yrs)	01/21/2011	Termination	Termination 2/24/11 - Subject employee arrested for domestic violence during investigation.	353.V.A.07 - Insubordination	Sustained
11-FC-17	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs)	01/22/2011	Termination	Employee Already Resigned 2/24/11	353.V.A.07 - Insubordination 353.V.A.02 - Conduct Unbecoming	Sustained
11-FC-24	Level 5 (50 points - 2 yrs)	03/01/2011	Disciplinary Suspension	Two Days Suspension without Pay 4/26/11	353.V.A.07 - Insubordination	Sustained
11-FC-55	Level 5 (50 points - 2 yrs)	05/25/2011	Disciplinary Suspension Disciplinary Probation	Two (2) Days Suspension without Pay and Twelve (12) Months Disciplinary Probation 08/02/11 Extension Approved by Sheriff 6/20/11	353.V.A.07 - Insubordination	Sustained

50 Points or more regardless of allegation

ALACHUA COUNTY SHERIFF'S OFFICE 2010-2023

11-FC-63	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs) Level 3 (20 points - 2 yrs) Level 1 (0 points - 1 yrs) Level 1 (0 points - 1 yrs)	06/07/2011	Termination	Termination 07/27/2011	353.V.A.07 - Insubordination 353.V.A.01 - Criminal Conduct 353.V.C.03 - Absent w/o Authorization 353.V.E.01 - Knowledge of Ordances 353.V.E.13 - Tardiness	Sustained
11-IA-67	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs)	06/16/2011	Termination	Termination 08/08/2011	353.V.A.07 - Insubordination 353.V.A.01 - Criminal Conduct 353.V.A.05 - Use of Alcohol/Drugs and Medicaiton	Sustained
11-FC-70	Level 5 (50 points - 2 yrs)	06/29/2011	Disciplinary Suspensoin	Two (2) Days Suspension without Pay 08/15/2011	353.V.A.07 - Insubordination	Sustained
11-IA-88	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs)	06/16/2011	Disciplinary Suspension Disciplinary Probation	Fifteen (15) Days Suspension Without Pay; Twelve (12) Months Disciplinary Probation 09/06/2011	353.V.A.07 - Insubordination 353.V.A.12 - Communicating or Imparting Confidential Information	Sustained
11-FC-63	Level 5 (50 points - 2 yrs) Level 3 (20 points - 2 yrs) Level 3 (20 points - 2 yrs)	08/31/2011	Termination	Termination 09/22/2011	353.V.A.07 - Insubordination 353.V.C.03 - Absent w/o Authorization X 2	Sustained
11-FC-100	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs) Level 3 (20 points - 2 yrs) Level 3 (20 points - 2 yrs)	09/01/2011	Termination	Fifteen (15) Days Suspension Without Pay Twelve (12) Months Disciplinary Probation EAP evaluation to assess need for Anger Management Class 10/18/2011	353.V.A.07 - Insubordination X 2 353.V.C.08 - Criticism of Order X 2	Sustained
11-FC-101	Level 5 (50 points - 2 yrs)	09/15/2011	Disciplinary Suspension Disciplinary Probation	One (1) Day Suspension Without Pay; Twelve (12) Months of Disciplinary Probation 10/20/2011	353.V.A.07 - Insubordination	Sustained
11-FC-108	Level 5 (50 points - 2 yrs) Level 3 (20 points - 2 yrs)	09/19/2011	Termination	Termination 10/26/2011	353.V.A.07 - Insubordination 353.V.B.01 - Performance of Duty	Sustained
11-FC-155	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs)	12/21/2011	Disciplinary Suspension Disciplinary Probation	Three (3) Days Suspension without Pay; Twelve (12) Months Disciplinary Probation 7/16/2012	353.V.A.07 - Insubordination 353.V.C.01 - Criminal Conduct	Sustained
10-FC-08	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs) Level 3 (20 points - 2 yrs) Level 2 (10 points - 1 yrs) Level 1 (0 points - 1 yrs) Level 1 (0 points - 1 yrs)	01/20/2010	Disciplinary Suspension Disciplinary Probation	Three Days Suspension without Pay, Twelve Months Disciplinary Probation, Participate in PIP, Participate in EAP 03/11/10	353.V.A.07 - Insubordination X 2 353.V.A.13 - Continued Absence from Work 353.V.A.06 - Untruthfulness 353.V.C.03 - Absent w/o Authorization X 4 353.V.D.05 - Proper Care of Equipment 353.V.E.11 - Address and Telephone Numbers 353.V.E.01 - Knowledge of Ordances	Sustained
10-DA-16	Level 5 (50 points - 2 yrs)	01/20/2010	Disciplinary Probation	Twelve Months Disciplinary Probation 03/08/10	353.V.A.07 - Insubordination	Sustained
10-DA-23	Level 5 (50 points - 2 yrs)	02/02/2010	Disciplinary Suspension Disciplinary Probation	Three Days Suspension without Pay, Twelve Months Disciplinary Probation, Participate in PIP, Participate in EAP 03/18/10	353.V.A.07 - Insubordination	Sustained
10-DA-25	Level 5 (50 points - 2 yrs)	02/04/2010	Termination	Termination 4/7/2010 - recent tattoos on hands and nature of the tattoos	353.V.A.07 - Insubordination	Sustained
10-DA-57	Level 5 (50 points - 2 yrs)	04/15/2010	Disciplinary Suspension Disciplinary Probation	Two Days Suspension without Pay and One Year Disciplinary Probation 06/18/10	353.V.A.07 - Insubordination	Sustained
10-DA-72	Level 5 (50 points - 2 yrs)	05/24/2010	Demotion from a Detention Officer	Reassignment to a Civilian Position within the Court Security Bureau 07/09/10	353.V.A.07 - Insubordination	Sustained
10-FC-78	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs)	06/08/2010	Termination	Termination 07/14/2010	353.V.A.07 - Insubordination 353.V.A.01 - Criminal Conduct 353.V.A.06 - Untruthfulness	Sustained
10-DA-98	Level 5 (50 points - 2 yrs)	02/04/2010	Termination	Employee Resigned Prior to Completion 12/30/10 Employee Out On FMLA, Investigation Tolled Per Major Hewitt 7/28/10	353.V.A.07 - Insubordination	Sustained
10-DA-128	Level 5 (50 points - 2 yrs) Level 4 (30 points - 2 yrs) Level 1 (0 points - 1 yrs)	08/11/2010	Disciplinary Suspension Disciplinary Probation	Ten Days Suspension without Pay, Six Months Disciplinary Probation and Review State Statutes, ACSO Directives and the Training Bureau's PowerPoint presentation on Domestic Violence 10/5/10	353.V.A.07 - Insubordination 353.V.B.01 - Performance Of Duty 353.V.E.01 - Knowledge of Ordances	Sustained
10-DA-137	Level 5 (50 points - 2 yrs)	08/25/2010	Disciplinary Probation	Written Reprimand and Twelve Months of Disciplinary Probation 11/18/10 30 Day Extension Approved by Sheriff 10/13/10	353.V.A.07 - Insubordination	Sustained
10-DA-138	Level 5 (50 points - 2 yrs)	09/23/2010	Disciplinary Suspension Disciplinary Probation	Four Days Suspension without Pay and Five Months of Disciplinary Probation 30 Day Extension Approved by Sheriff 10/25/; 15 Day Additional Extension Approved by Sheriff 11/24/2010	353.V.A.07 - Insubordination	Sustained
10-DA-167	Level 5 (50 points - 2 yrs)	10/06/2010		Employee already Resigned, Notice Sent 12/08/10 30 Day Extension approved by the Sheriff on 11/05/10	353.V.A.07 - Insubordination	Sustained
10-DA-184	Level 5 (50 points - 2 yrs) X 17	10/25/2010	Termination	Employee Resigned in Lieu of Termination 12/30/10 30 Day Extension Approved by the Sheriff 11/24/10	353.V.A.07 - Insubordination X 2 353.V.A.06 - Untruthfulness X 15	Sustained
10-DA-185	Level 5 (50 points - 2 yrs) X 6 Level 4 (30 points - 2 yrs)	10/25/2010	Disciplinary Suspension Disciplinary Probation	All combined with 10-DA-185, 10-DA-186 and 10-DA-187 Fitzwater Resigned Prior to completion of investigation Kinsey: Thirty Days Suspension without Pay, Thirty-six Months Disciplinary Probation 30 Day Extension Approved by the Sheriff 10/27/10	353.V.A.07 - Insubordination x 6 353.V.B.09 - Improper Conduct	Sustained
10-DA-186	Level 5 (50 points - 2 yrs) X 4 Level 4 (30 Points - 2 yrs)	10/25/2010	See Above	See Above;30 Day Extension Approved by the Sheriff 10/27/10	353.V.A.07 - Insubordination x 4 353.V.B.09 - Improper Conduct	Sustained
10-DA-202	Level 5 (50 points - 2 yrs) Level 4 (30 Points - 2 yrs)	11/23/2010		Notice Signed 1/31/11 10 Day Extension Approved by the Sheriff 11/29/10	353.V.A.07 - Insubordination 353.V.B.01 - Performance Of Duty	Sustained
10-DA-210	Level 5 (50 points - 2 yrs)	12/09/2010	Disciplinary Suspension Disciplinary Probation	Three Days Suspension without Pay and Twelve Months Disciplinary Probation 01/12/11	353.V.A.07 - Insubordination	Sustained
10-DA-221	Level 5 (50 points - 2 yrs) Level 5 (50 Points - 2 yrs) Level 5 (50 points - 2 yrs)	11/23/2010	Termination	Termination 01/07/2011	353.V.A.07 - Insubordination 353.V.B.01 - Performance Of Duty	Sustained
10-DA-225	Level 5 (50 points - 2 yrs) Level 5 (50 Points - 2 yrs) Level 1 (0 points - 2 yrs)	12/29/2010	Termination	Employee already resigned. Notice Sent 04/15/11	353.V.A.07 - Insubordination 353.V.A.01 - Criminal Conduct 353.V.E.01 - Knowledge of Ordinance	Sustained

50 Points or more regardless of allegation

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Tracking Number	Points Received	Completed date	Action taken	Narrative	Allegation	Alg: Finding
23-00011	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs)	03/21/2023	Termination	Two Level 5 charges sustained = 50 points each = 100 total points	353.V.A.02 - Conduct Unbecoming an Employee 353.V.A.07 - Insubordination	Sustained
23-00018	Level 5 (50 points - 2 yrs)	02/27/2023	Disciplinary Suspension Disciplinary Probation	Four (4) months disciplinary probation beginning 3/1/2023 - 7/1/2023	353.V.A.06 - Untruthfulness	Sustained
23-00036	Level 5 (50 points - 2 yrs)	03/20/2023	Disciplinary Suspension	Suspension without pay served 4/5/2023; 12 mos disciplinary probation beginning 3/20/2023	353.V.A.07 - Insubordination	Sustained
22-00055	Level 5 (50 points - 2 yrs)	07/20/2022	Disciplinary Suspension Disciplinary Probation	Five Day Suspension completed 7/18 - 7/22/2022 12 month disciplinary probation for sustained Level 5 allegation (Insubordination)	353.V.A.07 - Insubordination	Sustained
21-FC-28	Level 5 (50 points - 2 yrs)	07/12/2021	Suspension Resigned Under Investigation	Terminated employment prior to completion.	353.V.A.06 - Untruthfulness	Sustained
21-IA-41	Level 5 (50 points - 2 yrs)	10/13/2021	Suspension Resigned Under Investigation	Terminated employment prior to completion.	353.V.A.06 - Untruthfulness	Sustained
21-FC-51	Level 5 (50 points - 2 yrs)	07/07/2020	Disciplinary Suspension Disciplinary Probation	15 days susp w/o pay; 12 mos disciplinary probation; Loudermill resulted in Termination	353.V.A.07 - Insubordination	Sustained
21-IA-64	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs)	10/18/2021	Termination	Resigned in Lieu of Termination 10/19/2021 as a result of Loudermill Hearing	353.V.A.07 - Insubordination 353.V.A.02 - Conduct Unbecoming an Employee	Sustained
21-FC-77	Level 5 (50 points - 2 yrs)	11/02/2021	Termination	Career Service Board Sustained Termination 1/4/2022	353.V.A.06 - Untruthfulness	Sustained
21-FC-89	Level 5 (50 points - 2 yrs)	11/02/2021	Disciplinary Suspension	Employee resigned during investigation.	353.V.A.07 - Insubordination	Sustained
21-FC-96	Level 5 (50 points - 2 yrs)	10/24/2021	Disciplinary Suspension Disciplinary Probation	5 days susp w/o pay; 12 mos disciplinary probation	353.V.A.07 - Insubordination	Sustained
21-IA-104	Level 5 (50 points - 2 yrs)	11/30/2021	Termination	Employee resigned while under investigation.	353.V.A.02 - Conduct Unbecoming an Employee 353.V.A.06 - Untruthfulness	Sustained
21-FC-116	Level 5 (50 points - 2 yrs) Level 3 (20 points - 1 yrs)	11/29/2021	Termination	Suspension without pay from 12/28/2022 though retirement date of 1/17/2022.	353.V.A.07 - Insubordination 353.V.C.05 - Neglect of Duty	Sustained
20-IA-02	Level 5 (50 points - 2 yrs)	06/17/2020	Disciplinary Suspension Disciplinary Probation	10 days (80 hours) suspension w/o pay; 12 months disciplinary probation; attend report writing and ethics training 07/20/20	353.V.A.06 - Untruthfulness	Sustained
20-FC-09	Level 5 (50 points - 2 yrs)	02/28/2020	Disciplinary Suspension Disciplinary Probation	3 days suspension w/o pay; 12 months disciplinary probation 03/13/20	353.V.A.07 - Insubordination	Sustained
20-IA-38	Level 5 (50 points - 2 yrs)	06/16/2020	Disciplinary Suspension Disciplinary Probation	60 hours suspension without pay; 12 months disciplinary probation 06/23/20	353.V.A.02 - Conduct Unbecoming an Employee	Sustained
20-FC-50	Level 5 (50 points - 2 yrs)	07/29/2020	Disciplinary Suspension	Written Reprimand; 5 days suspension without pay; 11/10/2020	353.V.A.07 - Insubordination	Sustained
20-FC-66	Level 5 (50 points - 2 yrs)	08/31/2020	Termination	Per Loudermill; Termination 9/14/2020	353.V.A.06 - Untruthfulness	Sustained
20-FC-67	Level 5 (50 points - 2 yrs)	08/30/2020	Disciplinary Suspension Disciplinary Probation	2 days susp w/o pay; 12 months disciplinary probation; notice signed 10/6	353.V.A.07 - Insubordination	Sustained
20-IA-78	Level 5 (50 points - 2 yrs)	10/01/2020	Termination	Termination; 11/10/2020	353.V.A.01 - Criminal Conduct	Sustained
20-FC-82	Level 5 (50 points - 2 yrs)	11/10/2020	Disciplinary Suspension Disciplinary Probation	1 day susp w/o pay; 12 months disciplinary probation; notice signed 11/17	353.V.A.07 - Insubordination	Sustained
19-FC-11	Level 5 (50 points - 2 yrs)	01/17/2019	Disciplinary Suspension Disciplinary Probation	2 days suspension w/o pay; 12 months disciplinary probation 01/30/19	353.V.A.02 - Conduct Unbecoming an Employee	Sustained
19-FC-12	Level 5 (50 points - 2 yrs)	01/23/2019	Disciplinary Suspension Disciplinary Probation	2 days suspension w/o pay; 12 months disciplinary probation 02/02/2019	353.V.A.02 - Conduct Unbecoming an Employee	Sustained
19-FC-14	Level 5 (50 points - 2 yrs)	01/31/2019	Disciplinary Suspension Disciplinary Probation	10 days suspension w/o pay; 12 months disciplinary probation 02/23/19	353.V.A.07 - Insubordination	Sustained
19-IA-19	Level 5 (50 points - 2 yrs)	02/28/2019	Termination	Resigned during investigation 03/14/2019	353.V.A.01 - Criminal Conduct	Sustained
19-FC-21	Level 5 (50 points - 2 yrs) Level 5 (50 points - 2 yrs)	03/22/2019	Termination	Resigned in lieu of termination; not eligible for rehire 03/26/19	353.V.A.04 - Contraband in the Secure Envelope of the Department of the Jail 353.V.A.07 - Insubordination	Sustained
19-IA-50	Level 5 (50 points - 2 yrs)	06/13/2019	Demotion	Demotion from Sgt. To Detention Officer; Permitted to retire as a Detention Officer during Loudermill 08/21/19	353.V.A.08 - Harassment, Sexual and Other	Sustained
19-IA-52	Level 5 (50 points - 2 yrs)	06/25/2019	Disciplinary Suspension	5 days suspension w/o pay 06/28/19	353.V.A.01 - Criminal Conduct	Sustained
19-FC-64	Level 5 (50 points - 2 yrs)	08/01/2019	Disciplinary Suspension Disciplinary Probation	2 days suspension w/o pay; 12 months disciplinary probation 08/19/2019	353.V.A.07 - Insubordination	Sustained
19-IA-71	Level 5 (50 points - 2 yrs)	09/10/2019		Permitted to resign in lieu of termination during Loudermill 11/04/19	353.V.A.01 - Criminal Conduct	Sustained
19-FC-79	Level 5 (50 points - 2 yrs)	10/24/2019	Disciplinary Suspension Disciplinary Probation	5 days suspension w/o pay; 12 months disciplinary probation; monitoring by Sgts 11/01/19	353.V.A.02 - Conduct Unbecoming an Employee	Sustained
19-FC-81	Level 4 (30 points - 2 yrs) Level 3 (20 points - 1 yrs)	11/01/2019	Disciplinary Suspension	2 days suspension w/o pay 11/24/19	353.V.B.01 - Performance of Duty 353.V.C.02 - Sleeping on Duty	Sustained
19-IA-84	Level 5 (50 points - 2 yrs)	11/18/2019	Termination	Termination; Untruthfulness changed to NS by Sheriff during Loudermill 01/16/20	353.V.A.06 - Untruthfulness	Sustained
18-IA-01	Level 5 (50 points - 2 yrs)	01/01/2018	Termination	Resigned in lieu of termination during Loudermill 02/15/2018	353.V.A.01 - Criminal Conduct	Sustained
18-IA-04	Level 5 (50 points - 2 yrs)	01/08/2018	Termination	Termination 01/09/2018	353.V.A.01 - Criminal Conduct	Sustained
18-IA-07	Level 5 (50 points - 2 yrs)	01/25/2018	Disciplinary Suspension Disciplinary Probation	10 days suspension w/o pay; 12 months disciplinary probation; no driving ACSO vehicle until DL reinstated, proof provided; comply with court mandates, proof provided 02/25/2018	353.V.A.01 - Criminal Conduct	Sustained
18-FC-16	Level 5 (50 points - 2 yrs)	03/12/2018	Disciplinary Suspension Disciplinary Probation	2 days suspension w/o pay; 12 months disciplinary probation; encouraged to continue EAP/clergy counseling 03/21/2018	353.V.A.02 - Conduct Unbecoming an Employee	Sustained
18-FC-25	Level 4 (30 points - 2 yrs) Level 3 (20 points - 1 yrs)	04/04/2018	Disciplinary Suspension	3 days suspension w/o pay 05/14/2018	353.V.B.01 - Performance of Duty 353.V.C.05 - Neglect of Duty	Sustained
18-FC-29	Level 5 (50 points - 2 yrs)	04/25/2018	Disciplinary Suspension Disciplinary Probation	2 days suspension w/o pay; 12 months disciplinary probation; removal from FTO status 05/09/2018	353.V.A.02 - Conduct Unbecoming an Employee	Sustained
18-IA-49	Level 5 (50 points - 2 yrs)	07/20/2018	Written Reprimand	Written reprimand 09/20/2018	353.V.A.01 - Criminal Conduct	Sustained
18-IA-53	Level 4 (30 points - 2 yrs) Level 3 (20 points - 2 yrs)	08/03/2018	Disciplinary Suspension Disciplinary Probation	9 days suspension w/o pay; 12 months disciplinary probation; no driving ACSO vehicle until DL reinstated, proof provided; comply with court mandates, proof provided 09/12/2018	353.V.B.01 - Performance of Duty 353.V.C.05 - Neglect of Duty	Sustained
18-IA-54	Level 5 (50 points - 2 yrs)	08/04/2018	Disciplinary Suspension Disciplinary Probation	10 days suspension w/o pay; 12 months disciplinary probation; no driving ACSO vehicle until DL reinstated, proof provided; comply with court mandates, proof provided 09/12/2018	353.V.A.01 - Criminal Conduct	Sustained
18-IA-81	Level 5 (50 points - 2 yrs)	11/13/2018	Disciplinary Suspension Disciplinary Probation	Two days suspension w/o pay; twelve months disciplinary probation 01/29/2019	353.V.A.01 - Criminal Conduct	Sustained

Note: This report is for informational purposes only.

ALACHUA COUNTY SHERIFF'S OFFICE

Office of Professional Standards

Administrative Investigation Report

CASE NUMBER	2023-00010
ASSIGNED INSPECTOR	Virgil Calhoun
DATE	5/4/2023
ALLEGATION	353 V.A.7b – Insubordination
COMPLAINANT	Captain Kelvin Jenkins #0334
INVOLVED EMPLOYEES	Sergeant Kevin Davis #0437

WITNESS LIST

Alachua County Sheriff's Employees

Major Dorian Keith	#0368
Major Jack "Lance" Yaeger	#0386
Captain Kelvin Jenkins	#0334

PREDICATION

On January 11, 2023, Human Resources Director Reshone Flanders e-mailed Personnel Order 23-005 as approved by Sheriff Clovis Watson, Jr. On January 12, 2023, the Alachua County Sheriff's Facebook page released a statement related to the personnel changes. On January 23, 2023, Chief Inspector Kelvin Jenkins informed the Inspectors of the Office of Professional Standards, that Sergeant Kevin Davis authored comments on Facebook that may be a violation of ACSO Directives. On March 30, 2023, this Inspector began an investigation into any potential policy violations.

COMPLAINT

On January 12, 2023, Alachua County Sheriff's Office used social media platform, Facebook, to inform the general public of recent promotions that "*...provide growth, opportunity and represent the future of ASO as Sheriff Watson continues to fulfill his vision and promise to the community that will strengthen and improve the agency, the services we offer and the bond we share with the citizens of Alachua County.*"

On January 12, 2023, Sergeant Kevin Davis authored a Facebook post that may be a violation of ACSO directives. ACSO 945 – Social Media policy states, "*All employees must strive to maintain public trust and confidence, not only in our professional actions, but also in our personal and online actions. Any online activity that has the effect of diminishing the public's trust and/or confidence in the ACSO will hinder the efforts of this agency to fulfill our mission.*"

This complaint, involving possible violations of ACSO Directive 353 V.A.7.b – Insubordination was initiated.

Directive 353 V.A.7.b – "Insubordination – Insubordination will be defined as 'failure to submit to authority' and will include, but not be limited to, any failure or deliberate refusal to obey a lawful order given by a superior or relayed by an employee of the same or lesser rank or any disrespectful, insolent or abusive language or action toward a superior whether in or out of the presence of the superior."

Directive 945 VIII.B.2 - "Employee Use of Social Media – Employees who utilize the Internet and social networking sites whether from an agency or personal device, are prohibited from posting any of the following on any social networking platform, either on their own sites, the sites of others known to them, the sites of others unknown to them, news media pages, or other information exchange forums:

> *a. Any statements or material about the ACSO, its operations, or its current or former employees that are obscene, defamatory, false, deceptive, misleading, profane, libelous, threatening, harassing, abusive, hateful, etc."*

INSPECTOR'S INVESTIGATION

On January 11, 2023, Human Resources Director Reshone Flanders e-mailed *#ACSO Agency Wide*, Personnel Order 23-005. On January 12, 2023, Alachua County Sheriff's Office posted the promotions on the *Alachua County Sheriff* Facebook page.

Alachua County Sheriff's Facebook Post

On January 12, 2023, Alachua County Sheriff's Facebook page posted about new promotions and assignments. The following Facebook comment has been reformatted, italicized, and copied in its entirety into this Administrative Investigation.

"Sheriff Clovis Watson Jr. is pleased to announce some changes at the Alachua County Sheriff's Office for 2023. These new promotions and assignments provide growth, opportunity and represent the future of ASO as Sheriff Watson continues to fulfill his vision and promise to the community that will strengthen and improve the agency, the services we offer and the bond we share with the citizens of Alachua County.

Interim Jail Director Dorian Keith is promoted to the rank of Major with assignment of Jail Director in the Department of the Jail.

Chief Detective Jack "Lance" Yaeger is promoted to the rank of Major in the Department of Support Services.

Lieutenant Christopher Sims is promoted to the rank of Captain in the Patrol Operations Division – Team 2.
Lieutenant Jayson Levy is promoted to the rank of Captain in the Patrol Operations Division – Team 1.

Sergeant John Harris is promoted to the rank of Lieutenant in the Criminal Investigations Division – ACTION Unit.

Sergeant Matthew Yakubsin is promoted to the rank of Lieutenant in the Special Operations Division – Juvenile Relations Bureau.

Deputy Taylor Redding is promoted to the rank of Sergeant in the Patrol Operations Division – Team 2 Nights.

Deputy Jered Smith is promoted to the rank of Sergeant in the Patrol Operations Division – Team 1 Nights."

Captain Kelvin Jenkins #0334

On March 30, 2023, at 1513 hours, a digitally recorded interview was conducted with Captain Kelvin Jenkins #0334. Captain Kelvin Jenkins provided a Complaint Intake Form dated March 30, 2023. The interview was conducted by Inspectors Virgil Calhoun and Scott Anderson at Alachua County Sheriff's Office, Office of Professional Standards.

This Inspector interviewed Captain Kelvin Jenkins in reference to his Complaint Intake Form. Captain Jenkins stated in writing he was, "*...informed by the office of the Sheriff that Sergeant Kevin Davis provided commentary and/or authored social media posts, on FACEBOOK, which openly criticized personnel moves decided by Sheriff Watson, along with perceived claims of mismanagement, racism, cronyism etc.*" This Inspector asked Captain Jenkins if he had any further details and simply referred to his written statement.

Sergeant Kevin Davis' Facebook Posts

Sergeant Kevin Davis' initial (Facebook Post #1) social media posts on Facebook. The following Facebook comments were reformatted, italicized and copied in its entirety into this Administrative Investigation.

Facebook Post #1 – "Weiner Dog" meme with caption, "*Captain Weiner Dog promoted to Major.*"

Inspector's Notes

On January 11, 2023, Sergeant Kevin Davis was included in Human Resources Bureau Chief Reshone Flanders' *#ACSO Agency Wide* e-mail group receiving Personnel Order 23-005. Sergeant Davis was identified as "*Kevin Davis*" on Facebook. Sergeant Davis did not identify working for Alachua County Sheriff's Office on his Facebook page. Sergeant Davis' profile photograph did not use identifiers associated with Alachua County Sheriff's Office.

Sergeant Davis had been employed with the Alachua County Sheriff's Office since 2004, according to the Employee Master Index (MNI). On April 13, 2013, Deputy Davis was promoted to the rank of Sergeant. At the time of the social media allegation, Sergeant Davis was assigned to the Patrol Division on Team Two Day Shift - District Three.

On January 23, 2023, Chief Inspector Kelvin Jenkins informed the Office of Professional Standards, that Sergeant Kevin Davis made comments on Facebook that may be a violation of ACSO Directives. Sergeant

Kevin Davis singled out the promotion of a certain Alachua County Sheriff's Office employee. According to the Facebook post by Alachua County Sheriff's Office, only two employees were promoted to the rank of major, one being Dorian Keith and the second being Jack "Lance" Yaeger.

On March 30, 2023, this Inspector submitted an extension to Sheriff Clovis Watson Jr., requesting thirty (30) days added to this Administrative Investigation beginning on April 19, 2023.

Major Dorian Keith #0368

On April 3, 2023, at 1340 hours, a digitally recorded interview was conducted with Major Dorian Keith #0368. The interview was conducted by Inspector Virgil Calhoun and Chief Inspector Kelvin Jenkins at Alachua County Sheriff's Office, Department of the Jail.

On January 11, 2023, Human Resources Bureau Chief Reshone Flanders e-mailed personnel Order 23-005. Two employees were promoted to the rank of major.

> "***Effective January 15, 2023***:
>
> ***Interim Jail Director Dorian Keith*** *promoted to the rank of* ***Major*** *with assignment of* ***Jail Director*** *in the* ***Department of the Jail****, reporting to* ***Undersheriff Joel DeCoursey, Jr.***
>
> ***Chief Detective Jack "Lance" Yaeger*** *promoted to the rank of* ***Major*** *in the* ***Department of Support Services****, reporting to* ***Colonel Chad D. Scott***."

Major Keith was informed about a Facebook post made by Sergeant Kevin Davis on January 12, 2023. This Inspector described the Facebook post to Major Keith. This Inspector informed Major Keith the purpose of this interview was trying to understand who Sergeant Davis was referencing in the Facebook post. This Inspector ask Major Keith, "*First, could you explain the chain of command structure.*" Major Keith replied, "*So it be, officer slash deputy, because they're the same rank. Then it would be sergeant. Then it would be lieutenant. Captain, major, colonel if this agency has them and then undersheriff and sheriff.*" Major Keith informed this Inspector her prior rank before she was promoted to major was captain. This Inspector asked were both majors, who were promoted, of the rank of captain. Major Keith said, "*Yes, but...*" (**Inspector Note**: Major Yaeger's title as Chief Detective is understood to be similar in pay and rank as a captain. The position of Chief Detective is occupied by an employee of the rank of captain.) Major Keith confirmed she was currently assigned to the Department of the Jail as Jail Director. This Inspector asked Major Keith if it was correct to conclude that the only other major in the agency would be Jack "Lance" Yaeger. Major Keith said, "*Correct.*"

This Inspector asked Major Keith, "*Have you ever supervised Sergeant Kevin Davis?*" Major Keith testified, "*I have not.*" This Inspector informed Major Keith that Kevin Davis did work in the Department of the Jail back in 2004. Major Keith continued, "*In 2004, I had just got promoted to sergeant and so I would have went to a night shift here in security but prior to that I came from transport. So, I'm not sure if I supervised him on night shift or not if I was first a sergeant but, um, I don't remember it if I did.*"

This Inspector referred to the Facebook post as being an "*inside joke.*" Major Keith was asked if she knew of this "*inside joke.*" Major Keith responded, "*So I have never saw this post prior to today but looking at it I don't think he is talking about me. Because I am a female, this is clearly in my eyes a male dog and it's a white male and the caption as well and so I wouldn't think he was talk'n about me. I would think*

that he was talk'n about Major Yaeger because of the date that was posted and the day of the personnel order that came out. So that's how I view it. But outside of that I have never seen it before."

Major Jack "Lance" Yaeger #0386

On April 6, 2023, at 0851 hours, a digitally recorded interview was conducted with Major Lance Yaeger #0386. The interview was conducted by Inspector Virgil Calhoun and Chief Inspector Kelvin Jenkins at Alachua County Sheriff's Office, Alachua County Sheriff's Office.

On January 11, 2023, Human Resources Bureau Chief Reshone Flanders e-mailed personnel Order 23-005. Major Jack "Lance" Yaeger was shown the personnel order along with a Facebook post authored by Sergeant Kevin Davis. This Inspector asked Major Yaeger if he could explain the chain of command. Major Yaeger testified, "*I served as the Chief Detective in the Criminal Investigations and the rank inherent in that position is that of captain. Um, effective pursuant to this personnel order effective January 15th, I was promoted from the rank of captain, um to the rank of major.*" Major Yaeger was ask by this Inspector how many majors were currently at the Alachua County Sheriff's Office. Major Yaeger replied, "*Currently we have two, myself and Major Dorian Keith.*"

Major Yaeger was asked if the Facebook post meme was an "*inside joke*" to which he replied, "*It is.*" This Inspector asked if the Facebook post was referencing Major Dorian Keith or himself. Major Yaeger replied, "*I believe it's a reference to myself for several reasons. Including, but not limited to, he... had some angst with me when I left the unit under him several years ago. He wasn't very happy about that. I'm fairly confident in saying that I'm sure this was designed to insult or embarrass me in some way, shape or form. And uh, the agency.*"

This Inspector asked Major Yaeger how the Facebook post, in question, may have an effect on the chain of command. Major Yaeger said he did not have social media but testified he found out several ways of the existence of the post, "*from that of my family, um, as well as um, subordinates and colleagues alike. Um, again it is my belief that this was done with the sole purpose of insulting, embarrassing, not just me but the Sheriff, the agency and law enforcement in general quite frankly. Because um, I know when initially it first came out there was a lot of talk about it. Um, there was no secret, it was pretty far reaching. Um, I believe, if I remember correctly, that having been told, perhaps public, um, I can't confirm that myself but that was my understanding at the time.*"

This Inspector asked Major Yaeger what is the importance of command structure. Major Yaeger stated:

> "*So, um, we are a paramilitary organization here at the Alachua County Sheriff's Office, as is all other law enforcement agencies, and uh, with that, we have a rank structure. Um, all the way from sheriff down to deputy sheriff. It's important for several reasons. On attentiveness to order, uh, good order in discipline, um, in our line of work... it's important that when an order is given, especially in a tactical situation they gotta be followed unless its illegal, immoral, unethical, because um, the consequences in our line of work could be death; serious bodily injury not just to us but citizens. So, in order to promote that into, uh, to promote that good order and discipline in the spirit of cooperation, attentiveness to orders, and respect for command or the position of command at a bare minimum, um, it is important that we follow the rules, policies and procedures that are set forth, and by this agency. You know, there is policy and procedures that go through a process called, work flow, that you know, um, command staff and others including the PBA, uh, get to have an opportunity to view them and weigh in on them and at the end of the day the Sheriff's decision is ultimate when those policies and procedure are published. Um, they are the rules by which we go by. Um there is reasons why we have rules against this, because once again*

it erodes the fabric of trust. Uh, in the public for us as law enforcement and not just our agency, all agencies in my opinion."

Chief Inspector Kelvin Jenkins asked Major Yaeger if there were any issues in the past with Major Yaeger being a subordinate to Sergeant Davis. Major Yaeger testified:

"*He was my sergeant in uniform patrol and he um, left uniform patrol to start a new street squad or street crimes unit called CHIPS, and um, he worked very diligently trying to recruit me to that unit because of my history with SWAT, other street level crimes in special operations bureau... and my military background, with 20 years of impeccable service. Um, initially I turned him down, um, because I kind of sort of like my gig on dayshift. I'm sure as you can imagine. And I have worked the majority of my career, I wanna say at that point 16 or 17 or 18 years here at the Sheriff's Office at that time, so I was kind of enjoying the dayshift that my previous career was evening or night shift. Well they did interviews for that position and they were getting ready to publish the final results and they came to me one final time. They said, 'hey we're getting ready to pull the trigger on this unit and I just wanna come to you and ask you one more time to come join this unit.'" After speaking with my wife, I somewhat reluctantly, but ya know, also motivated, uh, opted to do it. So, they reopened the position. I interviewed and I was subsequently chosen. I spent ten months on that unit, and um, after a couple deputies told me that, um, he instructed them not to back me up on traffic stops. I immediately uh, opted, immediately opted to remove myself from the unit. Um, when I made that, um, I asked to speak with Sergeant Davis, there was another lieutenant in the room, Sergeant Davis ask me why I was leaving. I said would you rather speak in private. Cause I kind of did not want, for a lack of better terms, throw him under the bus, if you will. I was, ya know, still trying to be professional. He did not want to talk privately, so I didn't kind of say why I was leaving, all though that was the decision. I simply, uh, told him that it was just time for me to go. And kind of bowed out gracefully, if you will. So, to say, I was not trying to stir waters at the time. And uh, he immediately after that had a different attitude towards me. Um, I could tell it was one of disgust and anger and I had to talk to him a few times since then, um very cordially, very polite with him, and uh, I could tell he was upset. If I was a guessing man, I have a feeling that this probably may have something to do with that. I might also add that, preceding that he actually selected me to be a member of the career service board where he was the subject employee. He selected me as one of his picks. So, there was no rift, there was no problems with us until I left that unit, if you will.*"

Major Yaeger finished the interview by adding:

"*Regardless of my personal feelings about a post and a personal attack, if you will. Um, a senseless personal attack, I might add. Is again, I just... this isn't helpful to the agency, to take my name, to take it out of the equation, this ain't healthy to the agency, cause really who, who's affected is those deputy sheriffs who are out there on the road and all of us, even you, that, that have to interact with public on a daily basis because what this does is, it just um, it feeds to the propaganda and rhetoric that we're a bunch of cowboys doing what we want and we're a bunch of idiots and for me personally as arrogant as it may sound, you know um, I been in OPS, once, since I been at this agency as a victim employee, as you will, um, I have an impeccable career here at the Alachua County Sheriff's Office. Um, I don't mind saying it on the record, I don't mind showing it, but I think I have had two counseling statements in the whole 23 or 24 years I been here. Um, I keep my nose clean, I do a good job. I work hard. I have great work ethic. I think those around me will attest to the same. So, but again this is not about me personally. This is about all the folks who have to deal with the public on a daily basis because I do kind of sit in*

the office and generally speaking I don't have those interactions. But again, all this does is uh, erode their faith and confidence in us and law enforcement as an agency and as a profession as an industry and that's why we have policies and procedures in place like this or for this thing so we don't have this rhetoric and these kinds of things happen and unfortunately, it's kind of sad."

Inspector's Notes

On April 24, 2023, this Inspector called Sergeant Kevin Davis to inform him to report to the Office of Professional Standards on April 26, 2023, to review evidence pertaining to this Administrative Investigation. Sergeant Davis said he would inform his representative Bobi Frank. A certified letter was sent to Sergeant Davis on April 25, 2023, notifying him of the opportunity provided to him to include a written or verbal statement in this administrative investigation.

On May 3, 2023, this Inspector had not received communication from Sergeant Davis expressing the desire to review evidence pertaining to this Inspector's Administrative Investigation.

FINDINGS OF FACT

- Sergeant Kevin Davis had been employed as a deputy sheriff with the Alachua County Sheriff's Office since 2004, according to the Employee Master Index (MNI). On April 13, 2013, Deputy Davis was promoted to the rank of Sergeant.

- Facebook is a social media and networking site where users could interact with other users by posting, reacting to, and sharing content with other users.

- Sergeant Kevin Davis was identified as "*Kevin Davis*" on his Facebook page with his face clearly and visibly identifiable. *Kevin Davis* during the period of this Administrative Investigation did not have any identifiers associated with employment for the Alachua County Sheriff's Office.

- On January 11, 2023, Human Resources Bureau Chief Reshone Flanders e-mailed, *#ACSO Agency Wide*, Personnel Order #23-005. Sergeant Kevin Davis was included in the recipient list with the e-mail *Davis, Kevin,* (kdavis@alachuasheriff.org).

- On January 12, 2023, Alachua County Sheriff's Facebook page posted an announcement of the promotions and assignments. Sergeant Davis posted a meme of a white male next to a dog wearing a hotdog outfit. The Facebook text stated, "*Captain Weiner Dog promoted to Major.*" A second caption below the meme stated, "*Weiner Dog.*" Based on an interview with Major Dorian Keith and her testimony, "*So I have never saw this post prior to today but looking at it I don't think he is talking about me. Because I am a female, this is clearly in my eyes a male dog and it's a white male and the caption as well and so I wouldn't think he was talk'n about me. I would think that he was talk'n about Major Yaeger because of the date that was posted and the day of the personnel order that came out.*"

- Major Jack "Lance" Yaeger testified Sergeant Kevin Davis' Facebook post was his "*... belief that this was done with the sole purpose of insulting, embarrassing, not just me but the Sheriff, the agency and law enforcement in general quite frankly.*"

INSPECTOR'S FINDINGS

Sergeant Kevin Davis' Facebook Post #1 was a direct personal attack at Major Jack "Lance" Yaeger. Sergeant Kevin Davis' Facebook post undermined the chain of command and the promotion set forth by the Sheriff of Alachua County.

As specifically enumerated in *Directive 353 V.A.7.b – "Insubordination – Insubordination will be defined as, "...any disrespectful, insolent or abusive language or action toward a superior whether in or out of the presence of the superior."*

Based on official documents and interviews related to this investigation, this Inspector was able to establish a preponderance of evidence that a violation of ACSO Directive 353 V.A.7.b – Insubordination – is **SUSTAINED**

OFFICIAL DOCUMENTS

This Inspector verified the below supporting documents were uploaded into IA Pro.

1. Captain Kelvin Jenkins Audio Complaint Interview
2. Captain Kelvin Jenkins CAIA Form
3. Captain Kelvin Jenkins Complaint Intake Form
4. Major Jack "Lance" Yaeger CAIA Form
5. Major Jack "Lance" Yaeger Audio Interview
6. Major Dorian Keith CAIA Form
7. Major Dorian Keith Audio Interview
8. IOC Time Limitation Extension
9. Facebook Post #1
10. Sgt. Davis' Facebook Homepage (3 Pages)
11. Sgt. Davis' Facebook Details (4 Pages)
12. Reshone Flanders Personnel Order Email Snipet
13. Personnel Order #23-005 (4 Pages)
14. ACSO Facebook Promotion Snipet January, 2023
15. Certified Letter with Receipt (2 Pages)

VERIFICATION PURSUANT TO FLORIDA STATUTE 92.525

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willingly deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes.

Inspector Virgil Calhoun

MATRIX FOR SUSTAINED VIOLATION(S)

TRACKING NUMBER	2023-00010	ACCUSED EMPLOYEE	Sergeant Kevin Davis	ID #:	0437
ALLEGED VIOLATION OF DIRECTIVE 353.V			353 V.A.7b – Insubordination		
CURRENT POINTS	+CARRYOVER POINTS	= TOTAL POINTS	DISCIPLINE RANGE		
50	0	50	2 Day Suspension to Termination (Level five violation automatic 12-month disciplinary probation)		

UNDERSHERIFF'S RECOMMENDATION

SUSTAINED	☐	
NOT SUSTAINED	☐	
UNFOUNDED	☐	
EXONERATED	☐	

UNDERSHERIFF JOEL DECOURSEY, JR.:

Date Signed:

SHERIFF'S FINDINGS

SUSTAINED	☐	
NOT SUSTAINED	☐	
UNFOUNDED	☐	
EXONERATED	☐	

_____

_____

_____

_____

_____/_____ APPROVED / DISAPPROVED

Clovis Watson, Jr., Sheriff Date

ALACHUA COUNTY SHERIFF'S OFFICE

Office of Professional Standards

Administration Investigation Report – Staff Recommendations

Case Number: 23-00010 Subject Employee Name/ID Number: Sgt. Kevin Davis, ID #437

The completed investigation was forwarded on May 16, 2023, for review and recommendations for disciplinary action as follows:

Authority	Signature	ID #	Date	Findings/Recommendation
Captain/Div. Manager Jayson Levy	Jayson Levy Digitally signed by Jayson Levy Date: 2023.05.18 08:50:55 -04'00'	**0190**	**05/18/2023**	**See Comments Below:**
Comments:	Exonerated (No Specific Policy Violation): There is no Violation Listed in Directive 353 for a Violation of Social Media. A more specific violation of Directive 945 for Knowledge of Directives / Statutes at a Level 1 is more fitting.			
Major/Chief of Staff N/A				
Comments:				
Colonel Chad Scott				
Comments:				

Additional Comments:

ADDENDUM BY CHIEF INSPECTOR

I ☐ agree ☐ disagree with the findings of Inspector Virgil Calhoun

RECOMMENDATION:

Authority	Signature	ID #	Date
Chief Inspector Kelvin Jenkins		**334**	

ALACHUA COUNTY SHERIFF'S OFFICE

Office of Professional Standards

Administration Investigation Report – Staff Recommendations

Case Number: 23-00010 Subject Employee Name/ID Number: Sgt. Kevin Davis, ID #437

The completed investigation was forwarded on May 16, 2023, for review and recommendations for disciplinary action as follows:

Authority	Signature	ID #	Date	Findings/Recommendation
Captain/Div. Manager Jayson Levy				
Comments:				
Major/Chief of Staff N/A				
Comments:				
Colonel Chad Scott				
Comments:				

Additional Comments:

ADDENDUM BY CHIEF INSPECTOR

I ☒ agree ☐ disagree with the findings of Inspector Virgil Calhoun

RECOMMENDATION:

Reference to the allegation of Insubordination (353.V.A.7b)-SUSTAINED

Disciplinary Recommendation: Two (2) days suspension w/out pay; 12 Months of Disciplinary Probation

Authority	Signature	ID #	Date
Chief Inspector Kelvin Jenkins	Captain Kelvin L. Jenkins Digitally signed by Captain Kelvin L. Jenkins Date: 2023.05.16 10:26:50 -04'00'	334	05/16/23

Distribution: Accompanies OPS 08-03
Originator: OPS

ALACHUA COUNTY SHERIFF'S OFFICE

Office of Professional Standards

Administration Investigation Report – Staff Recommendations

Case Number: 23-00010 Subject Employee Name/ID Number: Sgt. Kevin Davis, ID #437

The completed investigation was forwarded on May 16, 2023, for review and recommendations for disciplinary action as follows:

Authority	Signature	ID #	Date	Findings/Recommendation
Captain/Div. Manager Jayson Levy				
Comments:				
Major/Chief of Staff N/A				
Comments:				
Colonel Chad Scott	Colonel Chad D. Scott Digitally signed by Colonel Chad D. Scott Date: 2023.05.17 14:51:05 -04'00'	**003**	**5/17/23**	**Sustained/Termination**
Comments:				

Additional Comments:

ADDENDUM BY CHIEF INSPECTOR

I ☐ agree ☐ disagree with the findings of Inspector Virgil Calhoun

RECOMMENDATION:

Authority	Signature	ID #	Date
Chief Inspector Kelvin Jenkins		**334**	

ALACHUA COUNTY SHERIFF'S OFFICE

EMPLOYEE NOTICE OF RESCISSION OF ADMINISTRATIVE SUSPENSION

DATE: 5/26/2023

TRACKING #: 2023-00010

TO: Sergeant Kevin Davis, ID #0437 (verify this)

FROM: Major Joshua Crews #0380 (verify this)

On January 26, 2023 (verify this), you were placed on Administrative Suspension with Pay. This notice is to advise you that effective May 26, 2023, at 1630 hours (update this), your Administrative Suspension is rescinded. You are to contact your Division Commander for your duty assignment.

_____ _____

Issuing Supervisor – Print & Sign Name Date

_____ _____

(Subject Employee's Title, Name, ID #) Date

CW-JS/kda

Original: Office of Professional Standards

cc: (Appropriate Division Commander's Name)
Accounting & Budget Bureau
Human Resources Bureau
Extra Duty Coordinator
Court Liaison
Information Technology Unit
Employee's Personnel File

Distribution made by: _____ _____

Name/ID # Date

April 25, 2023

RE: Subject Employee Statement in IA #23-XXXX

Dear Kevin Davis:

As you know from your signed Notice of investigation and current suspension, an investigation into your social media behavior has been initiated and you are the subject employee. On March 2, 2023, you viewed evidence related to that behavior, including the central Facebook postings.

You are offered the opportunity to include a statement in your investigation if you so choose. That statement may be in writing or recorded orally. This statement is not ordered, compelled, or subject to questioning.

If you would like to include your statement, please contact Inspector Virgil Calhoun (vcalhoun@alachuasheriff.org) no later than 4/28/23 at 1600 to coordinate the recorded statement or format for the written statement.

Respectfully, DRAFT

_____

Chief Inspector K. Jenkins

ALACHUA COUNTY SHERIFF'S OFFICE

Sheriff Clovis Watson, Jr. – Department of the Jail
3333 NE 39th Avenue • Gainesville, FL 32609

April 25, 2023

Sergeant Kevin Davis
3205 Northwest 83rd Street, #2713
Gainesville, Florida 32606

RE: OPS Case #23-00010

Dear Kevin Davis:

As you know from your signed notice of investigation and current suspension, an investigation into your social media behavior has been initiated and you are the subject employee. On March 2, 2023, you viewed evidence related to that behavior, including the central Facebook postings.

You are offered the opportunity to include a statement in your investigation if you so choose. That statement may be in writing or recorded orally. This statement is not ordered, compelled, or subject to questioning.

If you would like to include your statement, please contact Inspector Virgil Calhoun (vcalhoun@acso.us) no later than April 28, 2023 at 1600 to coordinate the recorded statement or format for the written statement.

Sincerely,

CLOVIS WATSON, JR., SHERIFF

By: Captain K. Jenkins
Captain Kelvin Jenkins
Office of Professional Standards

KJ/kda

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ALACHUA COUNTY SHERIFF'S OFFICE

Office of Professional Standards

Administrative Investigation Report

CASE NUMBER	2023-00010
ASSIGNED INSPECTOR	Virgil Calhoun
DATE	03/14/2023
ALLEGATION	353 V.A.2 – Conduct Unbecoming an Employee 353 V.A.7b – Insubordination 353 V.E.1 – Knowledge of Ordinances, Statutes and ACSO Directives
COMPLAINANT	General Counsel Jacob Rush #889 Captain Kelvin Jenkins #0334
INVOLVED EMPLOYEES	Sergeant Kevin Davis #0437

WITNESS LIST

Alachua County Sheriff's Office Employees

General Counsel Jacob Rush	#0889
Lt. Heather Phillips	#0409
Lt. Joe P. Hood	#0459
Deputy Casey Kumar	#2150
Deputy Daniel Hart	#1815
Deputy Michael Moore	#0381
Deputy Nicholas Aldous	#1791
Deputy Zachary Means	#1624

Citizen (Former ACSO Employee)

Brandon Alston	#2090

PREDICATION

On January 11, 2023, Human Resource Director Reshone Flanders e-mailed all current agency employees Personnel Order 23-005 as approved by Sheriff Clovis Watson, Jr. On January 12, 2023, the Alachua County Sheriff's Facebook page released a statement related to the personnel changes. On January 20, 2023, Chief Inspector Kelvin Jenkins was informed, by the Office of the Sheriff, General Counsel Jacob Rush, of several Facebook posts by Sergeant Kevin Davis. The posts were made via the Facebook social

media platform and were posted around the same time the personnel order was distributed to agency employees, and later to the public. The scope of the investigation was to determine if the posts had a negative influence on current employees, had an adverse impact on this agency (and its mission), and violated ACSO Directives. On January 24, 2023, Inspector Marzouk was directed to investigate those possible policy violations.

COMPLAINT

On February 1, 2023, a complaint was received that stated Sergeant Kevin Davis authored social media posts, which violated agency policy, utilizing the Facebook platform. The posts were made on or around January 11, 2023, and the days thereafter. Sergeant Davis openly criticized Sheriff Clovis Watson, Jr.'s orders of promotions and assignment changes, of ACSO Personnel, and he accused Sheriff Watson of mismanagement, racism, and cronyism. Sergeant Davis' posts were insolent in tone and appeared libelous in nature, for Complainant Chief Inspector Kelvin Jenkins, which gave reasonable cause to commence an investigation of all possible policy violations committed by Sergeant Davis.

An Administrative Investigation was initiated to determine if there was a violation of ACSO Directives. At the onset of the investigation, as well as during the investigation, the following ACSO Directives were referenced and considered and during the course of the investigation: *353 V.A.2 – Conduct Unbecoming an Employee, 353 V.A.7b – Insubordination, and 353 V.E.1 – Knowledge of Ordinances, Statutes, and ACSO Directives* (reference *ACSO Directive 945 VIII.B.2a – Employee use of Social Media*).

> *Directive 353 V.A.2 - "Conduct Unbecoming an Employee – Employees will not engage in any conduct, on duty or off duty and under the color of their authority, so egregious that it has an adverse impact on the ACSO and destroys public respect and confidence in the Office of the Sheriff and its employees. Such conduct will include, but is not limited to, participation in any immoral, indecent or disorderly conduct, or conduct which causes substantial doubts concerning a person's honesty, fairness, or respect for the rights of others or the laws of the state or nation; regardless of whether such act or conduct constitutes a crime."*
>
> *Directive 353 V.A.7b - "Insubordination – will be defined as 'failure to submit to authority' and will include, but not be limited to, any failure or deliberate refusal to obey a lawful order given by a superior or relayed by an employee of the same or lesser rank or any disrespectful, insolent or abusive language or action toward a superior whether in or out of the presence of the superior."*
>
> *Directive 353 V.E.1 - "Knowledge of Ordinances, Statutes, and ACSO Directives – All deputies, including reserve deputies, are required to establish and maintain a working knowledge of criminal and parking laws for cities within the confines of Alachua County, county ordinances and state laws. All employees will maintain a working knowledge of the policies and procedures of the ACSO."*

Directive 945 VIII.B.1 - "Employee Use of Social Media – Employees who choose to maintain or participate in social media or social networking platforms shall conduct themselves with professionalism and in such a manner that will not reflect negatively upon the ACSO or its mission."

Directive 945 VIII.B.2 - "Employee Use of Social Media – Employees who utilize the Internet and social networking sites whether from an agency or personal device, are prohibited from posting any of the following on any social networking platform, either on their own sites, the sites of others known to them, the sites of others unknown to them, news media pages, or other information exchange forums:

a. Any statements or material about the ACSO, its operations, or its current or former employees that are obscene, defamatory, false, deceptive, misleading, profane, libelous, threatening, harassing, abusive, hateful, etc."

INSPECTOR'S INVESTIGATION

Inspector's Notes

Sergeant Kevin Davis has been employed as a deputy sheriff with the Alachua County Sheriff's Office since March 4, 2004. On January 12, 2023, and for a period of time after that date, Sergeant Davis made several social media posts and/or comments utilizing the Facebook platform. When the posts/comments were made, Sergeant Davis was assigned to the Patrol Division and worked as a sergeant on Team Two Day Shift - District Three. Within the aforementioned timeframe the posts/comments were made, Sergeant Davis worked for two different lieutenants: Lieutenant Heather Phillips and Lieutenant Joe Hood.

Sergeant Kevin Davis' Facebook Posts

In January 2023, Sergeant Kevin Davis made the following social media posts via Facebook. The posts were adopted into this Administrative Investigation and are attached to this report.

Facebook Post #1 – "Weiner Dog" meme with caption, *"Captain Weiner Dog promoted to Major."*

Facebook Post #2 – Arabella Blizzard's Facebook post where she stated, *"Keep the faith my friends. Remember your worth and that you are the most important commodities and that you keep it all running. Your people depend on you."* Sergeant Davis responded with, *"The place has been decimated due to racism, cronyism and personal vengeance. The greedy cronies feel comfortable playing the game. They know who they are; so does everyone who works around them. They forgot or took for granted, they are severely outnumbered. Their reputations will haunt them for years to come. 30% of 233 employees are supervisors and 100% of employees of a particular race have been promoted with disregard for their test scores, experience, and skills; as long as they participated in the promotional process."*

Facebook Post #3 – Kevin Davis and Brandon Alston exchange comments on Arabella Blizzard's Facebook page. Mr. Alston replied to Sergeant Davis' post listed in Facebook Post #2 and said, *"Kevin Davis if you wanna say black just say black [ended with a crying laughing emoji]."* Sergeant Davis responded, *"Brandon Alston I assure you the facts are being addressed in a more productive arena."* Mr. Alston replied, *"Kevin Davis well good luck with that. If I call hasn't been made to Tallahassee yet idk who's waiting to make it [ended with an unknown emoji]."*

General Council Jacob Rush #889

During the course of this investigation, Inspector Marzouk was informed, via Chain of Command, General Council Jacob Rush would complete and submit a signed Complaint Intake Form in lieu of an interview; said form was received on February 27, 2023, and stands as his official statement.

Lieutenant Joe P. Hood #459

On February 9, 2023, at 1405 hours, a digitally recorded interview was conducted with Lieutenant Joe Paul Hood. The interview was conducted by Inspectors Nancy Marzouk and Virgil Calhoun at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards interview room.

At the time the referenced social media posts in this investigation were made, Lieutenant Hood did not supervise Sergeant Davis. Lieutenant Hood transferred to the Patrol Division on January 15, 2023, and was assigned as the Watch Commander for Team Two Day Shift. It was at that time Lieutenant Hood began to supervise Sergeant Davis. On January 23, 2023, Sergeant Davis was served with Notice of Administrative Investigation and placed on Administrative Suspension with pay. Therefore, Lieutenant Hood was only Sergeant Davis' direct supervisor for a period of eight days, excluding the day of Sergeant Davis' suspension, and included only five actual working days.

Inspector Marzouk confirmed Lieutenant Hood had an active Facebook account and at the time of the interview, his account was linked to Sergeant Davis' Facebook account (the two were "friends" on the Facebook platform). Lieutenant Hood denied witnessing, firsthand, any posts made by Sergeant Davis referencing the Alachua County Sheriff's Office or directed at Sheriff Watson; Lieutenant Hood answered and stated,

> *"The Sheriff's Office or the Sheriff? No. About an individual person? There's a... a difference there... There was a... post that was made...did not mention anybody by name that I recall, but because of the content of the post, I knew exactly who it was."*

Inspector Marzouk asked if the post was negative, neutral, or positive in nature and Lieutenant Hood responded, *"I mean, if you perceive it as negative, it's because of the what the person did...it's common knowledge. It's a picture of a hotdog in a hotdog bun. Is that what you're referring to?"*

Inspector Marzouk confirmed Lieutenant Hood was referencing Facebook Post #1, as labeled in this investigation, by providing him a printed copy of it to review. Lieutenant Hood offered to explain the meaning behind the meme and stated,

> *"I mean, it's pretty common knowledge what that means. I mean...there's a lot of people that know what that means. And it's from years ago."*
>
> *"Lance Yaeger was at a party and he put his penis in a hotdog bun and was going around the party with his penis in a hotdog bun. I was not there, but there were a lot of people that were there, I guess, and it's just been a, if you will, a joke that's been around the Sheriff's Office since I began here in 2003. So, I don't think anybody that has been here for a considerable amount of time questioned where that came from."*

Inspector Marzouk inquired if Lieutenant Hood had seen any other posts, made by Sergeant Davis, that were of a similar nature and directed at the Alachua County Sheriff's Office or its employees. Lieutenant Hood answered,

> *"Not that I can recall specifically. I mean, I know he makes post, but I don't spend a lot of time on Facebook. So, you know, I don't, I don't read a lot of stuff on there, so I don't know specifically. Especially if somebody typed something that's got any content to it, I don't...have time to sit there and read everybody's posts of what's on their mind today. So I don't read that stuff. I mean, I'll look at some pictures and stuff, and I think that's why that caught my eye, because it was a picture of a meme or whatever."*

Inspector Marzouk then asked Lieutenant Hood if he ever witnessed, or had concerns about, Sergeant Davis making negative, demoralizing, or demotivating statements in front of subordinate employees, other sergeants on shift, or the general public. Lieutenant Hood denied witnessing anything to that effect. He also denied receiving any complaints against Sergeant Davis, whether from another employee or member of the public. He stated,

> *"Nobody has. I haven't had a complaint about him from anyone. I never had an issue. I mean, he's...always operated with extreme honesty and integrity. And he's one of the most honest people that I have worked with, so I've never had an issue with [him]. He's a very ethical person, [he has] a great work ethic... Again, I've worked with him for...probably a week and a half..."*

Deputy Sheriff Casey Kumar #2150

On February 9, 2023, at 1429 hours, a digitally recorded interview was conducted with Deputy Sheriff Casey Kumar. The interview was conducted by Inspectors Nancy Marzouk and Virgil Calhoun at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards interview room.

At the time of the posts, and this interview, Deputy Kumar was assigned to Team Two Day Shift – District Three; he directly reported to Sergeant Davis. During the interview, Inspector Marzouk learned Deputy Kumar deactivated his Facebook account two years prior. Inspector Marzouk presented Deputy Kumar with Facebook Post #1 (as labeled in this investigation). Deputy Kumar denied seeing the post prior to the interview, but admitted he heard about the post via word-of-mouth. Deputy Kumar stated his understanding of the meme was,

> *"From a social activity. I guess a social party from a while back. I don't know who the captain is, or if they are a captain, or if they were a captain. I just know that it was, I guess, an employee that did something involving a hotdog bun."*

Inspector Marzouk asked Deputy Kumar if he experienced any conversation with Sergeant Davis that Deputy Kumar felt the topic was negative, or demoralizing, about the Alachua County Sheriff's Office. Deputy Kumar stated, *"I think he was critical of what the Sheriff's Office was doing involving reorganizations."*

Inspector Marzouk asked Deputy Kumar if he understood Sergeant Davis' criticisms to be specifically about Sheriff Watson. Deputy Kumar responded, *"I mean, yes... I think it was inferred... But, yes, because*

the decisions that were made based on a command staff position." Deputy Kumar denied experiencing any negative affects due to Sergeant Davis' social media activity.

Deputy Sheriff Nicholas Aldous #1791

On February 9, 2023, at 1519 hours, a digitally recorded interview was conducted with Deputy Sheriff Nicholas Aldous. The interview was conducted by Inspectors Nancy Marzouk and Virgil Calhoun at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards interview room.

At the time of the posts, and this interview, Deputy Aldous was assigned to Team Two Day Shift – District Three; he directly reported to Sergeant Davis. During the interview, Inspector Marzouk learned Deputy Aldous did not have a Facebook account, yet he was made aware of Facebook Post #1 by someone; Deputy Aldous was not able to recall who that person was. Deputy Aldous did not know what the meme meant when he first saw it; he was later told what the meme referenced.

Inspector Marzouk asked Deputy Aldous if he ever witnessed Sergeant Davis make negative statements he perceived as demoralizing, insubordinate, or disrespectful. Deputy Aldous adamantly denied witnessing anything like that and stated, *"No...only stuff that if you looked at it, it's quantitatively measurable and 100% a fact."* When asked about Sergeant Davis' influence on his assigned shift, Deputy Aldous stated, *"Everyone...loves him. He's a good leader. He keeps us out of trouble...he steers us in the proper direction."*

Deputy Sheriff Michael Moore #381

On February 9, 2023, at 1607 hours, a digitally recorded interview was conducted with Deputy Sheriff Michael Moore. The interview was conducted by Inspectors Nancy Marzouk and Scott Anderson at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards interview room.

At the time of the posts, and this interview, Deputy Moore was assigned to Team Two Day Shift – District Three; he directly reported to Sergeant Davis. During this interview, Inspector Marzouk learned Deputy Moore created a Facebook account approximately two weeks ago; he did not have an account over the last few years. Inspector Marzouk presented Facebook post #1 to Deputy Moore and asked him what he understood the meme to mean. Deputy Moore stated,

> *"...it's referring to Captain Lance Yaeger being promoted to Major. About 20 years ago...there was a party of which I attended and witnessed Major Lance Yaeger pull out his penis, put it in a hotdog bun, cover it with ketchup and mustard, um, and show it to everyone."*

It was later clarified with Deputy Moore if Major Lance Yaeger was employed with the ACSO at the time of the incident and Deputy Moore confirmed he (Lance Yaeger) was employed. When asked what made Deputy Moore, having never seen the meme before, correlate the meme to the incident he described, Deputy Moore answered, *"Because Captain to Major. Weiner dog."*

Deputy Moore was asked if he found the post to be offensive and he denied that being true. Deputy Moore was asked if he considered the meme to be an inside joke or common knowledge to the general public. Deputy Moore stated, *"I would not say that if a member of the public saw this that they would make any*

connection as to who the captain is, who was promoted to major, and what it has to do with a Weiner dog."

Deputy Moore was asked if he thought any person within the general public would look at the meme and recognize it having anything to do with the ACSO. Deputy Moore denied that would be possible. Inspector Marzouk asked Deputy Moore if seeing the post caused him to lose respect for Major Yaeger, and Deputy Moore denied that to be true. When asked if witnessing the incident itself caused, or now causes, Deputy Moore to have less respect for Major Yaeger, Deputy Moore stated,

> *"This is what I'll say about the incident. It was 20 years ago. We were young. There was drinking involved... That incident, if, if, had anybody done that, knowing now, Major Yeager, um, I, I would not hold it against him. He's performed, as far as I know, well in whatever capacity he's been in and I would not hold something that someone did 20 years ago against them. Not a, that specific incident."*

Inspector Marzouk asked Deputy Moore if he ever witnessed Sergeant Davis make statements he (Deputy Moore) perceived as demoralizing, insubordinate, or disrespectful. Deputy Moore denied witnessing anything like that. The same questions were posed to Deputy Moore, but in regards to statements made to the general public, which Deputy Moore, once again, denied ever witnessing that. Deputy Moore also denied ever feeling uncomfortable by any of Sergeant Davis' comments and has not experienced any negative affect as a result of Sergeant Davis' actions on social media.

Deputy Sheriff Daniel Hart #1815

On February 14, 2023, at 0920 hours, a digitally recorded interview was conducted with Deputy Sheriff Daniel Hart. The interview was conducted by Inspectors Nancy Marzouk and Scott Anderson at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards interview room.

At the time of the posts, and this interview, Deputy Hart was assigned to Team Two Day Shift – District Three; he directly reported to Sergeant Davis. Inspector Marzouk learned Deputy Hart did have a Facebook account, but he is not friends on Facebook with Sergeant Davis or Arabella Blizzard. Inspector Marzouk presented Deputy Hart with Facebook post #1. Deputy Hart believed he had seen it before. When asked what or who the meme was a reference to, Deputy Hart stated,

> *"I honestly have no idea... Being completely honest with you, I saw it and it really doesn't, it's not bringing anything up for me. I know there's been a lot of promotions and moving around. As far as who specifically it's referring to...I, being completely honest, I have no idea."*

Deputy Hart did not know the meaning behind the meme nor whom the meme was referencing. Inspector Marzouk then presented the post labeled as Facebook Post #2. Deputy Hart did not think he had seen the post before, but if he did, it was not via his Facebook account because he is not friends with either Arabella Blizzard or Sergeant Davis on Facebook.

Deputy Hart also denied ever witnessing Sergeant Davis make ill statements about ACSO. Deputy Hart stated,

"I know that the only thing that I specifically heard him say, that I recall right now, is just the normal things that we've been hearing since we started here. Officer safety stuff. You know, staffing concerns, which I've heard from lots of people from all different levels... I've had several supervisors since being here, and...I've never changed the way that I operate. I don't think that I've done anything differently, so I don't feel that I've been influenced.

Lieutenant Heather Phillips #409

On February 14, 2023, at 1046 hours, a digitally recorded interview was conducted with Lieutenant Heather Phillips. The interview was conducted by Inspectors Nancy Marzouk and Scott Anderson at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards interview room.

At the time the social media posts were made, Lieutenant Phillips directly supervised Sergeant Davis. However, at the time of this interview, she was assigned as the Watch Commander for Team Two Evening Shift. Inspector Marzouk presented Lieutenant Phillips with the post labeled Facebook Post #1. Lieutenant Phillips acknowledged she had seen sit before, or something like it, that referenced a hotdog thing. Lieutenant Phillips denied actually witnessing the incident, but she did hear about it via word-of-mouth over the years. When asked to explain her understanding of what the meme meant, Lieutenant Phillips stated,

"It's my understanding, several years ago, that I believe it was a SWAT party, uh, Lance Yeager was on the SWAT team, and was drunk, and was running around with his penis in a hotdog bun, at the party."

Inspector Marzouk then presented Facebook Post #2 to Lieutenant Phillips and asked her if she had seen it before. Lieutenant Phillips stated she is not on Facebook much anymore, but she thought someone sent it to her and that is how she saw it before. Inspector Marzouk asked Lieutenant Phillips to read the post to refresh her memory. Inspector Marzouk asked if Lieutenant Phillips felt negatively influenced by Sergeant Davis social media posts and she denied being influenced by him.

Inspector Marzouk asked Lieutenant Phillips if she ever witnessed Sergeant Davis make negative comments about the agency or its administration, in front of subordinates, or members of the public, and she stated, *"Hmm...not off the top of my head... I mean, we would door up all the time, but, I don't know that others were present."* When asked if Sergeant Davis made negative remarks, criticisms, or observations, against the agency and directly to her, Lieutenant Phillips stated, *"Observations or maybe venting."*

Lieutenant Phillips denied having knowledge of Sergeant Davis experiencing issues, in terms of supervising his subordinates, since he made the posts. Additionally, Lieutenant Phillips never had one of Sergeant Davis' subordinates report any issues with Sergeant Davis.

Deputy Sheriff Zachary Means #1624

On February 27, 2023, at 0905 hours, a digitally recorded interview was conducted with Deputy Sheriff Zachary Means. The interview was conducted by Inspectors Nancy Marzouk and Virgil Calhoun at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards interview room.

At the time of the posts, and this interview, Deputy Means was assigned to Team Two Day Shift – District Three; he directly reported to Sergeant Davis. Inspector Marzouk learned Deputy Means does not have a Facebook account. Deputy Means denied ever seeing Facebook post #1, and he was not able to surmise what the meme meant. Deputy Means was also presented with what was labeled as Facebook Post #2 in this investigation, but Deputy Means had never seen that post either.

Inspector Marzouk asked Deputy Means if he ever witnessed Sergeant Davis speak ill of, or denounce, the agency or the administration in his presence. Deputy Means could not recall witnessing any such incident, and he also denied ever feeling negatively affected by Sergeant Davis.

Sergeant Kevin Davis #0437

On March 2, 2023, at 1300 hours, a digital recorded interview was scheduled to be conducted with Sergeant Davis #437 at the Alachua County Sheriff's Office, Office of Professional Standards. Sergeant Davis arrived with representative, Bobi J. Frank. Inspectors Virgil Calhoun and Scott Anderson were present.

On the day of the interview, Sergeant Davis appeared with his representative, Bobi J. Frank. Sergeant Davis and Ms. Frank were afforded the opportunity to review all evidence and witness statements collected during this investigation. At the conclusion of their review, Ms. Frank claimed Florida Statue 112 violations and the scheduled interview with Sergeant Davis was not conducted.

Inspector's Notes

On March 3, 2023, Inspector Marzouk confirmed that Facebook Posts #1 and #2 were still posted. It was at that time, Inspector Marzouk discovered the exchange of comments between Sergeant Davis and former ACSO Deputy Sheriff Brandon Alston; therefore, a witness interview was conducted with Mr. Alston on March 6, 2023, at 0850 hours, and it was added to this Administrative Investigation Summary portion of this report.

Brandon E. Alston

On March 6, 2023, at 0850 hours, a digitally recorded interview was conducted with Brandon Alston. The interview was conducted by Inspectors Nancy Marzouk and Virgil Calhoun who were located at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards – in an empty office; the interview was conducted via speakerphone.

Brandon Alston is a former ACSO Deputy Sheriff (#2090) who was employed by the Alachua County Sheriff's Office from August 10, 2020, to October 8, 2021. During his employment, Brandon worked on the same Patrol Team and shift as Sergeant Kevin Davis for a brief period of time.

Inspector Marzouk asked Mr. Alston if he recalled a Facebook post made by Sergeant Davis, on Arabella Blizzard's Facebook page, where he and Sergeant Davis had a short exchange of comments about Sergeant Davis' post. Mr. Alston stated he *"vividly"* recalled the post and exchange of comments. When asked what agency he understood Sergeant Davis was writing about, Mr. Alston answered, *"The agency he [Sergeant Davis] works for."* After prompted to name the agency, Mr. Alston stated, *"The Alachua County Sheriff's Office."*

Inspector Marzouk asked Mr. Alston after reading Sergeant Davis' post, as a citizen, would he still have confidence in the Sheriff's Office and in the ability, or capability, of the Sheriff. Mr. Alston stated, *"Absolutely not."* Inspector Marzouk asked Mr. Alston to explain why. Mr. Alston explained,

> *"Because this is a thing, like, when you have...somebody that's been there 20 plus years,...if you look at the attrition rate of the sheriff's office,...then you start to add all these things up,...if you really vividly look at what he's [Sergeant Davis] talking about, if you're not just some joe blow citizen that don't care, then you'll notice that there's, um, encryptions in what he's [Sergeant Davis] saying."*
>
> *"...if I wasn't a citizen that cared, you know, it would be easy to just look over what goes on. But when you, you look at the, the multiple different people that have worked at the sheriff's office in, um, an official capacity that have left, and the things that they say, and then you start reading the things that he [Sergeant Davis] posts, you kind of like, I mean, you put two and two together. It don't take a rocket scientist to see that there's trouble in the water, you know what I mean?"*

Inspector Marzouk asked Mr. Alston if he felt the content of the post was factual or Sergeant Davis' opinion. Mr. Alston explained Sergeant Davis is an analytical person, so the numbers he provided may not be exactly correct due to personnel leaving or being hired each week. Mr. Alston went on to say, *"So the numbers may be factual, and they may not be factual, but I think it's from his opinion, this is how he's feeling. It's not totally based off of fact."*

When asked if the exchange of comments between him and Sergeant Davis was taken as playful or sarcasm, Mr. Alston said,

> *"I took it as KD [Sergeant Davis' nickname] being KD. Um, you know he, he's kind of a person that, I mean, I've worked where he was my sergeant when I was at the sheriff's office, so, um, I've worked for him and I know how he is. He knows how to tread softly, so to speak, um, he'll say things that, you know, they're not offensive, but they may not be the right thing to say...he's one of those...guys...that you...need a sergeant like him, but everybody's not going to like the way he does business and that's okay."*

Inspector's Notes

This administrative investigation has been ordered by the chain of command to be submitted without an interview of the subject employee, Sergeant Kevin Davis #0437.

On March 9, 2023, Inspector Marzouk made a final review of this report – specifically the witness interviews. Inspector Marzouk discovered during the interview with Deputy Sheriff Michael Moore, Facebook Post #2 was not discussed with him. Therefore, on March 9, 2023, Inspector Marzouk called Deputy Moore and asked follow-up questions.

Deputy Sheriff Michael Moore #381

On March 9, 2023, at 1026 hours, a digitally recorded interview was conducted with Deputy Sheriff Michael Moore. The interview was conducted by Inspectors Nancy Marzouk and Scott Anderson who were located at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards – in an empty office; the interview was conducted via speakerphone.

Inspector Marzouk read out loud the entire Facebook post #2 (Arabella Blizzard's original post and Sergeant Davis' response) to Deputy Moore. Deputy Moore stated he did not read or see that post before. Inspector Marzouk asked Deputy Moore what agency he believed Sergeant Davis was referencing in the post and Deputy Moore answered, *"My guess would be our agency, the Alachua County Sheriff's Office."* Deputy Moore was asked, after hearing the contents of the post, if it took away Deputy Moore's confidence in the ability for the Sheriff's Office to conduct its mission. Deputy Moore stated, *"No because I, I, I don't know if what was said was true."* He was asked given the fact it was his supervisor who wrote the post, did Deputy Moore feel the content had more weight or value to it versus if a stranger or non-employee wrote it. Deputy Moore responded, *"I would have to say no."*

Deputy Moore then was asked if he thought it was appropriate for a sergeant of the Alachua County Sheriff's Office to write that on a public page. Deputy Moore stated, *"What, what he wrote? If, if he didn't identify the agency, or didn't name any names, I don't think there's anything inappropriate with expressing what his beliefs are."* It was repeated back to Deputy Moore he did not think it was inappropriate and Deputy Moore confirmed, *"No, I don't think it's inappropriate. He, he didn't name the Sheriff's Office, if that's in fact who he's talking about. Um, so he's, he's expressing his beliefs."*

FINDINGS OF FACT

1. On or around, January 11, 2023, and for a short period of time thereafter, Sergeant Kevin Davis made several Facebook posts utilizing his personal account that negatively referenced the Alachua County Sheriff's Office and Sheriff Clovis Watson, Jr. (see Facebook Posts #1 - #3).

2. Facebook is a social media and networking site where users can interact with other users by posting, reacting to, and sharing content with other users. These interactions can occur on the individual user's personal account, or the user can post, react to, or share content on another user's personal account.

3. Sergeant Kevin Davis' Facebook account had a picture of him and his name appeared next to every post or comment he made on the social media platform.

4. A Directive Management System audit was conducted of Sergeant Kevin Davis' policy review. Directive 945 – Social Media was signed by him on June 3, 2017, at 1300 hours.

5. Facebook Post #1 was captioned, *"Captain Weiner Dog promoted to Major."* This investigation revealed, that even without naming the employee it was referencing, some witnesses knew it was about the recent promotion of Major Lance Yaeger. It referenced something he committed when he was a young Deputy Sheriff and it occurred approximately 20 years ago. This post was based on an actual event; therefore, no further evaluation of this post was considered.

6. Facebook Post #2 was posted on someone else's Facebook page and Sergeant Davis alleged, *"This place has been decimated due to racism... 30% of 233 employees are supervisors and 100% of employees of a particular race have been promoted with disregard for their test scores, experience, and skills; as long as they participated in the promotional process."*

    a. Several witnesses stated they knew Sergeant Davis was referring to the ACSO even though he did not name the agency.

b. The ACSO, and its employees, require the trust of the general public in order to fulfill its mission and maintain public safety.
c. Reference the portion of Facebook Post #2 that stated, "*30% of 233 employees...*" the ACSO's Data Systems Unit provided the actual number of full-time, sworn employees was 239 sworn employees, which is greater than 233, and does not include non-sworn employees.
d. No information was included in the post that proved racism existed within the ACSO and it is reasonable to believe that alleging someone, or an entity, is a racist, can have a damaging/tarnishing effect to that person's, or that entity's, reputation.

This portion of the statement could be considered libelous in nature; however, the scope of this investigation did not include the collection of evidence to prove this statement as false and libelous, so no further evaluation of this portion of the post was considered.

7. This investigation did reveal evidence that the posts had an adverse impact on the Alachua County Sheriff's Office and its mission. During the witness interview with Mr. Brandon Alston, he stated he knew Sergeant Davis was referencing the Alachua County Sheriff's Office in Facebook Post #2. Mr. Alston was asked, if after reading the post, did he still have confidence in the Sheriff's Office and in the ability, or capability, of the Sheriff. Mr. Alston stated, "*Absolutely not.*"

8. This investigation did not reveal evidence of negative influence to current employees due to the content of Sergeant Kevin Davis' Facebook posts. Witness Deputy Sheriff Nicholas Aldous stated, "*Everyone...loves him. He's a good leader. He keeps us out of trouble...he steers us in the proper direction.*" Witness Lieutenant Joe Hood stated, "*I haven't had a complaint about him from anyone. I never had an issue. I mean, he's...always operated with extreme honesty and integrity. And he's one of the most honest people that I have worked with, so I've never had an issue with [him]. He's a very ethical person, [he has] a great work ethic...*" Witness Mr. Brandon Alston stated, "*...he's one of those...guys...that you...need a sergeant like him, but everybody's not going to like the way he does business and that's okay.*"

INSPECTOR'S FINDINGS

Inspector's Notes

On March 13, 2023, Chief Inspector Captain Kelvin Jenkins informed Inspector Virgil Calhoun was assigned this Administrative Investigation. This Inspector has reviewed Inspector Nancy Marzouk's provided witness statements and evidence. This Inspector concurs with the writings of Inspector Marzouk's Predication, Complaint, Inspector's Investigation and Finding of Facts of this document.

In order to assess if a violation of ACSO Directive 353 V.A.2 – Conduct Unbecoming an Employee, 353 V.A.7b – Insubordination, 353 V.E.1 - Knowledge of Ordinances, Statutes, and ACSO Directives occurred, this Inspector referred to ACSO Directive 945 – Social Media and ACSO Directive 353 – Standards of Conduct and Violation Levels. Those directives were applied to the following findings as derived from the facts discovered during Inspector Marzouk's investigation:

Sergeant Kevin Davis is identified on Facebook as *Kevin Davis* and does not release information on his public Facebook page as being employed for the Alachua County Sheriff's Office. Sergeant Davis' Facebook posts, as part of this Administrative Investigation, does not identify the Alachua County Sheriff's Office.

Sergeant Davis did not make his comments under the color of his authority as an employee of the Alachua County Sheriff's Office (ACSO) or take claim to any entity of ACSO as specifically enumerated in *Directive 353 V.A.2 - "Conduct Unbecoming an Employee – Employees will not engage in any conduct, on duty or off duty and under the color of their authority..."* Sergeant Davis' Facebook post is in communication with a known former Major of ACSO employee Arabella Blizzard. Ms. Blizzard is known to the public as formerly employed with ACSO by public photographs in an ACSO uniform on Facebook.

Ms. Blizzard stated in Facebook Post #2, "*Keep the faith my friends. Remember your worth and that you are the most important commodities and that you keep it all running…*" Sergeant Davis' response, "*The place has been decimated due to racism, cronyism and personal vengeance…*" could only be referring to the Alachua County Sheriff's Office.

During a witness interview with former ACSO employee Brandon Alston, he said he knew Sergeant Davis was referencing the Alachua County Sheriff's Office in Facebook Post #2. Mr. Alston was asked if he had confidence in the Sheriff's Office and in the ability, or capability, of the Sheriff, he stated *"Absolutely not."* Sergeant Davis' post clearly had, per *Directive 353 V.A.2 - "Conduct Unbecoming an Employee"* an "*…adverse impact on the ACSO and destroys public respect and confidence in the Office of the Sheriff and its employees…"*

Based on official documents and interviews related to this investigation, this Inspector was not able to establish a preponderance of evidence that a violation of Alachua County Sheriff's Office Directive 353 V.A.2 – Conduct Unbecoming an Employee - is **NOT SUSTAINED**.

Sergeant Kevin Davis made public accusations of "*…racism, cronyism and personal vengeance*" that take away from the mission of the Alachua County Sheriff's Office, per ACSO 006 - "*Service to the community first. Commitment to the employees always. Through our partnerships, we are the Alachua County Sheriff's Office.*" Sergeant Davis' actions with his Facebook posts undermined the direction of an elected official and as an ambassador of an elective official leads the public into a false narrative.

Sergeant Kevin Davis' Facebook Post #1, exploited an event from approximately 20 years ago that was known to have occurred based on witness statements provided in this Administrative Investigation. Facebook Post #1 was directed at Major Lance Yeager.

As specifically enumerated in *Directive 353 V.A.7.b – "Insubordination – Insubordination will be defined as, "...any disrespectful, insolent or abusive language or action toward a superior whether in or out of the presence of the superior."*

Based on the documents and the witness interviews related to this investigation, this Inspector was able to establish a preponderance of evidence that a violation of Alachua County Sheriff's Office Directive 353 V.A.7b – Insubordination - is **SUSTAINED.**

Sergeant Kevin Davis used the social media networking site Facebook to make accusatory statements. The statements of "*…racism, cronyism and personal vengeance…*" and challenging the promotional process, "*30% of 233 employees are supervisors and 100% of employees of a particular race have been*

promoted with disregard for their test scores, experience, and skills; as long as they participated in the promotional process" was a reply posted in response to a formerly known Major of ACSO, Arabella Blizzard.

As specifically enumerated in Directive 353 V.E.1 - "Knowledge of Ordinances, Statutes, and ACSO Directives states, *"...All employees will maintain a working knowledge of the policies and procedures of the ACSO."*

Directive 945 IV – Social Media states, *"Policy - Employees using any form of social media or social networking...shall not use them in any way, which detracts from the mission of the ACSO, tarnishes the reputation of the ACSO, reflects negatively on your position as an employee of the ACSO, or in a manner that violates any ACSO directive. Any such online actions will be viewed as a direct violation of this policy, as well as any other applicable directive."*

ACSO Directive 945 VIII.B.2a – Social Media further states, *"Employees who utilize the Internet and social networking sites whether from an agency or personal device, are prohibited from posting any of the following on any social networking platform, either on their own sites, the sites of others known to them, the sites of others unknown to them, news media pages, or other information exchange forums:*

> *"Any statements or material about the ACSO, its operations, or its current or former employees that are obscene, defamatory, false, deceptive, misleading, profane, libelous, threatening, harassing, abusive, hateful, etc.*

Based on the documents and the witness interviews related to this investigation, this Inspector was able to establish a preponderance of evidence that a violation of Alachua County Sheriff's Office Directive 353 V.E.1 - Knowledge of Ordinances, Statutes, and ACSO Directives - is **SUSTAINED.**

OFFICIAL DOCUMENTS

Inspector Marzouk added the below supporting documents, audio, and photographs to IA Pro.

1. Complaint Intake Form completed by Captain Kelvin Jenkins

2. Complaint Intake Form completed by General Counsel Jacob Rush

3. Administrative Forms signed by Sergeant Kevin Davis:
    a. The initial Sworn Employee Notice of Administrative Investigation (Complainant General Counsel Jacob Rush that was served by Captain Christopher Sims).
    b. The second Sworn Employee Notice of Administrative Investigation (Complainant Chief Inspector Kelvin Jenkins that was served by Lieutenant Eric Hutchinson)
    c. Notice of Administrative Suspension (Served by Captain Christopher Sims)
    d. Sworn Allegation Sheet – never signed by Sergeant Davis due to alleged FSS 112 issues.

4. Witness Interviews:
    a. Lieutenant Joe P. Hood's Confidential Administrative Investigation Acknowledgement
        i. Audio recorded witness interview with Lieutenant Joe P. Hood (14:14 in duration)
    b. Lieutenant Heather Phillips' Confidential Administrative Investigation Acknowledgement
        i. Audio recorded witness interview with Lieutenant Heather Phillips (4:16 in duration)

c. Deputy Casey Kumar's Confidential Administrative Investigation Acknowledgement
    i. Audio recorded witness interview with Deputy Casey Kumar (6:51 in duration)
d. Deputy Daniel Hart's Confidential Administrative Investigation Acknowledgement
    i. Audio recorded witness interview with Deputy Daniel Hart (5:25 in duration)
e. Deputy Michael Moore's Confidential Administrative Investigation Acknowledgement
    i. Audio recorded witness interview with Deputy Michael Moore (8:25 in duration)
    ii. Audio recorded witness interview with Deputy Michael Moore (6:17 in duration)
f. Deputy Nicholas Aldous' Confidential Administrative Investigation Acknowledgement
    i. Audio recorded witness interview with Deputy Nicholas Aldous (8:08 in duration)
g. Deputy Zachary Means' Confidential Administrative Investigation Acknowledgement
    i. Audio recorded witness interview with Deputy Zachary Means (3:08 in duration)

5. Documents referenced:
    a. Facebook Post #1 – "Weiner Dog" meme
    b. Facebook Post #2 – Response to Arabella Blizzard's Facebook post
    c. Facebook Post #3 – Kevin Davis and Brandon Alston exchange of comments
    d. Facebook Profile – Arabella Blizzard (2 Pages)
    e. Facebook Profile – Kevin Davis (3 Pages)
    f. DMS Audit Sheet – Kevin Davis
    g. ACSO Directive 945 – Social Media
    h. ACSO Directive 353 – Standards of Conduct and Violation Levels

VERIFICATION PURSUANT TO FLORIDA STATUTE 92.525

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willingly deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes.

Inspector Virgil Calhoun

MATRIX FOR SUSTAINED VIOLATION(S)

TRACKING NUMBER	2023-00010	ACCUSED EMPLOYEE	Sergeant Kevin Davis	ID #:	0437
ALLEGED VIOLATION OF DIRECTIVE 353.V			A.2 - "*Conduct Unbecoming an Employee*" – Level Five A.7.b – "*Insubordination*" – Level Five E.1 – "Knowledge of Ordinances, Statutes and ACSO Directives" – Level Three		
CURRENT POINTS	+CARRYOVER POINTS	= TOTAL POINTS	DISCIPLINE RANGE		
50	0	50	2 Day Suspension to Termination (Level five violation automatic 12-month disciplinary probation)		

UNDERSHERIFF'S RECOMMENDATION

SUSTAINED	☐	
NOT SUSTAINED	☐	
UNFOUNDED	☐	
EXONERATED	☐	

UNDERSHERIFF JOEL DECOURSEY, JR.:

Date Signed:

SHERIFF'S FINDINGS

SUSTAINED	☐	
NOT SUSTAINED	☐	
UNFOUNDED	☐	
EXONERATED	☐	

_____

_____

_____

_____

_____/_____ APPROVED / DISAPPROVED

Clovis Watson, Jr., Sheriff Date

CASE NUMBER	2023-00010
ASSIGNED INSPECTOR	Virgil Calhoun
DATE	03/14/2023
ALLEGATION	353 V.A.2 – Conduct Unbecoming an Employee 353 V.A.7b – Insubordination 353 V.E.1 – Knowledge of Ordinances, Statutes and ACSO Directives
COMPLAINANT	General Counsel Jacob Rush #889 Captain Kelvin Jenkins #0334
INVOLVED EMPLOYEES	Sergeant Kevin Davis #0437

WITNESS LIST

Alachua County Sheriff's Office Employees	
General Counsel Jacob Rush	#0889
Lt. Heather Phillips	#0409
Lt. Joe P. Hood	#0459
Deputy Casey Kumar	#2150
Deputy Daniel Hart	#1815
Deputy Michael Moore	#0381
Deputy Nicholas Aldous	#1791
Deputy Zachary Means	#1624

Citizen (Former ACSO Employee)	
Brandon Alston	#2090

PREDICATION

On January 11, 2023, Human Resource Director Reshone Flanders e-mailed all current agency employees Personnel Order 23-005 as approved by Sheriff Clovis Watson, Jr. On January 12, 2023, the Alachua County Sheriff's Facebook page released a statement related to the personnel changes. On January 20, 2023, Chief Inspector Kelvin Jenkins was informed, by the Office of the Sheriff, General Counsel Jacob Rush, of several Facebook posts by Sergeant Kevin Davis. The posts were made via the Facebook social

media platform and were posted around the same time the personnel order was distributed to agency employees, and later to the public. The scope of the investigation was to determine if the posts had a negative influence on current employees, had an adverse impact on this agency (and its mission), and violated ACSO Directives. On January 24, 2023, Inspector Marzouk was directed to investigate those possible policy violations.

COMPLAINT

On February 1, 2023, a complaint was received that stated Sergeant Kevin Davis authored social media posts, which violated agency policy, utilizing the Facebook platform. The posts were made on or around January 11, 2023, and the days thereafter. Sergeant Davis openly criticized Sheriff Clovis Watson, Jr.'s orders of promotions and assignment changes, of ACSO Personnel, and he accused Sheriff Watson of mismanagement, racism, and cronyism. Sergeant Davis' posts were insolent in tone and appeared libelous in nature, for Complainant Chief Inspector Kelvin Jenkins, which gave reasonable cause to commence an investigation of all possible policy violations committed by Sergeant Davis.

An Administrative Investigation was initiated to determine if there was a violation of ACSO Directives. At the onset of the investigation, as well as during the investigation, the following ACSO Directives were referenced and considered and during the course of the investigation: *353 V.A.2 – Conduct Unbecoming an Employee, 353 V.A.7b – Insubordination, and 353 V.E.1 – Knowledge of Ordinances, Statutes, and ACSO Directives* (reference *ACSO Directive 945 VIII.B.2a – Employee use of Social Media*).

> *Directive 353 V.A.2 - "Conduct Unbecoming an Employee – Employees will not engage in any conduct, on duty or off duty and under the color of their authority, so egregious that it has an adverse impact on the ACSO and destroys public respect and confidence in the Office of the Sheriff and its employees. Such conduct will include, but is not limited to, participation in any immoral, indecent or disorderly conduct, or conduct which causes substantial doubts concerning a person's honesty, fairness, or respect for the rights of others or the laws of the state or nation; regardless of whether such act or conduct constitutes a crime."*
>
> *Directive 353 V.A.7b - "Insubordination – will be defined as 'failure to submit to authority' and will include, but not be limited to, any failure or deliberate refusal to obey a lawful order given by a superior or relayed by an employee of the same or lesser rank or any disrespectful, insolent or abusive language or action toward a superior whether in or out of the presence of the superior."*
>
> *Directive 353 V.E.1 - "Knowledge of Ordinances, Statutes, and ACSO Directives – All deputies, including reserve deputies, are required to establish and maintain a working knowledge of criminal and parking laws for cities within the confines of Alachua County, county ordinances and state laws. All employees will maintain a working knowledge of the policies and procedures of the ACSO."*

Directive 945 VIII.B.1 - "Employee Use of Social Media – Employees who choose to maintain or participate in social media or social networking platforms shall conduct themselves with professionalism and in such a manner that will not reflect negatively upon the ACSO or its mission."

Directive 945 VIII.B.2 - "Employee Use of Social Media – Employees who utilize the Internet and social networking sites whether from an agency or personal device, are prohibited from posting any of the following on any social networking platform, either on their own sites, the sites of others known to them, the sites of others unknown to them, news media pages, or other information exchange forums:

a. Any statements or material about the ACSO, its operations, or its current or former employees that are obscene, defamatory, false, deceptive, misleading, profane, libelous, threatening, harassing, abusive, hateful, etc."

INSPECTOR'S INVESTIGATION

Inspector's Notes

Sergeant Kevin Davis has been employed as a deputy sheriff with the Alachua County Sheriff's Office since March 4, 2004. On January 12, 2023, and for a period of time after that date, Sergeant Davis made several social media posts and/or comments utilizing the Facebook platform. When the posts/comments were made, Sergeant Davis was assigned to the Patrol Division and worked as a sergeant on Team Two Day Shift - District Three. Within the aforementioned timeframe the posts/comments were made, Sergeant Davis worked for two different lieutenants: Lieutenant Heather Phillips and Lieutenant Joe Hood.

Sergeant Kevin Davis' Facebook Posts

In January 2023, Sergeant Kevin Davis made the following social media posts via Facebook. The posts were adopted into this Administrative Investigation and are attached to this report.

Facebook Post #1 – "Weiner Dog" meme with caption, *"Captain Weiner Dog promoted to Major."*

Former Major

How many post interactions? / views?

Facebook Post #2 – Arabella Blizzard's Facebook post where she stated, *"Keep the faith my friends. Remember your worth and that you are the most important commodities and that you keep it all running. Your people depend on you."* Sergeant Davis responded with, *"The place has been decimated due to racism, cronyism and personal vengeance. The greedy cronies feel comfortable playing the game. They know who they are; so does everyone who works around them. They forgot or took for granted, they are severely outnumbered. Their reputations will haunt them for years to come. 30% of 233 employees are supervisors and 100% of employees of a particular race have been promoted with disregard for their test scores, experience, and skills; as long as they participated in the promotional process."*

How many post interactions / views?

Facebook Post #3 – Kevin Davis and Brandon Alston exchange comments on Arabella Blizzard's Facebook page. Mr. Alston replied to Sergeant Davis' post listed in Facebook Post #2 and said, *"Kevin Davis if you wanna say black just say black fended with a crying laughing emoji[.]"* Sergeant Davis responded, *"Brandon Alston I assure you the facts are being addressed in a more productive arena."* Mr. Alston replied, *"Kevin Davis well good luck with that. If I call hasn't been made to Tallahassee yet idk who's waiting to make it fended with an unknown emoji[.]"*

YouTube Videos?

Prior complaints?

Number of complaints in past 12 months?

General Council Jacob Rush #889

During the course of this investigation, Inspector Marzouk was informed, via Chain of Command, General Council Jacob Rush would complete and submit a signed Complaint Intake Form in lieu of an interview; said form was received on February 27, 2023, and stands as his official statement.

Lieutenant Joe P. Hood #459

On February 9, 2023, at 1405 hours, a digitally recorded interview was conducted with Lieutenant Joe Paul Hood. The interview was conducted by Inspectors Nancy Marzouk and Virgil Calhoun at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards interview room.

At the time the referenced social media posts in this investigation were made, Lieutenant Hood did not supervise Sergeant Davis. Lieutenant Hood transferred to the Patrol Division on January 15, 2023, and was assigned as the Watch Commander for Team Two Day Shift. It was at that time Lieutenant Hood began to supervise Sergeant Davis. On January 23, 2023, Sergeant Davis was served with Notice of Administrative Investigation and placed on Administrative Suspension with pay. Therefore, Lieutenant Hood was only Sergeant Davis' direct supervisor for a period of eight days, excluding the day of Sergeant Davis' suspension, and included only five actual working days.

Inspector Marzouk confirmed Lieutenant Hood had an active Facebook account and at the time of the interview, his account was linked to Sergeant Davis' Facebook account (the two were "friends" on the Facebook platform). Lieutenant Hood denied witnessing, firsthand, any posts made by Sergeant Davis referencing the Alachua County Sheriff's Office or directed at Sheriff Watson; Lieutenant Hood answered and stated,

> *"The Sheriff's Office or the Sheriff? No. About an individual person? There's a... a difference there... There was a... post that was made...did not mention anybody by name that I recall, but because of the content of the post, I knew exactly who it was."*

Inspector Marzouk asked if the post was negative, neutral, or positive in nature and Lieutenant Hood responded, *"I mean, if you perceive it as negative, it's because of the what the person did...it's common knowledge. It's a picture of a hotdog in a hotdog bun. Is that what you're referring to?"*

Inspector Marzouk confirmed Lieutenant Hood was referencing Facebook Post #1, as labeled in this investigation, by providing him a printed copy of it to review. Lieutenant Hood offered to explain the meaning behind the meme and stated,

> *"I mean, it's pretty common knowledge what that means. I mean...there's a lot of people that know what that means. And it's from years ago."*
>
> *"Lance Yaeger was at a party and he put his penis in a hotdog bun and was going around the party with his penis in a hotdog bun. I was not there, but there were a lot of people that were there, I guess, and it's just been a, if you will, a joke that's been around the Sheriff's Office since I began here in 2003. So, I don't think anybody that has been here for a considerable amount of time questioned where that came from."*

Inspector Marzouk inquired if Lieutenant Hood had seen any other posts, made by Sergeant Davis, that were of a similar nature and directed at the Alachua County Sheriff's Office or its employees. Lieutenant Hood answered,

> *"Not that I can recall specifically. I mean, I know he makes post, but I don't spend a lot of time on Facebook. So, you know, I don't, I don't read a lot of stuff on there, so I don't know specifically. Especially if somebody typed something that's got any content to it, I don't...have time to sit there and read everybody's posts of what's on their mind today. So I don't read that stuff. I mean, I'll look at some pictures and stuff, and I think that's why that caught my eye, because it was a picture of a meme or whatever."*

Inspector Marzouk then asked Lieutenant Hood if he ever witnessed, or had concerns about, Sergeant Davis making negative, demoralizing, or demotivating statements in front of subordinate employees, other sergeants on shift, or the general public. Lieutenant Hood denied witnessing anything to that effect. He also denied receiving any complaints against Sergeant Davis, whether from another employee or member of the public. He stated,

> *"Nobody has. I haven't had a complaint about him from anyone. I never had an issue. I mean, he's...always operated with extreme honesty and integrity. And he's one of the most honest people that I have worked with, so I've never had an issue with [him]. He's a very ethical person, [he has] a great work ethic... Again, I've worked with him for...probably a week and a half..."*

Deputy Sheriff Casey Kumar #2150

On February 9, 2023, at 1429 hours, a digitally recorded interview was conducted with Deputy Sheriff Casey Kumar. The interview was conducted by Inspectors Nancy Marzouk and Virgil Calhoun at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards interview room.

At the time of the posts, and this interview, Deputy Kumar was assigned to Team Two Day Shift – District Three; he directly reported to Sergeant Davis. During the interview, Inspector Marzouk learned Deputy Kumar deactivated his Facebook account two years prior. Inspector Marzouk presented Deputy Kumar with Facebook Post #1 (as labeled in this investigation). Deputy Kumar denied seeing the post prior to the interview, but admitted he heard about the post via word-of-mouth. Deputy Kumar stated his understanding of the meme was,

> *"From a social activity. I guess a social party from a while back. I don't know who the captain is, or if they are a captain, or if they were a captain. I just know that it was, I guess, an employee that did something involving a hotdog bun."*

Inspector Marzouk asked Deputy Kumar if he experienced any conversation with Sergeant Davis that Deputy Kumar felt the topic was negative, or demoralizing, about the Alachua County Sheriff's Office. Deputy Kumar stated, *"I think he was critical of what the Sheriff's Office was doing involving reorganizations."*

Inspector Marzouk asked Deputy Kumar if he understood Sergeant Davis' criticisms to be specifically about Sheriff Watson. Deputy Kumar responded, *"I mean, yes... I think it was inferred... But, yes, because*

the decisions that were made based on a command staff position." Deputy Kumar denied experiencing any negative affects due to Sergeant Davis' social media activity.

Deputy Sheriff Nicholas Aldous #1791

On February 9, 2023, at 1519 hours, a digitally recorded interview was conducted with Deputy Sheriff Nicholas Aldous. The interview was conducted by Inspectors Nancy Marzouk and Virgil Calhoun at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards interview room.

At the time of the posts, and this interview, Deputy Aldous was assigned to Team Two Day Shift – District Three; he directly reported to Sergeant Davis. During the interview, Inspector Marzouk learned Deputy Aldous did not have a Facebook account, yet he was made aware of Facebook Post #1 by someone; Deputy Aldous was not able to recall who that person was. Deputy Aldous did not know what the meme meant when he first saw it; he was later told what the meme referenced.

Inspector Marzouk asked Deputy Aldous if he ever witnessed Sergeant Davis make negative statements he perceived as demoralizing, insubordinate, or disrespectful. Deputy Aldous adamantly denied witnessing anything like that and stated, *"No...only stuff that if you looked at it, it's quantitatively measurable and 100% a fact."* When asked about Sergeant Davis' influence on his assigned shift, Deputy Aldous stated, *"Everyone...loves him. He's a good leader. He keeps us out of trouble...he steers us in the proper direction."*

Deputy Sheriff Michael Moore #381

On February 9, 2023, at 1607 hours, a digitally recorded interview was conducted with Deputy Sheriff Michael Moore. The interview was conducted by Inspectors Nancy Marzouk and Scott Anderson at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards interview room.

At the time of the posts, and this interview, Deputy Moore was assigned to Team Two Day Shift – District Three; he directly reported to Sergeant Davis. During this interview, Inspector Marzouk learned Deputy Moore created a Facebook account approximately two weeks ago; he did not have an account over the last few years. Inspector Marzouk presented Facebook post #1 to Deputy Moore and asked him what he understood the meme to mean. Deputy Moore stated,

> *"...it's referring to Captain Lance Yaeger being promoted to Major. About 20 years ago...there was a party of which I attended and witnessed Major Lance Yaeger pull out his penis, put it in a hotdog bun, cover it with ketchup and mustard, um, and show it to everyone."*

It was later clarified with Deputy Moore if Major Lance Yaeger was employed with the ACSO at the time of the incident and Deputy Moore confirmed he (Lance Yaeger) was employed. When asked what made Deputy Moore, having never seen the meme before, correlate the meme to the incident he described, Deputy Moore answered, *"Because Captain to Major. Weiner dog."*

Deputy Moore was asked if he found the post to be offensive and he denied that being true. Deputy Moore was asked if he considered the meme to be an inside joke or common knowledge to the general public. Deputy Moore stated, *"I would not say that if a member of the public saw this that they would make any*

connection as to who the captain is, who was promoted to major, and what it has to do with a Weiner dog."

Deputy Moore was asked if he thought any person within the general public would look at the meme and recognize it having anything to do with the ACSO. Deputy Moore denied that would be possible. Inspector Marzouk asked Deputy Moore if seeing the post caused him to lose respect for Major Yaeger, and Deputy Moore denied that to be true. When asked if witnessing the incident itself caused, or now causes, Deputy Moore to have less respect for Major Yaeger, Deputy Moore stated,

> *"This is what I'll say about the incident. It was 20 years ago. We were young. There was drinking involved... That incident, if, if, had anybody done that, knowing now, Major Yeager, um, I, I would not hold it against him. He's performed, as far as I know, well in whatever capacity he's been in and I would not hold something that someone did 20 years ago against them. Not a, that specific incident."*

Inspector Marzouk asked Deputy Moore if he ever witnessed Sergeant Davis make statements he (Deputy Moore) perceived as demoralizing, insubordinate, or disrespectful. Deputy Moore denied witnessing anything like that. The same questions were posed to Deputy Moore, but in regards to statements made to the general public, which Deputy Moore, once again, denied ever witnessing that. Deputy Moore also denied ever feeling uncomfortable by any of Sergeant Davis' comments and has not experienced any negative affect as a result of Sergeant Davis' actions on social media.

Deputy Sheriff Daniel Hart #1815

On February 14, 2023, at 0920 hours, a digitally recorded interview was conducted with Deputy Sheriff Daniel Hart. The interview was conducted by Inspectors Nancy Marzouk and Scott Anderson at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards interview room.

At the time of the posts, and this interview, Deputy Hart was assigned to Team Two Day Shift – District Three; he directly reported to Sergeant Davis. Inspector Marzouk learned Deputy Hart did have a Facebook account, but he is not friends on Facebook with Sergeant Davis or Arabella Blizzard. Inspector Marzouk presented Deputy Hart with Facebook post #1. Deputy Hart believed he had seen it before. When asked what or who the meme was a reference to, Deputy Hart stated,

> *"I honestly have no idea... Being completely honest with you, I saw it and it really doesn't, it's not bringing anything up for me. I know there's been a lot of promotions and moving around. As far as who specifically it's referring to...I, being completely honest, I have no idea."*

Deputy Hart did not know the meaning behind the meme nor whom the meme was referencing. Inspector Marzouk then presented the post labeled as Facebook Post #2. Deputy Hart did not think he had seen the post before, but if he did, it was not via his Facebook account because he is not friends with either Arabella Blizzard or Sergeant Davis on Facebook.

Deputy Hart also denied ever witnessing Sergeant Davis make ill statements about ACSO. Deputy Hart stated,

"I know that the only thing that I specifically heard him say, that I recall right now, is just the normal things that we've been hearing since we started here. Officer safety stuff. You know, staffing concerns, which I've heard from lots of people from all different levels... I've had several supervisors since being here, and...I've never changed the way that I operate. I don't think that I've done anything differently, so I don't feel that I've been influenced.

Lieutenant Heather Phillips #409

On February 14, 2023, at 1046 hours, a digitally recorded interview was conducted with Lieutenant Heather Phillips. The interview was conducted by Inspectors Nancy Marzouk and Scott Anderson at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards interview room.

At the time the social media posts were made, Lieutenant Phillips directly supervised Sergeant Davis. However, at the time of this interview, she was assigned as the Watch Commander for Team Two Evening Shift. Inspector Marzouk presented Lieutenant Phillips with the post labeled Facebook Post #1. Lieutenant Phillips acknowledged she had seen sit before, or something like it, that referenced a hotdog thing. Lieutenant Phillips denied actually witnessing the incident, but she did hear about it via word-of-mouth over the years. When asked to explain her understanding of what the meme meant, Lieutenant Phillips stated,

"It's my understanding, several years ago, that I believe it was a SWAT party, uh, Lance Yeager was on the SWAT team, and was drunk, and was running around with his penis in a hotdog bun, at the party."

Inspector Marzouk then presented Facebook Post #2 to Lieutenant Phillips and asked her if she had seen it before. Lieutenant Phillips stated she is not on Facebook much anymore, but she thought someone sent it to her and that is how she saw it before. Inspector Marzouk asked Lieutenant Phillips to read the post to refresh her memory. Inspector Marzouk asked if Lieutenant Phillips felt negatively influenced by Sergeant Davis social media posts and she denied being influenced by him. She was promoted – Davis complaint on her?

Inspector Marzouk asked Lieutenant Phillips if she ever witnessed Sergeant Davis make negative comments about the agency or its administration, in front of subordinates, or members of the public, and she stated, *"Hmm...not off the top of my head... I mean, we would door up all the time, but, I don't know that others were present."* When asked if Sergeant Davis made negative remarks, criticisms, or observations, against the agency and directly to her, Lieutenant Phillips stated, *"Observations or maybe venting."* What did he say?

Prior Discipline?

Lieutenant Phillips denied having knowledge of Sergeant Davis experiencing issues, in terms of supervising his subordinates, since he made the posts. Additionally, Lieutenant Phillips never had one of Sergeant Davis' subordinates report any issues with Sergeant Davis.

Deputy Sheriff Zachary Means #1624

On February 27, 2023, at 0905 hours, a digitally recorded interview was conducted with Deputy Sheriff Zachary Means. The interview was conducted by Inspectors Nancy Marzouk and Virgil Calhoun at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards interview room.

At the time of the posts, and this interview, Deputy Means was assigned to Team Two Day Shift – District Three; he directly reported to Sergeant Davis. Inspector Marzouk learned Deputy Means does not have a Facebook account. Deputy Means denied ever seeing Facebook post #1, and he was not able to surmise what the meme meant. Deputy Means was also presented with what was labeled as Facebook Post #2 in this investigation, but Deputy Means had never seen that post either.

Inspector Marzouk asked Deputy Means if he ever witnessed Sergeant Davis speak ill of, or denounce, the agency or the administration in his presence. Deputy Means could not recall witnessing any such incident, and he also denied ever feeling negatively affected by Sergeant Davis.

Sergeant Kevin Davis #0437

On March 2, 2023, at 1300 hours, a digital recorded interview was scheduled to be conducted with Sergeant Davis #437 at the Alachua County Sheriff's Office, Office of Professional Standards. Sergeant Davis arrived with representative, Bobi J. Frank. Inspectors Virgil Calhoun and Scott Anderson were present.

On the day of the interview, Sergeant Davis appeared with his representative, Bobi J. Frank. Sergeant Davis and Ms. Frank were afforded the opportunity to review all evidence and witness statements collected during this investigation. At the conclusion of their review, Ms. Frank claimed Florida Statue 112 violations and the scheduled interview with Sergeant Davis was not conducted.

Inspector's Notes

On March 3, 2023, Inspector Marzouk confirmed that Facebook Posts #1 and #2 were still posted. It was at that time, Inspector Marzouk discovered the exchange of comments between Sergeant Davis and former ACSO Deputy Sheriff Brandon Alston; therefore, a witness interview was conducted with Mr. Alston on March 6, 2023, at 0850 hours, and it was added to this Administrative Investigation Summary portion of this report.

Brandon E. Alston

On March 6, 2023, at 0850 hours, a digitally recorded interview was conducted with Brandon Alston. The interview was conducted by Inspectors Nancy Marzouk and Virgil Calhoun who were located at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards – in an empty office; the interview was conducted via speakerphone.

Brandon Alston is a former ACSO Deputy Sheriff (#2090) who was employed by the Alachua County Sheriff's Office from August 10, 2020, to October 8, 2021. During his employment, Brandon worked on the same Patrol Team and shift as Sergeant Kevin Davis for a brief period of time.

Inspector Marzouk asked Mr. Alston if he recalled a Facebook post made by Sergeant Davis, on Arabella Blizzard's Facebook page, where he and Sergeant Davis had a short exchange of comments about Sergeant Davis' post. Mr. Alston stated he *"vividly"* recalled the post and exchange of comments. When asked what agency he understood Sergeant Davis was writing about, Mr. Alston answered, *"The agency he [Sergeant Davis] works for."* After prompted to name the agency, Mr. Alston stated, *"The Alachua County Sheriff's Office."*

Inspector Marzouk asked Mr. Alston after reading Sergeant Davis' post, as a citizen, would he still have confidence in the Sheriff's Office and in the ability, or capability, of the Sheriff. Mr. Alston stated, *"Absolutely not."* Inspector Marzouk asked Mr. Alston to explain why. Mr. Alston explained,

> *"Because this is a thing, like, when you have...somebody that's been there 20 plus years,...if you look at the attrition rate of the sheriff's office,...then you start to add all these things up,...if you really vividly look at what he's [Sergeant Davis] talking about, if you're not just some joe blow citizen that don't care, then you'll notice that there's, um, encryptions in what he's [Sergeant Davis] saying."*

> *"...if I wasn't a citizen that cared, you know, it would be easy to just look over what goes on. But when you, you look at the, the multiple different people that have worked at the sheriff's office in, um, an official capacity that have left, and the things that they say, and then you start reading the things that he [Sergeant Davis] posts, you kind of like, I mean, you put two and two together. It don't take a rocket scientist to see that there's trouble in the water, you know what I mean?"*

Inspector Marzouk asked Mr. Alston if he felt the content of the post was factual or Sergeant Davis' opinion. Mr. Alston explained Sergeant Davis is an analytical person, so the numbers he provided may not be exactly correct due to personnel leaving or being hired each week. Mr. Alston went on to say, *"So the numbers may be factual, and they may not be factual, but I think it's from his opinion, this is how he's feeling. It's not totally based off of fact."*

When asked if the exchange of comments between him and Sergeant Davis was taken as playful or sarcasm, Mr. Alston said,

> *"I took it as KD [Sergeant Davis' nickname] being KD. Um, you know he, he's kind of a person that, I mean, I've worked where he was my sergeant when I was at the sheriff's office, so, um, I've worked for him and I know how he is. He knows how to tread softly, so to speak, um, he'll say things that, you know, they're not offensive, but they may not be the right thing to say...he's one of those...guys...that you...need a sergeant like him, but everybody's not going to like the way he does business and that's okay."*

Inspector's Notes

This administrative investigation has been ordered by the chain of command to be submitted without an interview of the subject employee, Sergeant Kevin Davis #0437.

On March 9, 2023, Inspector Marzouk made a final review of this report – specifically the witness interviews. Inspector Marzouk discovered during the interview with Deputy Sheriff Michael Moore, Facebook Post #2 was not discussed with him. Therefore, on March 9, 2023, Inspector Marzouk called Deputy Moore and asked follow-up questions.

Deputy Sheriff Michael Moore #381

On March 9, 2023, at 1026 hours, a digitally recorded interview was conducted with Deputy Sheriff Michael Moore. The interview was conducted by Inspectors Nancy Marzouk and Scott Anderson who were located at 3333 NE 39th AV, Department of the Jail, Office of Professional Standards – in an empty office; the interview was conducted via speakerphone.

Inspector Marzouk read out loud the entire Facebook post #2 (Arabella Blizzard's original post and Sergeant Davis' response) to Deputy Moore. Deputy Moore stated he did not read or see that post before. Inspector Marzouk asked Deputy Moore what agency he believed Sergeant Davis was referencing in the post and Deputy Moore answered, *"My guess would be our agency, the Alachua County Sheriff's Office."* Deputy Moore was asked, after hearing the contents of the post, if it took away Deputy Moore's confidence in the ability for the Sheriff's Office to conduct its mission. Deputy Moore stated, *"No because I, I, I don't know if what was said was true."* He was asked given the fact it was his supervisor who wrote the post, did Deputy Moore feel the content had more weight or value to it versus if a stranger or non-employee wrote it. Deputy Moore responded, *"I would have to say no."*

Deputy Moore then was asked if he thought it was appropriate for a sergeant of the Alachua County Sheriff's Office to write that on a public page. Deputy Moore stated, *"What, what he wrote? If, if he didn't identify the agency, or didn't name any names, I don't think there's anything inappropriate with expressing what his beliefs are."* It was repeated back to Deputy Moore he did not think it was inappropriate and Deputy Moore confirmed, *"No, I don't think it's inappropriate. He, he didn't name the Sheriff's Office, if that's in fact who he's talking about. Um, so he's, he's expressing his beliefs."*

+ Subject employee history

FINDINGS OF FACT

1. On or around, January 11, 2023, and for a short period of time thereafter, Sergeant Kevin Davis made several Facebook posts utilizing his personal account that negatively referenced the Alachua County Sheriff's Office and Sheriff Clovis Watson, Jr. (see Facebook Posts #1 - #3).

2. Facebook is a social media and networking site where users can interact with other users by posting, reacting to, and sharing content with other users. These interactions can occur on the individual user's personal account, or the user can post, react to, or share content on another user's personal account.

3. Sergeant Kevin Davis' Facebook account had a picture of him and his name appeared next to every post or comment he made on the social media platform.

4. A Directive Management System audit was conducted of Sergeant Kevin Davis' policy review. Directive 945 – Social Media was signed by him on June 3, 2017, at 1300 hours.

5. Facebook Post #1 was captioned, *"Captain Weiner Dog promoted to Major."* This investigation revealed, that even without naming the employee it was referencing, some witnesses knew it was about the recent promotion of Major Lance Yaeger. It referenced something he committed when he was a young Deputy Sheriff and it occurred approximately 20 years ago. This post was based on an actual event; therefore, no further evaluation of this post was considered.

6. Facebook Post #2 was posted on someone else's Facebook page and Sergeant Davis alleged, *"This place has been decimated due to racism... 30% of 233 employees are supervisors and 100% of employees of a particular race have been promoted with disregard for their test scores, experience, and skills; as long as they participated in the promotional process."*

    a. Several witnesses stated they knew Sergeant Davis was referring to the ACSO even though he did not name the agency.

b. The ACSO, and its employees, require the trust of the general public in order to fulfill its mission and maintain public safety.
c. Reference the portion of Facebook Post #2 that stated, "*30% of 233 employees...*" the ACSO's Data Systems Unit provided the actual number of full-time, sworn employees was 239 sworn employees, which is greater than 233, and does not include non-sworn employees.
d. No information was included in the post that proved racism existed within the ACSO and it is reasonable to believe that alleging someone, or an entity, is a racist, can have a damaging/tarnishing effect to that person's, or that entity's, reputation.

This portion of the statement could be considered libelous in nature; however, the scope of this investigation did not include the collection of evidence to prove this statement as false and libelous, so no further evaluation of this portion of the post was considered.

7. This investigation did reveal evidence that the posts had an adverse impact on the Alachua County Sheriff's Office and its mission. During the witness interview with Mr. Brandon Alston, he stated he knew Sergeant Davis was referencing the Alachua County Sheriff's Office in Facebook Post #2. Mr. Alston was asked, if after reading the post, did he still have confidence in the Sheriff's Office and in the ability, or capability, of the Sheriff. Mr. Alston stated, "*Absolutely not.*"

8. This investigation did not reveal evidence of negative influence to current employees due to the content of Sergeant Kevin Davis' Facebook posts. Witness Deputy Sheriff Nicholas Aldous stated, "*Everyone...loves him. He's a good leader. He keeps us out of trouble...he steers us in the proper direction.*" Witness Lieutenant Joe Hood stated, "*I haven't had a complaint about him from anyone. I never had an issue. I mean, he's...always operated with extreme honesty and integrity. And he's one of the most honest people that I have worked with, so I've never had an issue with [him]. He's a very ethical person, [he has] a great work ethic...*" Witness Mr. Brandon Alston stated, "*...he's one of those...guys...that you...need a sergeant like him, but everybody's not going to like the way he does business and that's okay.*"

INSPECTOR'S FINDINGS

Inspector's Notes

On March 13, 2023, Chief Inspector Captain Kelvin Jenkins informed Inspector Virgil Calhoun was assigned this Administrative Investigation. This Inspector has reviewed Inspector Nancy Marzouk's provided witness statements and evidence. This Inspector concurs with the writings of Inspector Marzouk's Predication, Complaint, Inspector's Investigation and Finding of Facts of this document.

In order to assess if a violation of ACSO Directive 353 V.A.2 – Conduct Unbecoming an Employee, 353 V.A.7b – Insubordination, 353 V.E.1 - Knowledge of Ordinances, Statutes, and ACSO Directives occurred, this Inspector referred to ACSO Directive 945 – Social Media and ACSO Directive 353 – Standards of Conduct and Violation Levels. Those directives were applied to the following findings as derived from the facts discovered during Inspector Marzouk's investigation:

Sergeant Kevin Davis is identified on Facebook as *Kevin Davis* and does not release information on his public Facebook page as being employed for the Alachua County Sheriff's Office. Sergeant Davis' Facebook posts, as part of this Administrative Investigation, does not identify the Alachua County Sheriff's Office.

Sergeant Davis did not make his comments under the color of his authority as an employee of the Alachua County Sheriff's Office (ACSO) or take claim to any entity of ACSO as specifically enumerated in *Directive 353 V.A.2 - "Conduct Unbecoming an Employee – Employees will not engage in any conduct, on duty or off duty and under the color of their authority..."* Sergeant Davis' Facebook post is in communication with a known former Major of ACSO employee Arabella Blizzard. Ms. Blizzard is known to the public as formerly employed with ACSO by public photographs in an ACSO uniform on Facebook.

Ms. Blizzard stated in Facebook Post #2, "*Keep the faith my friends. Remember your worth and that you are the most important commodities and that you keep it all running...*" Sergeant Davis' response, "*The place has been decimated due to racism, cronyism and personal vengeance...*" could only be referring to the Alachua County Sheriff's Office.

During a witness interview with former ACSO employee Brandon Alston, he said he knew Sergeant Davis was referencing the Alachua County Sheriff's Office in Facebook Post #2. Mr. Alston was asked if he had confidence in the Sheriff's Office and in the ability, or capability, of the Sheriff. he stated "*Absolutely not.*" Sergeant Davis' post clearly had, per *Directive 353 V.A.2 - "Conduct Unbecoming an Employee"* an "*...adverse impact on the ACSO and destroys public respect and confidence in the Office of the Sheriff and its employees...*"

Based on official documents and interviews related to this investigation, this Inspector was not able to establish a preponderance of evidence that a violation of Alachua County Sheriff's Office Directive 353 V.A.2 – Conduct Unbecoming an Employee - is **NOT SUSTAINED.**

Sergeant Kevin Davis made public accusations of "*...racism, cronyism and personal vengeance*" that take away from the mission of the Alachua County Sheriff's Office, per ACSO 006 - "*Service to the community first. Commitment to the employees always. Through our partnerships, we are the Alachua County Sheriff's Office.*" Sergeant Davis' actions with his Facebook posts undermined the direction of an elected official and as an ambassador of an elective official leads the public into a false narrative. #1

Sergeant Kevin Davis' Facebook Post #1, exploited an event from approximately 20 years ago that was known to have occurred based on witness statements provided in this Administrative Investigation. Facebook Post #1 was directed at Major Lance Yeager. #2

As specifically enumerated in *Directive 353 V.A.7.b – "Insubordination – Insubordination will be defined as, "...any disrespectful, insolent or abusive language or action toward a superior whether in or out of the presence of the superior."*

Based on the documents and the witness interviews related to this investigation, this Inspector was able to establish a preponderance of evidence that a violation of Alachua County Sheriff's Office Directive 353 V.A.7b – Insubordination - is **SUSTAINED.** X2

Sergeant Kevin Davis used the social media networking site Facebook to make accusatory statements. The statements of "*...racism, cronyism and personal vengeance...*" and challenging the promotional process, "*30% of 233 employees are supervisors and 100% of employees of a particular race have been*

promoted with disregard for their test scores, experience, and skills; as long as they participated in the promotional process" was a reply posted in response to a formerly known Major of ACSO, Arabella Blizzard.

As specifically enumerated in Directive 353 V.E.1 - "Knowledge of Ordinances, Statutes, and ACSO Directives states, *"...All employees will maintain a working knowledge of the policies and procedures of the ACSO."*

Directive 945 IV – Social Media states, *"Policy - Employees using any form of social media or social networking...shall not use them in any way, which detracts from the mission of the ACSO, tarnishes the reputation of the ACSO, reflects negatively on your position as an employee of the ACSO, or in a manner that violates any ACSO directive. Any such online actions will be viewed as a direct violation of this policy, as well as any other applicable directive."*

ACSO Directive 945 VIII.B.2a – Social Media further states, *"Employees who utilize the Internet and social networking sites whether from an agency or personal device, are prohibited from posting any of the following on any social networking platform, either on their own sites, the sites of others known to them, the sites of others unknown to them, news media pages, or other information exchange forums:*

> *"Any statements or material about the ACSO, its operations, or its current or former employees that are obscene, defamatory, false, deceptive, misleading, profane, libelous, threatening, harassing, abusive, hateful, etc.*

Based on the documents and the witness interviews related to this investigation, this Inspector was able to establish a preponderance of evidence that a violation of Alachua County Sheriff's Office Directive 353 V.E.1 - Knowledge of Ordinances, Statutes, and ACSO Directives - is **SUSTAINED.**

OFFICIAL DOCUMENTS

Inspector Marzouk added the below supporting documents, audio, and photographs to IA Pro.

1. Complaint Intake Form completed by Captain Kelvin Jenkins

2. Complaint Intake Form completed by General Counsel Jacob Rush

3. Administrative Forms signed by Sergeant Kevin Davis:
    a. The initial Sworn Employee Notice of Administrative Investigation (Complainant General Counsel Jacob Rush that was served by Captain Christopher Sims).
    b. The second Sworn Employee Notice of Administrative Investigation (Complainant Chief Inspector Kelvin Jenkins that was served by Lieutenant Eric Hutchinson)
    c. Notice of Administrative Suspension (Served by Captain Christopher Sims)
    d. Sworn Allegation Sheet – never signed by Sergeant Davis due to alleged FSS 112 issues.

4. Witness Interviews:
    a. Lieutenant Joe P. Hood's Confidential Administrative Investigation Acknowledgement
        i. Audio recorded witness interview with Lieutenant Joe P. Hood (14:14 in duration)
    b. Lieutenant Heather Phillips' Confidential Administrative Investigation Acknowledgement
        i. Audio recorded witness interview with Lieutenant Heather Phillips (4:16 in duration)

c. Deputy Casey Kumar's Confidential Administrative Investigation Acknowledgement
    i. Audio recorded witness interview with Deputy Casey Kumar (6:51 in duration)
d. Deputy Daniel Hart's Confidential Administrative Investigation Acknowledgement
    i. Audio recorded witness interview with Deputy Daniel Hart (5:25 in duration)
e. Deputy Michael Moore's Confidential Administrative Investigation Acknowledgement
    i. Audio recorded witness interview with Deputy Michael Moore (8:25 in duration)
    ii. Audio recorded witness interview with Deputy Michael Moore (6:17 in duration)
f. Deputy Nicholas Aldous' Confidential Administrative Investigation Acknowledgement
    i. Audio recorded witness interview with Deputy Nicholas Aldous (8:08 in duration)
g. Deputy Zachary Means' Confidential Administrative Investigation Acknowledgement
    i. Audio recorded witness interview with Deputy Zachary Means (3:08 in duration)

5. Documents referenced:
    a. Facebook Post #1 – "Weiner Dog" meme
    b. Facebook Post #2 – Response to Arabella Blizzard's Facebook post
    c. Facebook Post #3 – Kevin Davis and Brandon Alston exchange of comments
    d. Facebook Profile – Arabella Blizzard (2 Pages)
    e. Facebook Profile – Kevin Davis (3 Pages)
    f. DMS Audit Sheet – Kevin Davis
    g. ACSO Directive 945 – Social Media
    h. ACSO Directive 353 – Standards of Conduct and Violation Levels

VERIFICATION PURSUANT TO FLORIDA STATUTE 92.525

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willingly deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes.

Inspector Virgil Calhoun

MATRIX FOR SUSTAINED VIOLATION(S)

TRACKING NUMBER	2023-00010	ACCUSED EMPLOYEE	Sergeant Kevin Davis	ID #:	0437
ALLEGED VIOLATION OF DIRECTIVE 353.V			A.2 - "*Conduct Unbecoming an Employee*" – Level Five A.7.b – "*Insubordination*" – Level Five E.1 – "Knowledge of Ordinances, Statutes and ACSO Directives" – Level Three		

CURRENT POINTS	+CARRYOVER POINTS	= TOTAL POINTS	DISCIPLINE RANGE
50	0	50	2 Day Suspension to Termination (Level five violation automatic 12-month disciplinary probation)

UNDERSHERIFF'S RECOMMENDATION

SUSTAINED	☐	
NOT SUSTAINED	☐	
UNFOUNDED	☐	
EXONERATED	☐	

UNDERSHERIFF JOEL DECOURSEY, JR.:

Date Signed:

SHERIFF'S FINDINGS

SUSTAINED	☐	
NOT SUSTAINED	☐	
UNFOUNDED	☐	
EXONERATED	☐	

_____

_____

_____

_____

_____/_____ APPROVED / DISAPPROVED

Clovis Watson, Jr., Sheriff Date

ALACHUA COUNTY SHERIFF'S OFFICE

COPY

March 27, 2023

INTER-OFFICE CORRESPONDENCE:

Reviewed on 03/28/23

TO: Captain Kelvin Jenkins

FROM: Lead Inspector Scott Anderson SA #358

RE: Interactions with Ms. Bobi Frank in March 2023

This IOC is in response to your email directing me to provide a written account of the attempts to conduct subject interviews with Sgt. Frank Williams and Sgt. Kevin Davis on March 1, 2023, and March 2, 2023.

On March 1, 2023, Sgt. Frank Williams came into the Office of Professional Standards with his legal representative, Ms. Bobi Frank. They were provided all evidence gathered in the case and given an opportunity to privately review it. After they were finished, Inspector Calhoun and I entered the interview room, and Ms. Frank announced that there were multiple *"112 violations"* in the case, some of which would not be repairable. Ms. Frank was given an uninterrupted opportunity to list all of the alleged violations.

At the end of her presentation, I attempted to discuss the things she brought up individually. There were some issues she raised, particularly the inadequate statement provided by Jacob Rush, that I agreed were a concern. Unfortunately, I was rarely able to say more than a few words before she would cut me off and talk over me in a very rude and derogatory manner. It became clear fairly quickly that she had an agenda and was not serious about attempting to resolve any of her alleged violations in order for an interview to take place. Because Ms. Frank was not interested in having a productive dialogue, we allowed her to articulate her allegations and ended the attempted interrogation.

On March 2, 2023, Sgt. Kevin Davis came into the Office of Professional Standards with his legal representative. He was also being represented by Ms. Frank. They were given the opportunity to review all evidence privately, and then Sgt. Marzouk-Brainerd and I went into the interview room to attempt an interrogation. Ms. Frank again provided a list of alleged *"112 violations."* However, this time she was much more subdued as she outlined them, appearing almost exhausted as she listed them. Sgt. Marzouk-Brainerd took notes as Ms. Frank spoke and asked clarifying questions a few times.

After Ms. Frank was finished listing her grievances, but before any discussion or negotiation regarding them could take place, she closed her notebook and said she wanted to ask Sgt. Marzouk-Brainerd a question. Ms. Frank then became very loud and visibly angry when confronting Sgt. Marzouk-Brainerd about a recorded phone conversation that was part of the evidence they had been presented to review. As Ms. Frank was yelling at Sgt. Marzouk-Brainerd over the recording, I noticed Sgt. Davis was smiling as he watched it take place. As she was still speaking, Ms. Frank

stood up and grabbed her notebook. Sgt. Davis stood up with Ms. Frank as she did. Ms. Frank then stormed out of the interview room, yelling loudly how she could not believe the level of *"shit"* coming out this office. Sgt. Davis followed her out as she talked.

Neither Sgt. Marzouk-Brainerd nor I were ever given an opportunity to discuss any of the alleged violations with her prior to her outburst and storming out of the office. I noted that again Ms. Frank clearly had an agenda prior to sitting down with us and had no intention of actually allowing an interrogation to occur. Unlike the day before, however, she did not even afford us an opportunity to discuss any of the issues she raised.

On Thursday, March 23, 2023, I viewed a portion of a court document that had been filed regarding the March 2, 2023, incident by Ms. Frank. The court document read:

"21. After a brief discussion regarding the violations of Sgt. Davis' Officers' Bill of Rights, Investigator Marzouk and Investigator Anderson ultimately refused to cure the violations, or even acknowledge most of them. They were informed to make the Agency head aware of the violations."

This description appearing in an official court document was very concerning as it was clearly untrue. Contrary to her statement, we had no discussion because Ms. Frank and Sgt. Davis stormed out of the office unescorted before one could take place. We were also given no opportunity *"to cure any potential violations, or even acknowledge most of them."*

SAA/saa

ALACHUA COUNTY SHERIFF'S OFFICE

March 30, 2023

INTER-OFFICE CORRESPONDENCE:

TO: Sheriff Clovis Watson Jr.
Office of the Sheriff

FROM: Inspector Virgil Calhoun
Office of Professional Standards

VIA: Chain of Command

RE: 2023-00010 Administrative Investigation Sergeant Kevin Davis

On March 17, 2023, General Counsel Jacob Rush informed Sergeant Kevin Davis' representative, Ms. Bobi Frank, esq., of the removal of Inspector Nancy Marzouk from Administrative Investigation 2023-00010.

Administrative Investigation 2023-00010 was opened on January 20, 2023 with an Inspector assigned on January 23, 2023. According to the Office of Professional Standards Manual (OPS), "*All investigations should be completed as timely as possible and, in any case, must be completed within ninety (90) days of the initial receipt, unless an extension is granted by the Sheriff.*" This Administrative Investigation's ninety (90) day mark is set for April 19, 2023. This Inspector was verbally made aware of the Inspector changes on March 13, 2023. On March 20, 2023, this Inspector was advised of the official e-mail notification to Ms. Frank and was directed to investigate this administrative investigation.

Administrative Investigation 2023-00010 will be investigated under good faith as directed by the Code of Ethics. All evidence obtained under my own investigative findings will be in compliance with F.S. 112; Officer's Bill of Rights, applicable policies and legal counsel. Per the OPS Manual, this Inspector is requesting the first thirty (30) day extension to begin on April 19, 2023.

VC

cc: Sergeant Kevin Davis

CASE NUMBER	2023-00010
ASSIGNED INSPECTOR	Virgil Calhoun
DATE	
ALLEGATION	353 V.A.2 – Conduct Unbecoming an Employee 353 V.A.7b – Insubordination
COMPLAINANT	Captain Kelvin Jenkins #0334
INVOLVED EMPLOYEES	Sergeant Kevin Davis #0437

WITNESS LIST

Alachua County Sheriff's Employees

Major Dorian Keith	#0368
Major Jack "Lance" Yaeger	#0386
Captain Kelvin Jenkins	#0334
Captain Jon Hoover	#0560

PREDICATION

On January 11, 2023, Human Resource Director Reshone Flanders e-mailed Personnel Order 23-005 as approved by Sheriff Clovis Watson, Jr. On January 12, 2023, the Alachua County Sheriff's Facebook page released a statement related to the personnel changes. On January 23, 2023, Chief Inspector Kelvin Jenkins informed the Inspectors of the Office of Professional Standards, that Sergeant Kevin Davis authored comments on Facebook that may be a violation of ACSO Directives. On March 30, 2023, this Inspector began an investigation into any potential policy violations.

COMPLAINT

On January 12, 2023, Alachua County Sheriff's Office used social media platform, Facebook, to inform the general public of recent promotions that "*...provide growth, opportunity and represent the future of ASO as Sheriff Watson continues to fulfill his vision and promise to the community that will strengthen and improve the agency, the services we offer and the bond we share with the citizens of Alachua County.*"

On January 12, 2023, and thereafter, Sergeant Kevin Davis authored several Facebook posts and comments that may be a violation of ACSO directives. ACSO 945 – Social Media policy states, "*All employees must strive to maintain public trust and confidence, not only in our professional actions, but also in our personal and online actions. Any online activity that has the effect of diminishing the public's trust and/or confidence in the ACSO will hinder the efforts of this agency to fulfill our mission.*"

This complaint, involving possible violations of ACSO Directive 353 V.A.2 – Conduct Unbecoming an Employee, 353 V.A.7.b – Insubordination was initiated.

Directive 353 V.A.2 - "Conduct Unbecoming an Employee – Employees will not engage in any conduct, on duty or off duty and under the color of their authority, so egregious that it has an adverse impact on the ACSO and destroys public respect and confidence in the Office of the Sheriff and its employees. Such conduct will include, but is not limited to, participation in any immoral, indecent or disorderly conduct, or conduct which causes substantial doubts concerning a person's honesty, fairness, or respect for the rights of others or the laws of the state or nation; regardless of whether such act or conduct constitutes a crime."

Directive 353 V.A.7.b – "Insubordination – Insubordination will be defined as 'failure to submit to authority' and will include, but not be limited to, any failure or deliberate refusal to obey a lawful order given by a superior or relayed by an employee of the same or lesser rank or any disrespectful, insolent or abusive language or action toward a superior whether in or out of the presence of the superior."

> *Directive 945 VIII.B.1 - "Employee Use of Social Media – Employees who choose to maintain or participate in social media or social networking platforms shall conduct themselves with professionalism and in such a manner that will not reflect negatively upon the ACSO or its mission."*
>
> *Directive 945 VIII.B.2 - "Employee Use of Social Media – Employees who utilize the Internet and social networking sites whether from an agency or personal device, are prohibited from posting any of the following on any social networking platform, either on their own sites, the sites of others known to them, the sites of others unknown to them, news media pages, or other information exchange forums:*
>
> *a. Any statements or material about the ACSO, its operations, or its current or former employees that are obscene, defamatory, false, deceptive, misleading, profane, libelous, threatening, harassing, abusive, hateful, etc."*

INSPECTOR'S INVESTIGATION

On January 11, 2023, Human Resources Director Reshone Flanders e-mailed *#ACSO Agency Wide*, Personnel Order 23-005. On January 12, 2023, Alachua County Sheriff's Office posted the promotions on the *Alachua County Sheriff* Facebook page.

Alachua County Sheriff's Facebook Post

On January 12, 2023, Alachua County Sheriff's Facebook page posted about new promotions and assignments. The following Facebook comment has been reformatted, italicized, and copied in its entirety into this Administrative Investigation.

"Sheriff Clovis Watson Jr. is pleased to announce some changes at the Alachua County Sheriff's Office for 2023. These new promotions and assignments provide growth, opportunity and represent the future of ASO as Sheriff Watson continues to fulfill his vision and promise to the community that will strengthen and improve the agency, the services we offer and the bond we share with the citizens of Alachua County.

Interim Jail Director Dorian Keith is promoted to the rank of Major with assignment of Jail Director in the Department of the Jail.

Chief Detective Jack "Lance" Yaeger is promoted to the rank of Major in the Department of Support Services.

Lieutenant Christopher Sims is promoted to the rank of Captain in the Patrol Operations Division – Team 2.
Lieutenant Jayson Levy is promoted to the rank of Captain in the Patrol Operations Division – Team 1.

Sergeant John Harris is promoted to the rank of Lieutenant in the Criminal Investigations Division – ACTION Unit.

Sergeant Matthew Yakubsin is promoted to the rank of Lieutenant in the Special Operations Division – Juvenile Relations Bureau.

Deputy Taylor Redding is promoted to the rank of Sergeant in the Patrol Operations Division – Team 2 Nights.

Deputy Jered Smith is promoted to the rank of Sergeant in the Patrol Operations Division – Team 1 Nights."

Captain Kelvin Jenkins #0334

On March 30, 2023, at 1513 hours, a digitally recorded interview was conducted with Captain Kelvin Jenkins #0334. Captain Kelvin Jenkins provided a Complaint Intake Form dated March 30, 2023. The interview was conducted by Inspectors Virgil Calhoun and Scott Anderson at Alachua County Sheriff's Office, Office of Professional Standards.

This Inspector interviewed Captain Kelvin Jenkins in reference to his Complaint Intake Form. Captain Jenkins stated in writing he was, "*…informed by the office of the Sheriff that Sergeant Kevin Davis provided commentary and/or authored social media posts, on FACEBOOK, which openly criticized personnel moves decided by Sheriff Watson, along with perceived claims of mismanagement, racism, cronyism etc.*" This Inspector asked Captain Jenkins if he had any further details and simply referred to his written statement.

Sergeant Kevin Davis' Facebook Posts

Sergeant Kevin Davis' initial social media posts on Facebook. The following Facebook comments were reformatted, italicized and copied in its entirety into this Administrative Investigation.

Document #2 – "Weiner Dog" meme with caption, *"Captain Weiner Dog promoted to Major."*

Document #3 – Arabella Blizzard's Facebook post stated, "*Keep the faith my friends. Remember your worth and that you are the most important commodities and that you keep it all running. Your people*

depend on you." Sergeant Davis responded with, *"The place has been decimated due to racism, cronyism and personal vengeance. The greedy cronies feel comfortable playing the game. They know who they are; so does everyone who works around them. They forgot or took for granted, they are severely outnumbered. Their reputations will haunt them for years to come. 30% of 233 employees are supervisors and 100% of employees of a particular race have been promoted with disregard for their test scores, experience, and skills; as long as they participated in the promotional process."*

Document #4 – Kevin Davis and Brandon Alston exchanged comments on Arabella Blizzard's Facebook post. Mr. Alston replied to Sergeant Davis' post and said, *"Kevin Davis if you wanna say black just say black {ended with a crying laughing emoji}."* Sergeant Davis responded, *"Brandon Alston I assure you the facts are being addressed in a more productive arena."* Mr. Alston replied, *"Kevin Davis well good luck with that. If I call hasn't been made to Tallahassee yet idk who's waiting to make it {ended with an unknown emoji}."*

Inspector's Notes

On January 11, 2023, Sergeant Kevin Davis was included in Human Resources Bureau Chief Reshone Flanders' *#ACSO Agency Wide* e-mail group receiving Personnel Order 23-005. Sergeant Davis was identified as "*Kevin Davis*" on Facebook. Sergeant Davis did not identify working for Alachua County Sheriff's Office on his Facebook page. Sergeant Davis' profile photograph did not use identifiers associated with Alachua County Sheriff's Office.

Sergeant Davis had been employed with the Alachua County Sheriff's Office since 2004, according to the Employee Master Index (MNI). On April 13, 2013, Deputy Davis was promoted to the rank of Sergeant. At the time of the social media allegation, Sergeant Davis was assigned to the Patrol Division on Team Two Day Shift - District Three.

On January 23, 2023, Chief Inspector Kelvin Jenkins informed the Office of Professional Standards, that Sergeant Kevin Davis made comments on Facebook that may be a violation of ACSO Directives. Sergeant Kevin Davis singled out the promotion of a certain Alachua County Sheriff's Office employee. According to the Facebook post by Alachua County Sheriff's Office, only two employees were promoted to the rank of major, one being Dorian Keith and the second being Jack "Lance" Yaeger.

Former major of the Alachua County Sheriff's Office, Ms. Arabella Blizzard, authored a post which started a string of replies. Sergeant Davis and other former Alachua County Sheriff employees made comments. Notably, Sergeant Davis replied to Ms. Blizzard and engaged in further dialog with a former deputy of Alachua County Sheriff's Office, Brandon Alston.

On March 30, 2023, this Inspector submitted an extension to Sheriff Clovis Watson Jr., requesting thirty (30) days added to this Administrative Investigation beginning on April 19, 2023.

Major Dorian Keith #0368

On April 3, 2023, at 1340 hours, a digitally recorded interview was conducted with Major Dorian Keith #0368. The interview was conducted by Inspector Virgil Calhoun and Chief Inspector Kelvin Jenkins at Alachua County Sheriff's Office, Department of the Jail.

On January 11, 2023, Human Resources Bureau Chief Reshone Flanders e-mailed personnel Order 23-005. Two employees were promoted to the rank of major.

"***Effective January 15, 2023***:

Interim Jail Director Dorian Keith *promoted to the rank of* ***Major*** *with assignment of* ***Jail Director*** *in the* ***Department of the Jail****, reporting to* ***Undersheriff Joel DeCoursey, Jr.***

Chief Detective Jack "Lance" Yaeger *promoted to the rank of* ***Major*** *in the* ***Department of Support Services****, reporting to* ***Colonel Chad D. Scott***."

Major Keith was informed about a Facebook post made by Sergeant Kevin Davis on January 12, 2023. This Inspector described the Facebook post to Major Keith. This Inspector informed Major Keith the purpose of this interview was trying to understand who Sergeant Davis was referencing in the Facebook post. This Inspector ask Major Keith, "*First, could you explain the chain of command structure.*" Major Keith replied, "*So it be, officer slash deputy, because they're the same rank. Then it would be sergeant. Then it would be lieutenant. Captain, major, colonel if this agency has them and then undersheriff and sheriff.*" Major Keith informed this Inspector her prior rank before she was promoted to major was captain. This Inspector asked were both majors, who were promoted, of the rank of captain. Major Keith said, "*Yes, but...*" (**Inspector Note**: Major Yaeger's title as Chief Detective is understood to be similar in pay and rank as a captain. The position of Chief Detective is occupied by an employee of the rank of captain.) Major Keith confirmed she was currently assigned to the Department of the Jail as Jail Director. This Inspector asked Major Keith if it was correct to conclude that the only other major in the agency would be Jack "Lance" Yaeger. Major Keith said, "*Correct.*"

This Inspector asked Major Keith, "*Have you ever supervised Sergeant Kevin Davis?*" Major Keith testified, "*I have not.*" This Inspector informed Major Keith that Kevin Davis did work in the Department of the Jail back in 2004. Major Keith continued, "*In 2004, I had just got promoted to sergeant and so I would have went to a night shift here in security but prior to that I came from transport. So, I'm not sure if I supervised him on night shift or not if I was first a sergeant but, um, I don't remember it if I did.*"

This Inspector referred to the Facebook post as being an "*inside joke.*" Major Keith was asked if she knew of this "*inside joke.*" Major Keith responded, "*So I have never saw this post prior to today but looking at it I don't think he is talking about me. Because I am a female, this is clearly in my eyes a male dog and it's a white male and the caption as well and so I wouldn't think he was talk'n about me. I would think that he was talk'n about Major Yaeger because of the date that was posted and the day of the personnel order that came out. So that's how I view it. But outside of that I have never seen it before.*"

Major Jack "Lance" Yaeger #0386

On April 6, 2023, at 0851 hours, a digitally recorded interview was conducted with Major Lance Yaeger #0386. The interview was conducted by Inspector Virgil Calhoun and Chief Inspector Kelvin Jenkins at Alachua County Sheriff's Office, Alachua County Sheriff's Office.

On January 11, 2023, Human Resources Bureau Chief Reshone Flanders e-mailed personnel Order 23-005. Major Jack "Lance" Yaeger was shown the personnel order along with a Facebook post authored by Sergeant Kevin Davis. This Inspector asked Major Yaeger if he could explain the chain of command. Major Yaeger testified, "*I served as the Chief Detective in the Criminal Investigations and the rank inherent in that position is that of captain. Um, effective pursuant to this personnel order effective January 15th, I was promoted from the rank of captain, um to the rank of major.*" Major Yaeger was ask by this

Inspector how many majors were currently at the Alachua County Sheriff's Office. Major Yaeger replied, "*Currently we have two, myself and Major Dorian Keith.*"

Major Yaeger was asked if the Facebook post meme was an "*inside joke*" to which he replied, "*It is.*" This Inspector asked if the Facebook post was referencing Major Dorian Keith or himself. Major Yaeger replied, "*I believe it's a reference to myself for several reasons. Including, but not limited to, he... had some angst with me when I left the unit under him several years ago. He wasn't very happy about that. I'm fairly confident in saying that I'm sure this was designed to insult or embarrass me in some way, shape or form. And uh, the agency.*"

This Inspector asked Major Yaeger how the Facebook post, in question, may have an effect on the chain of command. Major Yaeger said he did not have social media but testified he found out several ways of the existence of the post, "*from that of my family, um, as well as um, subordinates and colleagues alike. Um, again it is my belief that this was done with the sole purpose of insulting, embarrassing, not just me but the Sheriff, the agency and law enforcement in general quite frankly. Because um, I know when initially it first came out there was a lot of talk about it. Um, there was no secret, it was pretty far reaching. Um, I believe, if I remember correctly, that having been told, perhaps public, um, I can't confirm that myself but that was my understanding at the time.*"

This Inspector asked Major Yaeger what is the importance of command structure. Major Yaeger stated:

> "*So, um, we are a paramilitary organization here at the Alachua County Sheriff's Office, as is all other law enforcement agencies, and uh, with that, we have a rank structure. Um, all the way from sheriff down to deputy sheriff. It's important for several reasons. On attentiveness to order, uh, good order in discipline, um, in our line of work... it's important that when an order is given, especially in a tactical situation they gotta be followed unless its illegal, immoral, unethical, because um, the consequences in our line of work could be death; serious bodily injury not just to us but citizens. So, in order to promote that into, uh, to promote that good order and discipline in the spirit of cooperation, attentiveness to orders, and respect for command or the position of command at a bare minimum, um, it is important that we follow the rules, policies and procedures that are set forth, and by this agency. You know, there is policy and procedures that go through a process called, work flow, that you know, um, command staff and others including the PBA, uh, get to have an opportunity to view them and weigh in on them and at the end of the day the Sheriff's decision is ultimate when those policies and procedure are published. Um, they are the rules by which we go by. Um there is reasons why we have rules against this, because once again it erodes the fabric of trust. Uh, in the public for us as law enforcement and not just our agency, all agencies in my opinion.*"

Chief Inspector Kelvin Jenkins asked Major Yaeger if there were any issues in the past with Major Yaeger being a subordinate to Sergeant Davis. Major Yaeger testified:

> "*He was my sergeant in uniform patrol and he um, left uniform patrol to start a new street squad or street crimes unit called CHIPS, and um, he worked very diligently trying to recruit me to that unit because of my history with SWAT, other street level crimes in special operations bureau... and my military background, with 20 years of impeccable service. Um, initially I turned him down, um, because I kind of sort of like my gig on dayshift. I'm sure as you can imagine. And I have worked the majority of my career, I wanna say at that point 16 or 17 or 18 years here at the Sheriff's Office at that time, so I was kind of enjoying the dayshift that my previous career was evening or night shift. Well they did interviews for that position and they were getting ready to publish the final results and they came to me one final time. They said, 'hey we're getting*

ready to pull the trigger on this unit and I just wanna come to you and ask you one more time to come join this unit.'" After speaking with my wife, I somewhat reluctantly, but ya know, also motivated, uh, opted to do it. So, they reopened the position. I interviewed and I was subsequently chosen. I spent ten months on that unit, and um, after a couple deputies told me that, um, he instructed them not to back me up on traffic stops. I immediately uh, opted, immediately opted to remove myself from the unit. Um, when I made that, um, I asked to speak with Sergeant Davis, there was another lieutenant in the room, Sergeant Davis ask me why I was leaving. I said would you rather speak in private. Cause I kind of did not want, for a lack of better terms, throw him under the bus, if you will. I was, ya know, still trying to be professional. He did not want to talk privately, so I didn't kind of say why I was leaving, all though that was the decision. I simply, uh, told him that it was just time for me to go. And kind of bowed out gracefully, if you will. So, to say, I was not trying to stir waters at the time. And uh, he immediately after that had a different attitude towards me. Um, I could tell it was one of disgust and anger and I had to talk to him a few times since then, um very cordially, very polite with him, and uh, I could tell he was upset. If I was a guessing man, I have a feeling that this probably may have something to do with that. I might also add that, preceding that he actually selected me to be a member of the career service board where he was the subject employee. He selected me as one of his picks. So, there was no rift, there was no problems with us until I left that unit, if you will."

Major Yaeger finished the interview by adding:

"Regardless of my personal feelings about a post and a personal attack, if you will. Um, a senseless personal attack, I might add. Is again, I just... this isn't helpful to the agency, to take my name, to take it out of the equation, this ain't healthy to the agency, cause really who, who's affected is those deputy sheriffs who are out there on the road and all of us, even you, that, that have to interact with public on a daily basis because what this does is, it just um, it feeds to the propaganda and rhetoric that we're a bunch of cowboys doing what we want and we're a bunch of idiots and for me personally as arrogant as it may sound, you know um, I been in OPS, once, since I been at this agency as a victim employee, as you will, um, I have an impeccable career here at the Alachua County Sheriff's Office. Um, I don't mind saying it on the record, I don't mind showing it, but I think I have had two counseling statements in the whole 23 or 24 years I been here. Um, I keep my nose clean, I do a good job. I work hard. I have great work ethic. I think those around me will attest to the same. So, but again this is not about me personally. This is about all the folks who have to deal with the public on a daily basis because I do kind of sit in the office and generally speaking I don't have those interactions. But again, all this does is uh, erode their faith and confidence in us and law enforcement as an agency and as a profession as an industry and that's why we have policies and procedures in place like this or for this thing so we don't have this rhetoric and these kinds of things happen and unfortunately, it's kind of sad."

Inspector's Notes

On March 14, 2023, Sergeant Kevin Davis authored a Facebook post by identifying Command Staff personnel employed by Alachua County Sheriff's Office. The post was still active and posted while under Administrative Investigation. The following Facebook comments were reformatted, italicized and copied in its entirety into this Administrative Investigation.

Document #21 – Kevin Davis authored Facebook post, "*From the ACSO website*." Agency Photographs are shown of Sheriff Clovis Watson, Jr., Colonel Chad Scott, Undersheriff Joel DeCoursey, Jr., Major Dorian Keith, and Communications Director Patricia Ford-Thomas.

Document #22 - Human Resources Director Reshone Flanders and Chief Inspector Captain Kelvin Jenkins.

Document #23 – General Counsel Jacob Rush, Major Jack "Lance" Yaeger

Document #24 - Chief of Staff Danielle Judd

Document #25 - Bureau Chief Michelle Sherfield

Sergeant Kevin Davis Facebook post elicited the following responses:

Document #26 – "*Joni Craig*" replied, "*I would like to see data on qualification on each individual in that current position compared to the person that got transferred out of the position.*"

Former ACSO deputy, Shon McGuigan "*McGuigan Shon D*" replied to "*Joni Craig*," "*{Joni Craig} has nothing to do with qualifications. You can tell that by half those pictures. All you have to do is worship the one that put you there, screw everyone below you so it doesn't come back to the one that put you there, tell the one that put you there everything that is said about the person who put you there even if it's lies, you must do what you are told to do even if it's wrong, bias, illegal, immoral, against policy, against the right thing to do, and if you sell your soul to the devil for a few extra dollars and a title. Hopefully they all have back up planes because he is a one and done and all of them will be unemployed soon.*"

Document #27 – Former ACSO sergeant, William Frank Williams IV "*Frank Williams*" replied, "*They have Generals?!!! Wow that's impressive. A Four Star General and a Lieutenant General. I only met one general during my time in the Marine Corps and that was General "Mad Dog" Mattis, who then later went on to service as SECDEF. We shared some beers together and shot the shit. Wow I'm just impressed. Those guys get to be in the presence of two generals. What an exciting time to be alive.*"

"Joni Craig" replied, "*Why is Clovis' face airbrushed in all his pics? Or does he truly have amazing skin? I want to know his secret. {Laughing Emoji}*

Frank Williams replied, "*{Joni Craig} is it like anime?*"

Document #28 – "*Phil Jackson"* replied, "*Can't comment done took all my access away to courthouses jail ect after 26 years.*"

"McGuigan Shon D" replied with a circus meme.

Former ACSO deputy Michael Lampp "*Michael Lampp*" replied, "*Best decision I ever made was to get out of there*"

On March 22, 2023, Andrew Caplan of The Gainesville Sun released an article titled, *3 ACSO officers file lawsuits against Sheriff Watson. Judge orders answers.* The article stated, "*Sgt. Kevin Davis, who filed suit against Watson on Monday, was also suspended for his social media use and likewise argues his due process was skipped over. But Davis, a white male with 23 years of experience, has taken his issues further by filing a discrimination lawsuit against Watson where he accuses the county's first Black sheriff of letting race play a pivotal role in his employment decision.*"

On February 2, 2023, Sergeant Kevin Davis authored a Facebook post referencing a video of ACSO General Counsel Jacob Rush being interviewed by Stephen Colbert from The Colbert Report in May, 2014 (https://www.cc.com/video/vkcose/the-colbert-report-better-know-a-challenger-florida-s-3rd-jake-rush). The post was still active and posted while under Administrative Investigation. The following Facebook comments were reformatted, italicized and copied in its entirety into this Administrative Investigation.

Document #29 – *Kevin Davis* posted, "*Important dialogue between the 5:05 and 5:30 mark of this classic clip. Jake Rush: "It's your story." Steven Colbert: "So, I can give any reason I want?" Jake Rush: "You can. That's the 1st amendment.*"

Sergeant Kevin Davis used the timeframe mentioned in his Facebook post to inform his audience that General Counsel Jacob Rush, on record, agreed with Stephen Colbert, that he can *"...give any reason I want"* under the *"1st amendment."* The context of the video was referencing a fictional story Stephen Colbert was role playing in.

On February 3, Sergeant Kevin Davis authored a Facebook post with insinuating content in an attempt to avoid identifying Alachua County Sheriff's Office and its employees while under Administrative Investigation. The post was removed while this Administrative Investigation was on-going. The following Facebook comments were reformatted, italicized and copied in its entirety into this Administrative Investigation.

Document #30 – *Kevin Davis* authored an initial post, "*If you were a financial investor in a large organization such as a Walmart, would you be concerned if out of no where the CEO removed an experienced and respected general manager of the store, who worked his/ her way up to that position, and then filled the vacancy with a cashier or stockman? {ended with five (5) face slap emojis}.*"

Unknown Facebook user by the name *JP Mungus* replied with a meme picture of a black male with eyes wide open, and a surprised look, followed by the statements "*There's More!*"

Former ACSO deputy, Shon McGuigan "*McGuigan Shon D*" followed in response, "*To look at the big picture there are many factors that play into my concerns. One,...* (post was not captured in its entirety on the page)

Document #31 - *"... which causes accidents, lawsuits and sometimes even death to customers.*"

Former ACSO Captain and Office of Professional Standards Chief Inspector Brandon Kutner followed in reply, "*I mean...only if that person had previously been fired by the former CEO for truthfulness issues and lying to investigators... Hypothetically.*" Kevin Davis responded, "*Brandon Kutner that would be REASON FOR CONCERN.*"

Former ACSO Communications Division Manager Michelle Klement followed in reply, "*I'd be very concerned!!! That's why there's so many self checkouts (only worried about themselves and what they can get) – clearly it's not ideal and not working across the country let alone at "Walmart!" Sounds like the CEO was misguided, ill-informed and uneducated how to run his corporation. Very sad!!!*"

On March 22, 2023, Andrew Caplan of The Gainesville Sun released an article titled, *3 ACSO officers file lawsuits against Sheriff Watson. Judge orders answers.* The Alachua County Sheriff's Office, Department of the Jail, issued The Gainesville Sun to the inmate population. The article mentioned "*Just last month,*

Watson promoted several members within the agency, including naming Detention Officer Jon Hoover the jail's new acting captain of the security operations division. Hoover, who was previously terminated by the previous sheriff, Sadie Darnell, for being untruthful, was given the promotion a week after an inmate died at the jail." Captain Jon Hoover is currently managing a jail population of an estimated 800 inmates, four shifts, several vendors and medical contractors.

Captain Jon Hoover #0560

On April 4, 2023, at 1403 hours, a digitally recorded interview was conducted with Captain Jon Hoover #0560. The interview was conducted by Inspector Virgil Calhoun and Chief Inspector Kelvin Jenkins at Alachua County Sheriff's Office, Department of the Jail.

This Inspector showed and read into the record the Facebook post (Document #30-31) Sergeant Kevin Davis authored, to Captain Jon Hoover. Captain Hoover was asked how he interpreted the Facebook post. Captain Hoover testified, "*Um, I interpreted as the one post as if, 'you were a financial investor in a large organization' that comment, I think it is directed solely at me. Um, and also with the post of the comment of Brandon Kutner which is 'I mean...only if that person had previously been fired by the former CEO for truthfulness issues and lying to investigators...hypothetically' that I interpret that as being solely being directed at me as well.*"

This Inspector asked Captain Hoover if he was friends with Sergeant Kevin Davis on Facebook. Captain Hoover responded, "*Uh, yes.*" Captain Hoover was shown The Gainesville Sun article and this Inspector read a section pertaining to Captain Hoover into record. Captain Hoover was asked what newspaper company was contracted to provided news to the inmate population. Captain Hoover said, "*Uh, The Gainesville Sun.*" This Inspector asked Captain Hoover what the inmate population count was. Captain Hoover estimated, "*Um, I believe mid eight-hundreds.*"

Captain Hoover testified to his scope of control, "*Um, I'm overseeing the, uh, Security Operations Division which, uh, provides, care, custody, control over the inmate population. Um, I have over, about 200 people that kind of funnel, direct report to me. Um, as I said, over the population of all the inmates, these inmates are, um, provided these newspapers and they see that the person that is providing, you know, the care, custody, control, you know, my name is in the paper. So, it could be, the perception that the inmates see is not, not good. Its not a good perception. The sole person that is providing their security and their well-being and making sure they're safe and everything and they see this, this uh, language, in the newspaper they get every day that's provided to them, again because its contracted, ya know it's not a good, it's not a good image, not a good perception at all.*"

Captain Hoover added, "*I have never had any negative ill will, um, its not like we butted heads in the past and this is his way. I have nothing but positive interactions with him. So, this caught me by surprise.*" This Inspector followed up and asked if Captain Hoover ever supervised Sergeant Davis. Captain Hoover said, "*I have not.*" Captain Hoover did explain, "*I do remember, I think it was my first day, first or second day, I was with him working the Clinic. He was my FTO {Facilities Training Officer}.*" Captain Hoover explained he remembered Sergeant Davis wrestling in high school and he did as well. Captain Hoover continued to say he had nothing but positive interactions with Sergeant Davis. Captain Hoover elaborated and said, "*...the same applies to Mr. Kutner, Brandon Kutner. I have nothing but positive interactions. So, this definitely caught me, uh, by surprise.*"

This Inspector had a follow-up question for Captain Hoover, refencing Mr. Brandon Kutner's post. Captain Hoover was asked if he knew who Mr. Kutner was referencing as the former CEO. Captain Hoover said Sadie Darnell.

This Inspector had a follow-up question referencing Sergeant Davis' initial post. Captain Hoover was asked if he knew who the respected general manager was in the Facebook post. Captain Hoover said it would be the person who he replaced as captain, which was former Captain James Beck.

Inspector's Notes

On March 22, 2023, Sergeant Kevin Davis authored a Facebook post to watch CBS4, https://mycbs4.com/news/local/three-deputies-file-lawsuits-against-sheriff-clovis-watson-jr-attorney-speaks-out, while under Administrative Investigation. The post had been removed while this Administrative Investigation was on-going. The following Facebook comments were reformatted, italicized and copied in its entirety into this Administrative Investigation.

Document #38 – Kevin Davis authored, "*Tune into CBS4 at 6:00pm today.*"

Katie Mack responded, "*What's going on*"

Kimberly R Florida replied, "*Watching now*"

Kimberly R Florida replied, "*I wish you the very best my friend! So impressed with your decision to stand up.*"

Mike Parker replied, "*Saw it. [Smiling emoji]"*

Chris Pearce replied, "*I missed it [Shrugging Shoulders emoji]"*

On April 3, 2023, Sergeant Kevin Davis authored a Facebook post alleging further racist claims, while under Administrative Investigation. The post had been removed while this Administrative Investigation was on-going. The following Facebook comments were reformatted, italicized and copied in its entirety into this Administrative Investigation.

Document #42 – Kevin Davis authored, "*Violation of Social Media Policy": BLACK FEMALE = corrective counseling. WHITE MALE = two terminated and a 3rd starting week 11 of paid administrative suspension. RACISM DOES EXIST!"*

From January 13, 2023, and during the time period of this Administrative Investigation, several news outlets have released articles pertinent to this case.

Alachua Chronicle posted the following articles:

1. *Sheriff Announces promotions and new assignments*; January 13, 2023
   - https://alachuachronicle.com/sheriff-announces-promotions-and-new-assignments/

2. *"Behavior that shocks the conscience": Lawsuits filed by deputies against Sheriff Clovis Watson allege that ASO's disciplinary procedures violate the Officers' Bill of Rights*; March 15, 2023

- https://alachuachronicle.com/behavior-that-shocks-the-conscience-lawsuits-filed-by-deputies-against-sheriff-clovis-watson-allege-that-asos-disciplinary-procedures-violate-the-officers-bill-of-rights/

3. *Everyone at ASO knows who wears the emperor's clothes!*; March 17, 2023
   - https://alachuachronicle.com/every-at-aso-knows-who-wears-the-emperors-clothes/

4. *Third deputy files lawsuit against Sheriff, first two lawsuits clear the first hurdle*; March 20, 2023
   - https://alachuachronicle.com/third-deputy-files-lawsuit-against-sheriff-first-two-lawsuits-clear-the-first-hurdle/

TV 20 posted the following articles:

1. *Captain files lawsuit against Alachua County Sheriff Clovis Watson, others follow*; March 14, 2023
   - https://www.wcjb.com/2023/03/14/captain-files-lawsuit-against-alachua-county-sheriff-clovis-watson/
   - https://www.wcjb.com/video/2023/03/14/captain-files-lawsuit-against-alachua-county-sheriff-clovis-watson-others-follow/

2. *Judge orders Sheriff Clovis Watson Jr. to respond after employees file lawsuits*; March 17, 2023
   - https://www.wcjb.com/video/2023/03/17/judge-orders-sheriff-clovis-watson-jr-respond-after-employees-file-lawsuits/
   - https://www.wcjb.com/2023/03/17/judge-orders-sheriff-clovis-watson-jr-respond-after-employees-file-lawsuits/

CBS4 posted the following articles:

1. *Three deputies file lawsuits against Sheriff Clovis Watson Jr.*; March 22, 2023
   - https://mycbs4.com/news/local/three-deputies-file-lawsuits-against-sheriff-clovis-watson-jr-attorney-speaks-out#

The Gainesville Sun has posted the following articles:

1. *3 ACSO officers file lawsuits against Sheriff Watson. Judge orders answers*; March 22, 2023
   - https://www.gainesville.com/restricted/?return=https%3A%2F%2Fwww.gainesville.com%2Fstory%2Fnews%2Flocal%2F2023%2F03%2F22%2Fhigh-ranking-acso-officials-file-lawsuits-against-sheriff-clovis-watson%2F70028133007%2F

FINDINGS OF FACT

- Sergeant Kevin Davis had been employed as a deputy sheriff with the Alachua County Sheriff's Office since 2004, according to the Employee Master Index (MNI). On April 13, 2013, Deputy Davis was promoted to the rank of Sergeant.

- Facebook was a social media and networking site where users could interact with other users by posting, reacting to, and sharing content with other users.

- According to Facebook Help Center, "*If other people share info about you, even if it's something you shared with them but did not make it public, they can choose to make it public. Also, when you comment on other people's public posts, your comment is public as well.*"

- Sergeant Kevin Davis was identified as "*Kevin Davis*" on his Facebook page. *Kevin Davis* during the period of this Administrative Investigation did not have any identifiers associated with employment for the Alachua County Sheriff's Office.

- On January 11, 2023, Human Resources Bureau Chief Reshone Flanders e-mailed, *#ACSO Agency Wide*, Personnel Order #23-005. Sergeant Kevin Davis was included in the recipient list with the e-mail *Davis, Kevin,* (kdavis@alachuasheriff.org).

- On January 12, 2023, Alachua County Sheriff's Facebook page posted an announcement of the promotions and assignments. Sergeant Davis posted a meme of a white male next to a dog wearing a hotdog outfit. The Facebook text stated, "*Captain Weiner Dog promoted to Major.*" A second caption below the meme stated, "*Weiner Dog.*" Based on an interview with Major Dorian Keith and her testimony, "*So I have never saw this post prior to today but looking at it I don't think he is talking about me. Because I am a female, this is clearly in my eyes a male dog and it's a white male and the caption as well and so I wouldn't think he was talk'n about me. I would think that he was talk'n about Major Yaeger because of the date that was posted and the day of the personnel order that came out.*"

- Major Jack "Lance" Yaeger testified Sergeant Kevin Davis' Facebook post was about him and that he found out, "*...from that of my family, um, as well as um, subordinates and colleagues alike. Um, again it is my belief that this was done with the sole purpose of insulting, embarrassing, not just me but the Sheriff, the agency and law enforcement in general quite frankly.*"

- Sergeant Kevin Davis replied to former Alachua County Sheriff employee Arabella Blizzard's post, "*The place has been decimated due to racism, cronyism and personal vengeance. The greedy cronies feel comfortable playing the game. They know who they are; so does everyone who works around them. They forgot or took for granted, they are severely outnumbered. Their reputations will haunt them for years to come. 30% of 233 employees are supervisors and 100% of employees of a particular race have been promoted with disregard for their test scores, experience, and skills; as long as they participated in the promotional process.*"

- On February 3, 2023, Sergeant Kevin Davis used an allegory to tell a story about Captain Jon Hoover's past employment history with ACSO. Captain Hoover testified, "*Um, I interpreted as the one post as if, 'you were a financial investor in a large organization' that comment, I think it is directed solely at me. Um, and also with the post of the comment of Brandon Kutner which is 'I mean...only if that person had previously been fired by the former CEO for truthfulness issues and lying to investigators...hypothetically' that I interpret that as being solely being directed at me as well.*" In Sergeant Davis' own words to former ACSO employee, Brandon Kutner, "*...that would be REASON FOR CONCERN.*"

- On March 22, 2023, Andrew Caplan of The Gainesville Sun published the article, *3 ACSO officers file lawsuits against Sheriff Watson. Judge orders answers,* mentioning Captain Hoover's past

under the former ACSO administration. The Gainesville Sun supplies newspapers to the jail population. Captain Hoover said, "*...these inmates are, um, provided these newspapers and they see that the person that is providing, you know, the care, custody, control, you know, my name is in the paper. So, it could be, the perception that the inmates see is not, not good. It's not a good perception. The sole person that is providing their security and their well-being and making sure there safe and everything and they see this, this uh, language, in the newspaper they get every day that's provided to them, again because its contracted, ya know it's not a good, it's not a good image, not a good perception at all.*"

- It was established Sergeant Kevin Davis' initial Facebook posts about Major Jack "Lance" Yaeger and comments to former Alachua County Sheriff's employee Arabella Blizzard, were not covered by the media nor did he use identifiers linking himself as an ACSO employee. The media has reported and identified Sergeant Davis under Administrative Suspension due to alleged social media violations.

- Details about this Administrative Investigation were reported by the media while this Administrative Investigation was open. Case documents were obtained by the media in reference to two separate closed internal investigations included documents pertaining to this active Administrative Investigation. This information was obtained by the media as public record from the courts and published on March 14, 2023.

- On April 3, 2023, Sergeant Kevin Davis claimed on his Facebook post, "*RACISM DOES EXIST!*" after he claimed a black female received a corrective counseling and two white males were terminated for social media violations. Sergeant Davis also claimed a 3rd white male was starting the 11th week of paid suspension.

- During the course of this Administrative Investigation, numerous readers commented in the Alachua Chronicle's news articles with arguments amongst each other over alleged racial issues at ACSO. Other media outlets were reviewed during this case. There is no connection between Sergeant Davis' initial Facebook post to any media outlet. No news article quoted Sergeant Davis' Facebook posts.

- Sergeant Kevin Davis authored several Facebook posts during this Administrative Investigation. The following Facebook posts have been deleted:

    - Document 2, 3 and 4
    - Document 30 and 31
    - Document 38
    - Document 42

- Sergeant Kevin Davis authored several Facebook posts during this Administrative Investigation. The following Facebook posts are still active:

    - Document 21-28
    - Document 29

Inspector's Notes

On April 24, 2023, this Inspector called Sergeant Kevin Davis to inform him to report to the Office of Professional Standards on April 26, 2023, to review evidence pertaining to this Administrative Investigation. Sergeant Davis said he would inform his representative Bobi Frank. A certified letter was sent to Sergeant Davis on April 25, 2023, notifying him of the opportunity that was provided to him.

On May 1, 2023, this Inspector had not received any communication from Sergeant Davis wanting to review evidence pertaining to this Administrative Investigation.

Based on legal advice all Facebook posts other than Document #2 are considered protected speech under the 1st Amendment.

INSPECTOR'S FINDINGS

Sergeant Kevin Davis was recognized on Facebook as *"Kevin Davis"* and did not release information on his public Facebook page as being employed by the Alachua County Sheriff's Office. Sergeant Davis' Facebook posts, as part of this Administrative Investigation, did not identify the Alachua County Sheriff's Office.

Sergeant Davis did not make his comments under the color of his authority as an employee of the Alachua County Sheriff's Office or take claim to any entity of ACSO as specifically enumerated in *Directive 353 V.A.2 - "Conduct Unbecoming an Employee – Employees will not engage in any conduct, on duty or off duty and under the color of their authority..."*

Sergeant Kevin Davis did make further Facebook posts while under Administrative Investigation. Due to the media coverage, he was identified as an employee of the Alachua County Sheriff's Office but he never identified as being employed by ACSO. News media outlets discovered in this investigation referenced Sergeant Davis as being placed on suspension due to social media violations. Over 60 public comments on the Alachua Chronicle showed arguments among the readers over alleged racism at ACSO. There is no information indicating any readers ever read Sergeant Davis' Facebook posts. No media citations of Sergeant Davis' post were ever used in any media articles published. The readers were simply made aware of a social media violation through media outlets.

Based on official documents and interviews related to this investigation, this Inspector was not able to establish a preponderance of evidence that Sergeant Kevin Davis' used his color of authority as an ACSO employee; therefore, a violation of ACSO Directive 353 V.A.2 – Conduct Unbecoming an Employee – is **NOT SUSTAINED**.

Sergeant Kevin Davis' Facebook post of the meme with a white male and a dog dressed in a hotdog outfit was directed at Major Jack "Lance" Yaeger.

As specifically enumerated in *Directive 353 V.A.7.b – "Insubordination – Insubordination will be defined as, "...any disrespectful, insolent or abusive language or action toward a superior whether in or out of the presence of the superior."*

Based on legal advice this is **NOT PROTECTED SPEECH** under the 1st Amendment. Based on official documents and interviews related to this investigation, this Inspector was able to establish a preponderance of evidence that a violation of ACSO Directive 353 V.A.7.b – Insubordination – is **SUSTAINED**

Sergeant Kevin Davis' Facebook post (Document #30-31) has been established as directed toward Captain Jon Hoover.

Based on legal advice this is **PROTECTED SPEACH** under the 1st Amendment.

Sergeant Kevin Davis used the social media networking site Facebook to make accusatory statements of his own free will and accord. The statements of "*...racism, cronyism and personal vengeance...*" and challenging the promotional process, "*30% of 233 employees are supervisors and 100% of employees of a particular race have been promoted with disregard for their test scores, experience, and skills; as long as they participated in the promotional process*" were a reply posted in response to a formerly known Major of ACSO, Arabella Blizzard.

Based on legal advice this is **PROTECTED SPEACH** under the 1st Amendment.

OFFICIAL DOCUMENTS

This Inspector verified the below supporting documents were uploaded into IA Pro.

1. Document 1 — IOC Time Limitation Extension
2. Document 2-4 — Sgt. Davis' Facebook Posts (Weiner Dog, Arabella Blizzard)
3. Document 5-7 — Sgt. Davis' Facebook Homepage
4. Document 8-11 — Sgt. Davis' Facebook Details
5. Document 12 — Reshone Flanders Personnel Order Email Snipet
6. Document 13-16 — Personnel Order #23-005
7. Document 17 — ACSO Facebook Promotion Snipet January, 2023
8. Document 21-28 — Sgt. Davis' Facebook Posts (Command Staff, Comments)
9. Document 29 — Sgt. Davis' Facebook Post (The Colbert Report)
10. Document 30-31 — Sgt. Davis' Facebook Posts (Financial Investor, Reason for Concern)
11. Document 32-36 — The Gainesville Sun (03/22/2023)
12. Document 37 — DOJ Newspaper distribution sign-out sheet
13. Document 38 — Sgt. Davis' Facebook Post (CBS4)
14. Document 39-41 — CBS4 Report
15. Document 42 — Sgt. Davis' Facebook Post (Racism Does Exist)
16. Document 43-50 — Alachua Chronicle (Sheriff announces promotions and new assignments)
17. Document 74-94 — Alachua Chronicle ("Behavior that shocks the conscience...)
18. Document 95-102 — Alachua Chronicle (Everyone at ACSO knows who wears...)
19. Document 103-113 — Alachua Chronicle (Third deputy files lawsuit against Sheriff...)
20. Document 114-119 — TV20 (Captain files lawsuit against Alachua County Sheriff...)
21. Document 120-123 — TV20 (Judge orders Sheriff Clovis Watson Jr...)
22. Document 124 — Major Jack "Lance" Yaeger CAIA Form
23. Document 125 — Captain Jon Hoover CAIA Form
24. Document 126 — Major Dorian Keith CAIA Form
25. Document 127 — Captain Kelvin Jenkins CAIA Form
26. Document 128 — Complaint Intake Form
27. Document 129-131 — Facebook Information
28. Captain Kelvin Jenkins Audio Complaint Interview
29. Major Dorian Keith Audio Interview
30. Major Jake "Lance" Yaeger Audio Interview
31. Captain Jon Hoover Audio Interview

VERIFICATION PURSUANT TO
FLORIDA STATUTE 92.525

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willingly deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes.

_____

Inspector Virgil Calhoun

MATRIX FOR SUSTAINED VIOLATION(S)

TRACKING NUMBER	2023-00010	ACCUSED EMPLOYEE	Sergeant Kevin Davis	ID #:	0437
ALLEGED VIOLATION OF DIRECTIVE 353.V			353 V.A.2 – Conduct Unbecoming an Employee 353 V.A.7b – Insubordination		
CURRENT POINTS	+CARRYOVER POINTS	= TOTAL POINTS	DISCIPLINE RANGE		
	0				

UNDERSHERIFF'S RECOMMENDATION

SUSTAINED	☐	
NOT SUSTAINED	☐	
UNFOUNDED	☐	
EXONERATED	☐	

UNDERSHERIFF JOEL DECOURSEY, JR.:

Date Signed:

SHERIFF'S FINDINGS

SUSTAINED	☐	
NOT SUSTAINED	☐	
UNFOUNDED	☐	
EXONERATED	☐	

_____

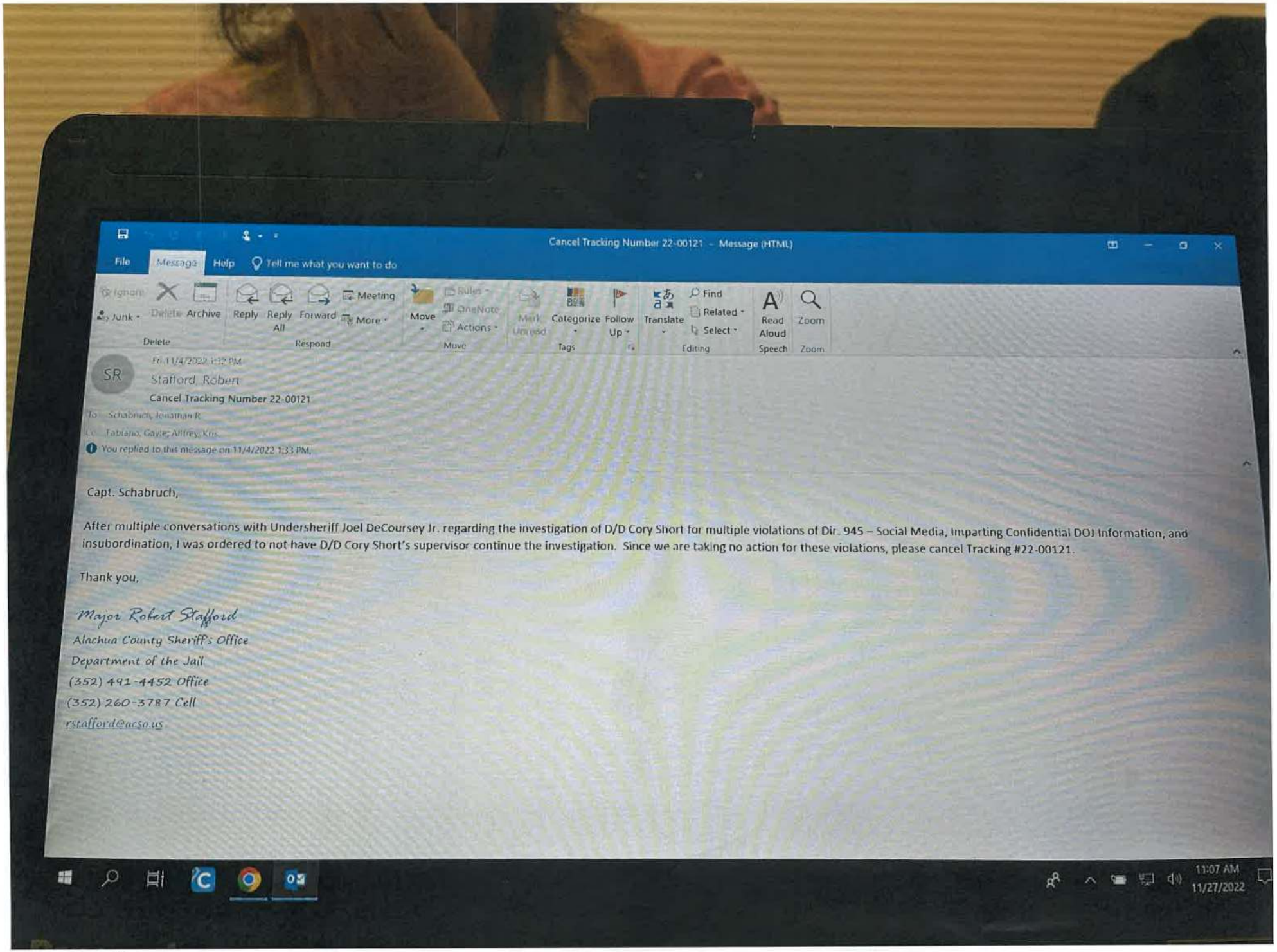
_____

_____

_____

_____/_____ APPROVED / DISAPPROVED

Clovis Watson, Jr., Sheriff Date


Cancel Tracking Number 22-00121 - Message (HTML)
File
Message
Help
Tell me what you want to do
Ignore
Junk
Delete
Archive
Reply
Reply All
Forward
Meeting
More
Move
Rules
OneNote
Actions
Mark Unread
Categorize
Follow Up
Translate
Find
Related
Select
Read Aloud
Zoom
Delete
Respond
Move
Tags
Editing
Speech
Zoom
SR
Fri 11/4/2022 1:32 PM
Stafford, Robert
Cancel Tracking Number 22-00121
To: Schabruch, Jonathan R
Cc: Tabrano, Gayle; Affrey, Kris
You replied to this message on 11/4/2022 1:33 PM.
Capt. Schabruch,
After multiple conversations with Undersheriff Joel DeCoursey Jr. regarding the investigation of D/D Cory Short for multiple violations of Dir. 945 – Social Media, Imparting Confidential DOJ Information, and insubordination, I was ordered to not have D/D Cory Short's supervisor continue the investigation. Since we are taking no action for these violations, please cancel Tracking #22-00121.
Thank you,
Major Robert Stafford
Alachua County Sheriff's Office
Department of the Jail
(352) 491-4452 Office
(352) 260-3787 Cell
rstafford@acso.us
11:07 AM
11/27/2022

Richmond

As a reminder, here are the Sheriffs' terms relevant to policy changes:

Joe Martin Crevasse, Jr. – 1955 to 1976

Lucian Jude "Lu" Hindery – 1977 to 1992

Stephen Michael Oelrich – 1992 to 2006

Dale Byron Wise – 2006

Shirley "Sadie" Jan Darnell – 2006 to 2020

Clovis Watson, Jr. – 2021 to present

HEATHER L. JONES
CHIEF ASSISTANT STATE ATTORNEY

BRIAN S. KRAMER
STATE ATTORNEY
EIGHTH JUDICIAL CIRCUIT OF FLORIDA
SERVING
ALACHUA, BAKER, BRADFORD, GILCHRIST, LEVY
AND UNION COUNTIES

120 WEST UNIVERSITY AVENUE
GAINESVILLE, FLORIDA 32601

TELEPHONE (352) 374 – 3670

PLEASE REPLY TO:

May 6, 2024

Honorable Ron DeSantis
Governor, State of Florida
Governor's Legal Office
The Capitol, Room 209
Tallahassee, FL 32399

Attn: Brandi Smith Manley

Re: Florida Department of Law Enforcement Case No: EI-14-0186

Dear Governor DeSantis,

In the spring of 2023, this office received a request to assist the Florida Department of Law Enforcement in its investigation of the Alachua County Sheriff's Office, Sheriff Clovis Watson, Undersheriff Joel Decoursey, Colonel Chad Scott, and Major Lance Yeager, among others. Assistance of this nature is normal and routine, and as such, this office issued subpoenas and compelled the testimony of approximately 30 witnesses pursuant to the request of FDLE, which legally granted immunity to these witnesses. These requests for assistance continued into the early fall of 2023. As that investigation progressed, the evidence became clear that Sheriff Watson's conduct in office would subject him to removal by you due to his malfeasance and misfeasance in office. Much of this evidence involved allegation of malfeasance by alleged retaliation by command staff members against deputies and misfeasance of improper promotions and failure to properly run the agency. As this misfeasance and malfeasance became clear, I informed Sheriff Watson, through his counsel, that it was my intention to present this matter to the Alachua County Grand Jury for the purpose of preparing a report to be forwarded to you outlining his malfeasance and misfeasance in office and requesting his removal. As I prepared to call for the Grand Jury, in October 2023, Sheriff Clovis Watson resigned his position publicly citing health reasons. Other than then Colonel Chad Scott, the subjects of this investigation separated from service from the ACSO at or around the time of Sheriff's Watson's resignation. You appointed Emery Gainey Sheriff of Alachua County.

After Sheriff's Watson resigned, my involvement with the FDLE investigation essentially ceased. There was no reason to continue with a presentation of Sheriff Watson's misfeasance or malfeasance to the Grand Jury, as he was no longer a public official. While that investigation remained open both in my office and with FDLE, there was little to no activity involving my

office from October 2023 until recently. Much has changed since that time. In October 2023, I became challenged for re-election. In April, my opponent qualified for the election, as did I. That election campaign will continue until the general election in November. Major Chad Scott is running against Sheriff Emery Gainey for Alachua County Sheriff. Clovis Watson and Joel Decoursey are both public supporters and members of Chad Scott's campaign. In April, I publicly endorsed Sheriff Gainey for re-election as Alachua County Sheriff. Sheriff Gainey has publicly endorsed me for re-election as State Attorney for the Eighth Judicial Circuit. While my support for Sheriff Gainey and his support for me has nothing to do with FDLE's investigation, my continued involvement in this matter would likely be seen by both those for and against Chad Scott as improper. Further, my opponent may consider it ripe for criticism during my campaign for State Attorney.

Recently, FDLE has informed me that their investigation is concluding and moving into formal review, and that after formal review, the report of investigation will be submitted for evaluation for charges to my office. From that conversation, it is apparent to me that FDLE intends to submit this investigation to my office with a request for prosecution for some or all these individuals. Under these circumstances, I cannot ethically prosecute, or determine not to prosecute, any person in relation to this investigation. My prosecution of any of these individuals would subject my office to judicial removal at the request of any defendant due to a clear conflict of interest. Any appearance of impropriety is sufficient cause for me to withdraw from this investigation, much less any actual conflict of interest. Further my refusal to prosecute any of these individuals, even if appropriate, which I cannot determine at this time, would likely be used against me by those who oppose my re-election. Both prosecution or lack of prosecution of these individuals creates a clear and unequivocal conflict of interest that requires that I recuse my office from the prosecutorial phase of this investigation. As such, I request that you re-assign this investigation to another State Attorney of your choosing prior to this matter being submitted for charges against any of the above-named individuals.

There are no courts dates set at this time. I will be prepared to forward the file material upon your notification of re-assignment.

Sincerely,

Brian S. Kramer
State Attorney, 8th Circuit

Captain John Richmond (Retired)

1. Please give us your pedigree.
2. What was you rank/assignment prior to Sheriff Darnell leaving office?
3. What was you rank/assignment when Sheriff Watson took command, and did that change before you retired?
4. Has anyone contacted you about this subpoena other than the issuer of the subpoena?
5. Do you know of any appointments/promotions that were made because of favors or political promises while at ACSO?
6. Why do you believe Joel DeCoursey was chosen as the undersheriff?
7. Why do believe Chad Scott was chosen as the Colonel?
8. Who was the Chief Inspector in OPS before you?
9. Who did OPS report to?
10. Tell us about your time as Chief Inspector in OPS.
11. Were you ever directed to do anything that you believe to be unethical, immoral, or illegal while you were the Chief Inspector? If so, by whom?
12. Were you instructed to monitor meetings between subject deputies and their representation?
13. Are you aware of any of the command staff directing changes be made to OPS investigations once they were submitted?
14. Are you aware of any of the command staff directing Internal Investigations not to be conducted, or investigations to be closed prior to their submission?
15. Were you ever present when any member of the command staff directed anyone in OPS to find a reason to fire/demote a member of ACSO prior to the outcome of an investigation?
16. Why were there several command changes to OPS during Sheriff Watson's tenure?
17. Are you aware of why Brandon Kutner was promoted to Captain?
18. What was Sheriff Watson's direction on emails, texts, anything public record?
19. What was the sheriff's direction on OPS investigations?
20. What was the protocol if a subject employee committed a violation of a moral turpitude crimes?
21. Are you aware of any moral, ethical, or criminal activities occurring at ACSO?
22. Did any moral, ethical, or criminal activities at ACSO cause, in any part, your decision to retire?
23. Was discipline administered fairly & impartially?
24. Are you aware of any files or investigations that were deleted?

Captain John Schabruch

1. What was you rank/assignment when Sheriff Watson took command?
2. Has anyone contacted you about this subpoena other than the issuer of the subpoena?
3. Have you been asked/directed to report to anyone regarding what this subpoena is about?
4. Do you know of any appointments/promotions that were made because of favors or political promises while at ACSO?
5. Who does OPS report to?
6. Tell us about what you were told your expectations were when you were assigned to OPS?
7. Tell us about your time as Chief Inspector in OPS.
8. Were you ever directed to do anything that you believe to be unethical, immoral, or illegal while you were the Chief Inspector? If so, by whom?
9. Were you instructed to monitor meetings between subject deputies and their representation?
10. Are you aware of any of the command staff directing changes be made to OPS investigations once they were submitted?
11. Are you aware of any files or investigations that have been deleted?
12. Are you aware of any of the command staff directing Internal Investigations not to be conducted, or investigations to be closed prior to their submission?
13. Were you ever present when any member of the command staff directed anyone in OPS to find a reason to fire/demote a member of ACSO prior to the outcome of an investigation?
14. Why have there been several command changes to OPS since Sheriff Watson too office?
15. Are you aware of why Brandon Kutner was promoted to Captain?
16. What was Sheriff Watson's direction on emails, texts, anything public record?
17. What was the sheriff's direction on OPS investigations?
18. What was the protocol if a subject employee committed a violation of a moral turpitude crimes?
19. Were you directed to send any investigations to FDLE? (Annie Waller)
20. Are you aware of any moral, ethical, or criminal activities occurring at ACSO?
21. Was discipline administered fairly & impartially?

Captain Todd Kelly (Retired)

1. Has anyone contacted you about this subpoena other than the issuer of the subpoena?
2. How long did you remain at ACSO after Sheriff Watson took office?
3. Did his election to Sheriff influence your decision to retire?
4. Do you know of any appointments/promotions that were made because of favors or political promises while at ACSO?
5. During your time in OPS, were you ever directed to do anything that you believe to be unethical, immoral, or illegal?
6. Who did you report to as Chief Inspector in OPS?
7. Were you instructed to monitor meetings between subject deputies and their representation?
8. Are you aware of any of the command staff directing Internal Investigations not to be conducted, or investigations to be closed prior to their submission?
9. Are you aware of any of the command staff directing changes be made to OPS investigations once they were submitted?
10. What was Sheriff Watson's direction on emails, texts, anything public record?
11. What was the protocol if a subject employee committed a violation involving moral turpitude crimes?
12. Are you aware of any moral, ethical, or criminal activities occurring at ACSO?
13. Has anyone asked you to let them know what this deposition was about?
14. Was discipline administered fairly & impartially?
15. Are you aware of any files or investigations that were deleted?
16. Are you familiar with the John Hoover investigation for which he was allowed to resign in liea of termination?

Deputy Joel Coppock

1. How long have you been employed with ACSO?
2. Prior LEO experience?
3. Why did you leave your previous employer, were you under investigation?
4. Tell me about your FTO phase (classroom and/or road training).
5. Were you sworn-in as a deputy before your training or at the completion of the training? Where and by whom?
6. What is your current assignment?
7. Were you directed by anyone to report on the details of this subpoena after providing testimony?

Deputy Joshua Lamar

1. How long have you been employed with ACSO?
2. Prior LEO experience?
3. Tell me about your FTO phase (classroom and/or road training).
4. Were you sworn-in as a deputy before your training or at the completion of the training? Where and by whom?
5. Were you directed by anyone to report on the details of this subpoena after providing testimony?

Deputy Landon Brooks

1. How long have you been employed with ACSO?
2. Prior LEO experience?
3. Tell me about your FTO phase (classroom and/or road training).
4. Were you sworn-in as a deputy before your training or at the completion of the training? Where and by whom?
5. Were you directed by anyone to report on the details of this subpoena after providing testimony?

Detective David Tuck

1. Tell us about your role as a PBA representative and how long you've been in that position.
2. To your knowledge, is there any difference between how OPS / ACSO handles investigations between the current and prior administrations?
3. What is the purpose of reviewing the evidence used in an IA with the subject deputy?
4. What is discussed as part of the review?
5. Are you aware of any illegal, unethical, of immoral activities occurring within OPS?
6. Are you aware of any illegal, unethical, of immoral activities occurring within ACSO?
7. Did you have a conversation with any member of OPS regarding investigations having a pre-determined outcome?
8. Have you been directed to report to anyone at ACSO regarding what this subpoena is about? If so, who?
9. Was discipline administered fairly & impartially?
10. Are you aware of any files or investigations that were deleted?

Kris Allfrey Administrative Assistant

1. Have you been asked/directed to report to anyone regarding what this subpoena is about?
2. Have you ever worked with the Sheriff, Undersheriff, Colonel, or any of the Majors prior to coming to ACSO?
3. Who are the Chief Inspectors you've worked for in OPS?
4. Who does OPS report to?
5. Were you ever directed to purge files or investigations when you worked in OPS?
6. Are you aware of any OPS investigations that were directed to be closed?
7. Are you aware of any cases or files that were deleted from OPS? If so, at whose direction?
8. Did you assist Captain Kutner conduct an audit when he took over OPS?
9. Are you aware of a list of individuals whose names should have been sent to FDLE based upon their allegations and/or findings? If so, please elaborate.
10. Were you ever directed to do anything that you felt could be unethical, immoral, or illegal while you worked in OPS?
11. Was anyone else directed to do anything that you believe to be unethical, immoral, or illegal while they were assigned to OPS?
12. Are you aware of any of the command staff directing changes be made to OPS investigations once they were submitted?
13. Are you aware of any of the command staff directing Internal Investigations not to be conducted, or investigations to be closed prior to their submission?
14. Were you ever present when any member of the command staff directed anyone in OPS to find a reason to fire/demote a member of ACSO prior to the outcome of an investigation?
15. Why have there been several command changes to OPS since Sheriff Watson too office?
16. Are you aware of any moral, ethical, or criminal activities occurring at ACSO?
17. It has been reported that the OPS has been weaponized against certain employees of ACSO, do you believe this to be true?
18. Is discipline administered fairly and impartially at ACSO?

Lieutenant Jamie Scott

1. How are internal investigations handled at ACSO?
2. Did you conduct a previous investigation against Sgt. Pam James?
3. Were you told the investigation against Sgt. Pam James was "going away?" If so, by whom?
4. If the investigation was completed, why was it closed before it was sent out?
5. What were your findings on the investigation?
6. Could those findings result in termination?
7. Are you aware of any other investigations that were closed?
8. Why was the Corey Short investigation closed?
9. Have you been directed to report to anyone at ACSO regarding what this subpoena is about? If so, who?
10. Are you aware of any illegal, unethical, of immoral activities occurring within ACSO?
11. Was discipline administered fairly & impartially?
12. Are you aware of any files or investigations that were deleted?

Lieutenant Kyle Salmon

1. Have you been asked/directed to report to anyone regarding what this subpoena is about?
2. Do you know of any appointments/promotions that were made because of favors or political promises while at ACSO?
3. Who does OPS report to?
4. Who was in OPS with you during the time Captain Brandon Kutner was the Chief Inspector?
5. When Captain Kutner took over OPS, was an audit completed? If so what were the findings?
6. Are you aware of any OPS investigations that were directed to be closed?
7. Are you aware of any cases or files that were deleted from OPS? If so, at whose direction?
8. Are you aware of a list of individuals whose names should have been sent to FDLE based upon their allegations and/or findings? If so, please elaborate.
9. Were you ever directed to do anything that you believe to be unethical, immoral, or illegal while you were an OPS Inspector? If so, by whom?
10. Was anyone else directed to do anything that you believe to be unethical, immoral, or illegal while they were assigned to OPS?
11. Did you ever monitor any meetings between subject deputies and their representation while in OPS?
12. Are you aware of any of the command staff directing changes be made to OPS investigations once they were submitted?
13. Are you aware of any of the command staff directing Internal Investigations not to be conducted, or investigations to be closed prior to their submission?
14. Were you ever present when any member of the command staff directed anyone in OPS to find a reason to fire/demote a member of ACSO prior to the outcome of an investigation?
15. Why have there been several command changes to OPS since Sheriff Watson too office?
16. Why were you reassigned from OPS?
17. Are you aware of any moral, ethical, or criminal activities occurring at ACSO?
18. It has been reported that the OPS has been weaponized against certain employees of ACSO, do you believe this to be true?

Lieutenant Matthew Beck

1. Have you been asked/directed to report to anyone regarding what this subpoena is about?
2. Do you know of any appointments/promotions that were made because of favors or political promises while at ACSO?
3. Who does OPS report to?
4. Who was in OPS with you during the time Captain Brandon Kutner was the Chief Inspector?
5. When Captain Kutner took over OPS, was an audit completed? If so what were the findings?
6. Are you aware of any OPS investigations that were directed to be closed?
7. Are you aware of any cases or files that were deleted from OPS? If so, at whose direction?
8. Are you aware of a list of individuals whose names should have been sent to FDLE based upon their allegations and/or findings? If so, please elaborate.
9. Were you ever directed to do anything that you believe to be unethical, immoral, or illegal while you were an OPS Inspector? If so, by whom?
10. Was anyone else directed to do anything that you believe to be unethical, immoral, or illegal while they were assigned to OPS?
11. Did you ever monitor any meetings between subject deputies and their representation while in OPS?
12. Are you aware of any of the command staff directing changes be made to OPS investigations once they were submitted?
13. Are you aware of any of the command staff directing Internal Investigations not to be conducted, or investigations to be closed prior to their submission?
14. Were you ever present when any member of the command staff directed anyone in OPS to find a reason to fire/demote a member of ACSO prior to the outcome of an investigation?
15. Why have there been several command changes to OPS since Sheriff Watson too office?
16. Why were you reassigned from OPS?
17. Are you aware of any moral, ethical, or criminal activities occurring at ACSO?
18. It has been reported that the OPS has been weaponized against certain employees of ACSO, do you believe this to be true?

Major Dorian Keith

1. How are internal investigations handled at ACSO?
2. Are you aware of a previous investigation against Sgt. Pam James?
3. Is was reported that you told Lt. Jamie Scott the investigation against Sgt. Pam James was "going away."
4. If the investigation was completed, why was it closed before it was sent out?
5. Are you aware of any other investigations that were closed?
6. Why was the Corey Short investigation closed?
7. Have you been directed to report to anyone at ACSO regarding what this subpoena is about? If so, who?
8. Are you aware of any illegal, unethical, of immoral activities occurring within ACSO?
9. Was discipline administered fairly & impartially?
10. Are you aware of any other files or investigations that were deleted?

Major George Corwin (Retired)

1. Regarding your employment at ACSO, what was you rank/assignment prior to Sheriff Darnell leaving office?
2. What was you rank/assignment when Sheriff Watson took command, and did that change before you retired?
3. Do you know of any appointments/promotions that were made because of favors or political promises?
4. Has anyone contacted you about this subpoena other than the issuer of the subpoena?
5. Why do you believe Joel DeCoursey was chosen as the undersheriff?
6. Why do believe Chad Scott was chosen as the Colonel?
7. Are you aware of any of the command staff directing changes be made to OPS investigations once they were submitted?
8. Are you aware of any of the command staff directing Internal Investigations not to be conducted, or investigations to be closed prior to their submission?
9. Were you in a meeting where the Sheriff/Undersheriff or anyone else directed anyone in OPS to find a reason to demote Captain Simmons?
10. Tell us about Brandon Kutner's promotion to Captain? Was there discussion beforehand regarding his promotion in order to make him ineligible to be PBA president/to prevent him from representing PBA members with the agency?
11. Who did OPS report to?
12. What was Sheriff Watson's direction on emails, texts?
13. What was the sheriff's direction on OPS investigations?
14. Where you aware that Captain Kutner was monitoring meetings/conversations between employees being investigated and their representation? If so, at whose direction?
15. What do you know about Captain Kutner telling the sheriff about ASCO employees that were investigated involving moral turpitude crimes and notifying FDLE?
16. Are you aware of any moral, ethical, or criminal activities occurring at ACSO?
17. Did any moral, ethical, or criminal activities at ACSO cause, in any part, your decision to retire?
18. Was discipline administered fairly & impartially?
19. Are you aware of any files or investigations that were deleted?

Major Josh Crews

1. Have you been asked/directed to report to anyone regarding what this subpoena is about?
2. Do you know of any appointments/promotions that were made because of favors or political promises while at ACSO?
3. Who does OPS report to?
4. What is the Sheriff's direction on emails, texts, anything public record directed at him?
5. Are you aware of any OPS or other internal investigations that were directed to be closed prior to their conclusion?
6. Were you ever directed to do anything that you believe to be unethical, immoral, or illegal during your time at ACSO? If so, by whom?
7. Was anyone else directed to do anything that you believe to be unethical, immoral, or illegal during their time at ACSO?
8. Are you aware of any meetings where direction was given to find a reason to demote or fire an ACSO employee prior to the conclusion of an investigation?
9. Are you aware of any of the command staff directing changes be made to OPS investigations once they were submitted?
10. Are you aware of any of the command staff directing Internal Investigations not to be conducted, or investigations to be closed prior to their submission?
11. Why have there been several command changes to OPS since Sheriff Watson took office?
12. Are you aware of any moral, ethical, or criminal activities occurring at ACSO?
13. Have you spoken to anyone that has held or is holding a position in OPS regarding unethical, immoral, or illegal practices occurring within the unit?
14. It has been reported that the OPS has been weaponized against certain employees of ACSO, do you believe this to be true?
15. Indicted?

Sergeant Peter King

1. Have you been asked/directed to report to anyone regarding what this subpoena is about?
2. Do you know of any appointments/promotions that were made because of favors or political promises while at ACSO?
3. Who does OPS report to?
4. Who was in OPS with you during the time Captain Brandon Kutner was the Chief Inspector?
5. Are you aware of any OPS investigations that were directed to be closed?
6. Are you aware of any cases or files that were deleted from OPS? If so, at whose direction?
7. Are you aware of a list of individuals whose names should have been sent to FDLE based upon their allegations and/or findings? If so, please elaborate.
8. Were you ever directed to do anything that you believe to be unethical, immoral, or illegal while you were an OPS Inspector? If so, by whom?
9. Was anyone else directed to do anything that you believe to be unethical, immoral, or illegal while they were assigned to OPS?
10. Did you ever monitor any meetings between subject deputies and their representation while in OPS?
11. Are you aware of any of the command staff directing changes be made to OPS investigations once they were submitted?
12. Are you aware of any of the command staff directing Internal Investigations not to be conducted, or investigations to be closed prior to their submission?
13. Were you ever present when any member of the command staff directed anyone in OPS to find a reason to fire/demote a member of ACSO prior to the outcome of an investigation?
14. Why have there been several command changes to OPS since Sheriff Watson too office?
15. Why were you reassigned from OPS?
16. Are you aware of any moral, ethical, or criminal activities occurring at ACSO?
17. It has been reported that the OPS has been weaponized against certain employees of ACSO, do you believe this to be true?

BUSINESS RECORD CERTIFICATION

Pursuant to Sections 90.803(6) and 90.902(11), Florida Statutes

1. I Michael Ferro General Mgr. am currently employed with:
(Print name of affiant)

Business Name: Gainesville Nissan
Business Address: 3915 main Street
Gainesville, FL 32609

2. I am a custodian of records maintained by our business.

3. The attached record(s) are either originals or duplicate copies described as:
Gainesville Nissan has not done business with Alachua County Sheriff's office. There is no records of sales and/or transactions to provide

4. The attached record(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters.

5. The attached record(s) were kept in the course of the regularly conducted activity of our business.

6. The attached records(s) were made as a regular practice in the course of the regularly conducted activity of our business.

7. I am aware that falsely making this Certification or Declaration would subject me to criminal penalty under the laws of the foreign or domestic location in which this certification or declaration was signed.

8. I have signed this Certificate under oath.

I do hereby swear or affirm that this certification and the attached records are true and accurate.

(Affiant Signature)

BEFORE ME, the undersigned authority, personally appeared Michael Ferro, who was duly sworn under oath and who did sign the above Certification on 5/3/23.

The affiant is
✓ personally known to me or
____ has presented _____ as identification.

NOTARY PUBLIC (print name)
HEIDI BUTLER
MY COMMISSION # HH 373729
EXPIRES: April 1, 2027

NOTARY PUBLIC (sign name)
My Commission Expires: _____

FAX

TO:	BRIAN S. KRAMER	FROM:	HEIDI BUTLER
FAX:	352-491-4488	FAX:	352-371-7422
PHONE:	352-374-3670	PHONE:	352-371-2023
SUBJECT:	BUSINESS RECORD CERTIFICATION	DATE:	5/4/2023

COMMENTS We have completed the Business Record Certification form. We do not have any records of sales and/or transactions to provide for Alachua County Sheriff Office. Please let me know if you need me to do anything else in this matter.

Regards,

Heidi Butler
Controller
Gainesville Nissan

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

STATE OF FLORIDA
INVESTIGATION

Agency Report Number: FDLE EI-14-0186

SUBPOENA DUCES TECUM

IN THE NAME OF THE STATE OF FLORIDA, TO ALL AND SINGULAR THE SHERIFFS OF SAID STATE:

You are hereby commanded to subpoena the **Gainesville Nissan, Attn: Records Custodian, 3915 N. Main Street, Gainesville, FL 32609** if found in your County, to be and appear before **State Attorney Brian S. Kramer** on **June 1, 2023 at 9:00 A.M.**, at the Office of the State Attorney, 120 West University Avenue, Gainesville, Florida, person should appear to testify and the truth to speak in behalf of the State of Florida in a certain matter before said Court pending and undetermined.

IN LIEU OF PERSONAL APPEARANCE, RECORDS CAN BE DELIVERED TO Brian S. Kramer, State Attorney, Office of the State Attorney, 120 West University Avenue, Gainesville, FL 32601, on or before June 1, 2023 at 9:00 A.M..

The attached Business Records Certification must be completed, fully executed, and returned with the records. If this document is not returned, a subpoena requiring the custodian to appear may be issued for court.

ITEMS TO BE PRODUCED

Any and all records of any sales and/or transactions of any type made with the Alachua County Sheriff's Office, from January 5, 2021 to time of your response.

YOU ARE NOT TO DISCLOSE THE EXISTENCE OF THIS REQUEST. ANY SUCH DISCLOSURE COULD OBSTRUCT AND IMPEDE THE INVESTIGATION BEING CONDUCTED AND THEREBY INTERFERE WITH THE ENFORCEMENT OF THE LAW.

And this you shall in no wise omit.

BRIAN S. KRAMER
STATE ATTORNEY

Gainesville, Florida, Alachua County,
this 3rd day of May 2023

Brian S. Kramer
State Attorney
Florida Bar No. 981265
120 West University Avenue
Gainesville, Florida 32601

Date Received: 5-3-23
Person Served: Ken Vitale
Date: 5-3-23
Time: 12:00 AM/PM
Served By: DSmith

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

STATE OF FLORIDA
INVESTIGATION

Agency Report Number: FDLE EI-14-0186

SUBPOENA DUCES TECUM

IN THE NAME OF THE STATE OF FLORIDA, TO ALL AND SINGULAR THE SHERIFFS OF SAID STATE:

You are hereby commanded to subpoena the **Alachua Police Department, , Attn: Records Custodian, 15000 NW 142nd Terrace, Alachua 32615** if found in your County, to be and appear before **State Attorney Brian S. Kramer** on **June 1, 2023 at 9:00 A**.M., at the Office of the State Attorney, 120 West University Avenue, Gainesville, Florida, person should appear to testify and the truth to speak in behalf of the State of Florida in a certain matter before said Court pending and undetermined.

IN LIEU OF PERSONAL APPEARANCE, RECORDS CAN BE DELIVERED TO Brian S. Kramer, State Attorney, Office of the State Attorney, 120 West University Avenue, Gainesville, FL 32601, on or before June 1, 2023 at 9:00 A.M..

The attached Business Records Certification must be completed, fully executed, and returned with the records. If this document is not returned, a subpoena requiring the custodian to appear may be issued for court.

ITEMS TO BE PRODUCED

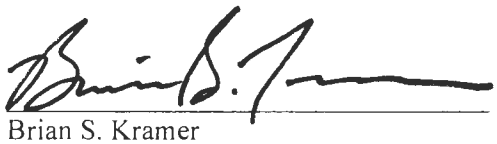
Any and all records of any Internal Affairs Investigations and/or Office of Professional Standards Investigations for Joshua Lamar.

YOU ARE NOT TO DISCLOSE THE EXISTENCE OF THIS REQUEST. ANY SUCH DISCLOSURE COULD OBSTRUCT AND IMPEDE THE INVESTIGATION BEING CONDUCTED AND THEREBY INTERFERE WITH THE ENFORCEMENT OF THE LAW.

And this you shall in no wise omit.

BRIAN S. KRAMER
STATE ATTORNEY

Gainesville, Florida, Alachua County,
this 3rd day of May 2023



Brian S. Kramer
State Attorney
Florida Bar No. 981265
120 West University Avenue
Gainesville, Florida 32601

COPY

BUSINESS RECORD CERTIFICATION

Pursuant to Sections 90.803(6) and 90.902(11), Florida Statutes

1. I _____ am currently employed with:
(Print name of affiant)

Business Name: _____

Business Address: _____

_____

_____

2. I am a custodian of records maintained by our business.

3. The attached record(s) are either originals or duplicate copies described as:
_____
_____

4. The attached record(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters.

5. The attached record(s) were kept in the course of the regularly conducted activity of our business.

6. The attached records(s) were made as a regular practice in the course of the regularly conducted activity of our business.

7. I am aware that falsely making this Certification or Declaration would subject me to criminal penalty under the laws of the foreign or domestic location in which this certification or declaration was signed.

8. I have signed this Certificate under oath.

I do hereby swear or affirm that this certification and the attached records are true and accurate.

_____
(Affiant Signature)

BEFORE ME, the undersigned authority, personally appeared _____. who was duly sworn under oath and who did sign the above Certification on _____.

The affiant is
_____ personally known to me or
_____ has presented _____ as identification.

_____
NOTARY PUBLIC (print name)

_____
NOTARY PUBLIC (sign name)
My Commission Expires: _____

ALACHUA POLICE DEPARTMENT

OFFICE OF PROFESSIONAL STANDARDS

ADMINISTRATIVE INVESTIGATION FORM

TRACKING NUMBER	2022-IA-001
DATE INITIATED	8/18/22
INCIDENT/CALL TYPE	Juvenile Problem
INVOLVED EMPLOYEES	Ofc. Joshua Lamar #343
INCIDENT DAY/DATE/TIME	Wednesday, 8/17/22, 1118 hours
INCIDENT LOCATION	AT&T Parking Lot
RELATED CR#/CFS#	22APD01227 / 22CFS18591
COMPLAINT/ALLEGATION	Improper/Inappropriate Actions in Job Performance
COMPLAINANT	Robert Hoskins Jr. (Father of Avery Hoskins)
INVESTIGATOR	Detective Fernando Zaragoza #334
WITNESSES	Drew Wilson, Savannah Clayton, Sgt. Justin Horn, Sgt. Jimmy Smith, Ofc. Michael Bohannon, Robert Hoskinson Sr., Suzette Davis and Avery Hoskinson

COMPLAINT

On Thursday, 8/18/22 at approximately 0900 hours, Sgt. Jimmy Smith received a citizen complaint, via phone, from Robert Hoskinson Jr., who stated that an Alachua Police Officer dropped his suicidal underage son (Avery Hoskinson) off at the local Travelodge motel after paying for a room for Avery (Room #220) with his own money and buying him two McDonald's burritos. Robert, Jr. stated that the officer told his son not to leave the hotel then left him there, to fend for himself. He said that neither he nor Avery knew what the officer's name was, but provided the phone number from which the officer had contacted Robert Jr.: 352-731-0986. That number is the APD-assigned cell phone number of Ofc. Joshua Lamar.

On Thursday, 8/18/22, at approximately 0930 hours, I, Detective Fernando Zaragoza, received a citizen complaint via phone call from Robert Hoskinson Jr., who was in New Mexico, who reiterated to me the complaint he'd given to Sgt. Smith earlier. He stated that on Tuesday, 8/16/22, his seventeen-year-old son, Avery Hoskinson, ran away from his home in Georgia and took an Uber to Alachua, FL. The trip was charged to Robert Jr.'s credit card and when he was notified by the credit card company of the current $800 charge for the trip, Robert Jr. cancelled the card, leaving Avery without any money or means to make a purchase. He said that Avery has mental health problems. He said he advised Avery to call the police for help and that an APD officer paid for a room for Avery at the local Travelodge with his own money and then left him there, after telling him not to leave. He added that the officer also bought Avery two burritos from McDonald's, also with his own money. He provided me with a phone number for the officer, 352-731-0986, which I identified as the APD cell phone number for Ofc. Joshua Lamar, #343. Robert Jr., who seemed very intoxicated on the phone, became uncooperative when I attempted to

question him for any further information or details and the call was terminated.

On Thursday, 8/18/22, at approximately 1000 hours, Robert Jr. called APD for a third time and reiterated his complaint to Deputy Chief Charlie Nahrwold. I sat in on the phone call, in Deputy Chief Nahrwold's office, and listened to his half of the conversation. No new information was obtained. After being confronted with his apparent inebriation, Robert Jr. ended the call.

On Thursday, 8/18/22, at the direction of Chief Jesse Sandusky, Detective Fernando Zaragoza initiated internal administrative investigation #2022-IA-001 into the allegations made by Robert Hoskinson Jr. on behalf of his juvenile son, Avery Hoskinson.

INTERVIEWS

Witness Interview - Drew Wilson, APD Dispatcher-Trainee
A recorded interview was conducted with dispatcher-trainee Drew Wilson on August 31, 2022, at 8:00 am, by Detective Fernando Zaragoza, in the Office of Professional Standards at APD. The following is a synopsis.

Drew Wilson confirmed that on 8/17/22 at approximately 11:18 hours he was the primary dispatcher on call-for-service #22CFS18591 regarding a juvenile runaway with possible mental illness standing by at the intersection of Main St. and 441, beside AT&T. He said that Avery Hoskinson told him over the phone that he was disoriented, didn't know where he was, had suffered some kind of a manic bipolar episode, and had run away from his home in McDonough, GA, and could not remember why. The officers dispatched on the call were Ofc. Michael Bohannon #328 and Ofc. Joshua Lamar #343. Both officers arrived on-scene at 1124 hours.

D. Wilson stated that Ofc. Lamar went radio-silent and did not communicate in any way with Dispatch after arriving at Vista and cancelling unit checks (at approximately 11:59 hours). Ofc. Lamar did not update his status or location until he cleared the call, at 13:05 hours. D. Wilson also verified that during this time period, Ofc. Lamar silently typed in call notes without advising Dispatch he had done so, as per standard operating procedure. D. Wilson verified that during this time period, Ofc. Lamar did not notify Dispatch that he transported Avery back to Alachua from Vista. D. Wilson stated that he was not aware that Ofc. Lamar had even left Vista until he cleared the call by silently typing in call notes without verbally notifying Dispatch.

D. Wilson was also involved in this case in that he sent a teletype message, at the request of Sgt. Smith, on 8/18/22, to McDonough Police Department and then to Cummings Police Department, requesting an officer respond to his Aunt's residence to verify that Avery had been returned safely.

Witness Interview - Savannah Clayton, APD Dispatcher
A recorded interview was conducted with dispatcher-trainer Savannah Clayton on August 31, 2022, at 8:50 am, by Detective Fernando Zaragoza, in the Office of Professional Standards at APD. The following is a synopsis.

Savannah Clayton confirmed that on 8/17/22 at approximately 11:18 hours she was on duty in Dispatch and monitored the call while (trainee) Drew Wilson handled dispatcher duties on call-for-service #22CFS18591, involving Avery Hoskinson. S. Clayton reiterated D. Wilson's version of events related to the call and confirmed that Ofc. Lamar's radio silence, lack of communication, failure to update status and location, failure to notify of citizen transport and his silent entering of call notes and were unusual and contrary to policy and standard operating procedures.

Witness Interview - Sgt. Jimmy Smith, Training/Patrol
A recorded interview was conducted with Sgt. Jimmy Smith on August 31, 2022, at 10:22 am, by Detective Fernando Zaragoza, in the Office of Professional Standards at APD. The following is a synopsis.

Sgt. Jimmy Smith was the patrol supervisor on duty when call-for-service #22CFS18591, involving Avery Hoskinson, was dispatched. Sgt. Smith said the last transmission he heard on the call was Ofc. Lamar notifying Dispatch that he was transporting Avery to Vista for voluntary examination. Sgt. Smith stated that at the time, he was unaware of Avery's age. Sgt. Smith said after that, he had no further involvement or knowledge of the call.

Sgt. Smith stated that the next morning (Thursday, 8/18/22) he received a call from Avery's father who told him that an APD officer had dropped his 17-year-old, suicidal son off at a local Travelodge, bought him two burritos from McDonald's, told him not to leave the hotel, then left him there. Sgt. Smith stated that Avery's father was apparently intoxicated, belligerent and uncooperative and refused to identify himself, at first. He eventually identified himself as Robert Hoskinson but refused to provide his own phone number. He provided what he stated was the officer's phone number, which Sgt. Smith identified as the Department-issued phone number assigned to Ofc. Joshua Lamar (352-731-0986). Sgt. Smith stated that he briefly placed Robert Hoskinson on hold to take another call, and that when he switched back, Robert Hoskinson had hung up.

Sgt. Smith then called Ofc. Joshua Lamar into his office to ask him about the incident. He said Ofc. Lamar briefed him on the details of the call and told him that Avery did not meet Baker Act criteria but that he transported him to Vista, was turned away, and transported him back to Alachua. Ofc. Lamar told Sgt. Smith that he and Aunt Susie (Avery's aunt, Suzette Davis) had agreed for Ofc. Lamar to pay for a hotel room for Avery so that he would have somewhere to stay until she could drive from Georgia to come get him. Ofc Lamar advised that he paid for the hotel room for Avery with his personal credit card and also bought him food from McDonald's before leaving him there. Sgt. Smith advised Ofc. Lamar that his actions on the call were not proper and instructed him to go to the Travelodge to attempt to contact Avery. Sgt. Smith also went to Travelodge. Avery was gone from the Travelodge upon their arrival. Ofc. Lamar determined that Avery had been picked up by his grandfather, Robert Hoskinson Sr., the night before, and that they were currently enroute to Georgia, to Aunt Suzie's home. Sgt. Smith personally called Robert Sr., verified the information given and also spoke to Avery, confirming he was with him. After they arrived in Georgia, Robert Sr. notified Sgt. Smith by phone that he had dropped Avery off at his Aunt Suzie's house. Sgt. Smith instructed Dispatcher Trainee Drew Wilson to have the local law enforcement in Georgia confirm that Avery was there and safe. Sgt. Smith advised oncoming Sgt.

Justin Horn about the request.

Sgt. Smith stated that Ofc. Lamar's actions on this call were "a complete violation of policy and procedure" and that Ofc. Lamar should have notified him, his supervisor, of events at the time of the call; should have called EMS to check Avery out, reference his claims of "blacking out;" should have Baker Acted Avery, based on the totality of information; should have notified DCF or Interface; should have taken him into protective custody and should have notified Dispatch when he transported Avery from Vista to Alachua. Sgt. Smith stated that Ofc. Lamar should have been aware of all of these policies and procedures through his knowledge, experience and training. Sgt. Smith expressed the opinion that Ofc. Lamar's actions indicated that he was trying to hide or cover up his actions on the call, after leaving Vista with Avery.

Sgt. Smith instructed Ofc. Lamar to write a report documenting the call, after the fact, as Ofc. Lamar cleared the call with no report. In his supplement to Ofc. Lamar's report, Sgt. Smith documented the fact that Ofc. Lamar told him that Avery had given him money after he paid for the room with his personal credit card. Sgt. Smith stated to me that he did not believe that Avery gave Ofc. Lamar any money at all because when Sgt. Smith spoke to Robert Sr., he asked Sgt. Smith if he could pay "the nice officer" back the money he had paid for Avery's hotel room.

I played for Sgt. Smith the Dispatch radio audio recordings of the initial call for service conversation between dispatcher Drew Wilson and Avery Hoskinson, who advises in the first few sentences that he is 17 years old and has no money to get back home.

Witness Interview - Sgt. Justin Horn, Patrol
A recorded interview was conducted with Sgt. Justin Horn on August 31, 2022, at 11:16 am, by Detective Fernando Zaragoza, in the Office of Professional Standards at APD. The following is a synopsis.

Sgt. Horn recounted that at approximately 1900 hours on 8/18/22, he was advised by Dispatch of a teletype response regarding a well-being check requested by Sgt. Smith, on Avery Hoskinson, who was in Georgia. Initially there was some confusion on the part of Forsyth County S.O. regarding Aunt Suzie's address. Sgt. Horn called Sgt. Smith and obtained Aunt Suzie's phone number. He verified her correct address, which was relayed to Forsyth County S.O. who responded there and confirmed that Avery was present and well. Sgt. Horn stated that was the entirety of his involvement in the case, and that he had no other information or knowledge pertaining to it.

Witness Interview - Ofc. Michael Bohannon, Patrol
A recorded interview was conducted with Ofc. Michael Bohannon on September 2, 2022, at 8:14 am, by Detective Fernando Zaragoza, in the Office of Professional Standards at APD. The following is a synopsis.

Ofc. Michael Bohannon recounted that he was dispatched as primary officer, along with Ofc. Joshua Lamar, on call for service #22CFS18591, on 8/17/22, involving Avery Hoskinson. He made contact with Avery who was already talking to Ofc. Lamar. He said Avery stated that he had blacked out and taken an Uber from Georgia. Avery told him he suffered from dissociative identity disorder but had not been professionally diagnosed. Ofc. Bohannon suggested to Avery that he go

to Shands Vista, voluntarily, to be evaluated by mental health professionals and Avery agreed, as did Ofc. Lamar. Ofc. Bohannon stated, "It was my fault completely" in that he knew Avery was a juvenile but was not aware that a juvenile could not voluntarily be evaluated for a Baker Act. Ofc. Bohannon then stated that Ofc. Lamar volunteered to transport Avery to Vista, telling Ofc. Bohannon, "I'll take him." Ofc. Bohannon stated that he returned to service shortly thereafter and had no further involvement in the call or communication with Ofc. Lamar regarding the call.

Witness Interview - Robert Hoskinson Sr.
A recorded interview was conducted with Robert Hoskinson Sr. (Grandfather of Avery) via telephone on September 6, 2022, at 9:23 am, by Detective Fernando Zaragoza. The following is a synopsis.

Robert Hoskinson Sr. got a call from Avery's dad (his son, Robert Jr.) on Wednesday, 8/17/22, who informed him that Avery had taken an Uber from Georgia to Alachua, FL and that an APD officer had put him up in a Travelodge. Robert Jr. asked Robert Sr.to go pick Avery up from the hotel because "he was scared." Robert Sr. picked Avery up and brought him back to his home in Ocala, FL. The next day, he drove Avery to Cummings, GA, to Aunt Susie's house. He got a call from "Sgt. Somebody" as he was taking Avery to GA, to verify that Avery was with him and to verify Aunt Suzie's address to have local law enforcement do a well-being check on Avery after he arrived. He stated that Avery did not make any suicidal statements to him.

Witness Interview - Suzette Davis
A recorded interview was conducted with Suzette Davis (Aunt of Avery) via telephone on September 6, 2022, at 9:35 am, by Detective Fernando Zaragoza. The following is a synopsis.

Suzette Davis stated that she is Avery's great aunt. She received a call from his stepfather, followed by a call from an Alachua Police officer, advising her that Avery was in Alachua and inquiring if she could come pick him up. She advised that it might take her a couple of days to get to Alachua from Georgia, due to business concerns. She stated that Ofc. Lamar offered to acquire a hotel room for Avery for a couple of days. She did not ask Ofc. Lamar to put Avery up in a hotel.

Suzette stated that after Robert Sr. brought Avery to her house on 8/18/22, Avery confided in her that for the past couple of years, he didn't want to live. Avery told her that he had researched methods of suicide on the internet and that he made the trip to Florida with the intention of committing suicide because he didn't want anyone in his family to find him dead. Avery also told her that he had previously attempted suicide by taking Benadryl tablets.

Witness Interview - Avery Hoskinson
A recorded interview was conducted with Avery Hoskinson via telephone on September 6, 2022, at 9:50 am, by Detective Fernando Zaragoza. The following is a synopsis.

Avery stated that he took an Uber from Georgia to Alachua, he didn't remember why, that his memory of the incident was "foggy." He recounted calling the police and being contacted by two police officers. One of the officers drove him to "the Department" and then to a motel. He stated that the officer paid for a motel room for him to wait until his family could pick him up. He stated that the officer paid for the motel room and some McDonald's food, out of his own pocket. Avery

stated that he did not give the officer any money. Avery stated that he did not have any money. After some prompting, Avery recalled that the officer took him to Vista but then they "had to leave." He could not advise why. Avery told me that he has had suicidal thoughts for the past few years and that his family is aware. He told me that he is receiving treatment and therapy. He expressed gratitude to Ofc. Lamar for his kindness.

Subject Interview - Ofc. Joshua Lamar
A recorded interview was conducted with subject Ofc. Joshua Lamar on September 9, 2022, at 9:00 am, at Swick House, by Detective Fernando Zaragoza. Present for the interview were Sgt. Chad Howell and FOP representatives Sgt. Carlos Hunt and Sgt. Steven Hayes. The following is a synopsis.

It was established that Ofc. Lamar was a dispatcher for approximately five years before becoming a police officer in July 2021and that Ofc. Lamar is currently a probationary police officer due to the fact that his probationary period was extended for six months by Chief Sandusky due to deficiencies in his job performance. Ofc. Lamar's experience handling Baker Act calls was established via Zuercher reports that showed that, in his time as a police officer, he had been dispatched on twelve (12) separate Baker Act calls and had completed seven (7) Baker Act incident reports, three (3) of which involved juveniles.

Ofc. Lamar recounted events surrounding call-for-service 22CFS18591 of 8/17/22. Ofc. Lamar stated that he and Ofc. Bohannon were dispatched to a runaway juvenile call at AT&T parking lot, where they contacted Avery Hoskinson. Avery advised that he was a runaway, 17 years of age, had no money or a way to get back home and that he had taken an Uber from McDonough, GA and somehow ended up in Alachua, FL. Avery told the officers that he believed he suffered from several different mental illnesses, but did not currently want to harm himself. Ofc. Bohannon suggested a voluntary Baker Act for Avery and Ofc. Lamar agreed. He stated that Ofc. Bohannon asked him to transport Avery to Vista, due to his cramped back seat (half-cage). At Vista, Ofc. Lamar was advised that he could not leave Avery there because a juvenile cannot voluntarily consent to be evaluated for a Baker Act. Ofc. Lamar then contacted several of Avery's family members by telephone and arranged that he would acquire a hotel room for Avery so that he would have somewhere to stay until his family could come from Georgia to pick him up. Ofc. Lamar drove Avery to Travelodge, paid for a room with his personal credit card for two nights and also bought Avery McDonald's. He then left Avery at the motel and went back into service.

Ofc. Lamar stated that he is familiar with the APD policy regarding Baker Acts and juveniles. He stated that he knew a juvenile cannot voluntarily submit themselves for a mental health evaluation but took Avery to Vista regardless, because Ofc. Bohannon suggested it.

I asked Ofc. Lamar about the exchange (captured on in-car-camera recordings) that he had with Avery in his patrol car after being turned away from Vista. In that exchange, Ofc. Lamar asked Avery to talk to him and asked him if he'd had any bad thoughts lately. Avery responded, "When I woke up this morning, I just didn't really even want to do anything. I just thought if I just died and disappeared it would be better off for everybody else." Ofc. Lamar's only response to that statement was to ask for Avery's parents' phone numbers.

Ofc. Lamar stated that he did not believe that Avery was being truthful in his statement and said it because he was trying to get Baker acted. Ofc. Lamar stated that he still did not believe that Avery qualified for a Baker Act.

Ofc. Lamar said that he didn't recall deactivating his in-car camera system while still sitting in his car with Avery at Vista "but probably I did, heading back to Alachua." Ofc. Lamar stated that he was aware of the policy requiring that in-car camera system is to remain activated until a call is completed. He acknowledged that Avery was still in his patrol car at the time and that the call had not yet been completed.

I inquired as to the fact that Ofc. Lamar had no communication of any kind with Dispatch, his supervisor, or any other member of the Department from the time he exited Vista with Avery at 12:10 pm until silently entering call notes at 12:48:40--a period of over thirty-eight minutes. Ofc. Lamar maintained complete radio silence for a period of more than an hour, until gong "Available" at 1305 hours. Ofc. Lamar stated that he was making phone calls and taking Avery to Travelodge.

Ofc. Lamar admitted to not carrying out the required procedures or abiding by policy by transporting Avery back to Alachua and to Travelodge without notifying dispatch in any way. He stated that he didn't call it in because Dispatch was busy with calls and he wanted to handle it so it wouldn't "be a burden" to anyone else.

In the supplemental report completed by Sgt. Smith, he documented that Ofc. Lamar told him that he had used his own personal credit card to rent Avery a room at the Travelodge and that Avery gave him money back. I asked Ofc. Lamar how much money Avery gave him, to which he replied, "Avery didn't give me any money." Ofc. Lamar explained that he was a little stressed at the time and he might not have recounted accurately to Sgt. Smith what he meant to convey, which was that Avery's family had discussed compensating Ofc. Lamar for paying for the room and that he had told them it was unnecessary. Ofc. Lamar denied deliberately lying to Sgt. Smith.

Ofc. Lamar admitted that he had violated APD of policy and procedure when he entered six separate call notes, from 12:48 pm until 1:05 pm, without advising Dispatch that he had done so.

Ofc. Lamar voluntarily made a statement in which he stated that he accepted "all responsibility and accountability for the way that the call was handled." He admitted that he had violated several policies and procedures but that he was only trying to do the right thing. Ofc. Lamar added that it was hard to reach out to supervisors or senior officers because of concerns of "backlash" or "people talking about you." Ofc. Lamar stated that he was doing the best that he could.

SUMMARY

As confirmed by the evidence (records, reports and audio and visual recordings) as well as sworn statements made by witnesses and Ofc. Lamar himself, Ofc. Lamar violated multiple APD policies and procedures when he attempted to submit juvenile Avery Hoskins for a voluntary Baker Act then left him at the local Travelodge in a room for which he personally paid.

FINDINGS OF FACT

1. On Wednesday, 8/17/22, beginning at approximately 11:19 am, while on dispatched call for service 22CFSA18591 (CR# 22APD01227) Ofc. Lamar attempted to submit juvenile Avery Hoskins for a voluntary Baker Act, in violation of Department policy and procedure. In his interview, Ofc. Lamar admitted to doing so.

2. After being turned away by Vista staff due to Avery being a minor and while still actively working the call, at approximately 12:19 pm, Ofc. Lamar deactivated the in-car camera system in his patrol vehicle, in violation of Department policy and procedure. In his interview, Ofc. Lamar admitted to doing so.

3. At an unknown time between 12:19 and 1:00 pm, Ofc. Lamar transported Avery to the local Travelodge without notifying Dispatch in any way, in violation of Department policy and procedure. In his interview, Ofc. Lamar admitted to doing so.

4. Ofc. Lamar did not keep Dispatch advised of changes in his status and location, in violation of Department policy and procedure. Ofc. Lamar admitted that he had not done so.

5. Ofc. Lamar rented a room for Avery at the Travelodge and paid with his own personal credit card. Ofc. Lamar then left Avery there and went back into service, in violation of Department policy and procedure. In his interview, Ofc. Lamar admitted to doing so.

6. Ofc. Lamar did not notify a supervisor of the call at any time, in violation of Department policy and procedure. In his interview, Ofc. Lamar admitted that he had not done so.

7. Ofc. Lamar did not notify DCF and/or Interface that he was dealing with a juvenile in need of services, in violation of Department policy and procedure. In his interview, Ofc. Lamar admitted that he had not done so.

8. Ofc. Lamar was untruthful to Sgt. Smith when he told him that Avery gave him money after he paid for a hotel room, in violation of Department policy and procedure. In his interview, Ofc. Lamar denied intentionally lying to Sgt. Smith.

DISPOSITION

- **SUSTAINED**: APD Policy - 409.3.1 Voluntary Examinations
- **SUSTAINED**: APD Policy 421.4.2 Deactivation of In-Car Video System
- **SUSTAINED**: APD Policy 901.4(l) Transporting Detainees
- **SUSTAINED**: APD Policy 801.6 Radio Communications
- **SUSTAINED**: APD Policy 337.4 Child and Dependent Adult Safety
- **SUSTAINED**: APD Policy 903.3(c)1 Temporary Custody of Juveniles
- **SUSTAINED**: APD Procedure 313.4(w)3 Placement of Juveniles
- **SUSTAINED**: APD Procedure 302.3(a)5 Untruthfulness

VERIFICATION PURSUANT TO FLORIDA STATUTE 92.525

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes.

#534
OPS Investigator Name, ID

10-3-22
Date

MATRIX FOR SUSTAINED ALLEGATIONS

APD Policy: 320.5.1 LAWS, RULES AND ORDERS

Level of Violation: 4
Number of Charges: 7

Discipline Points: 160
Accumulated Points: 0
Total Points: 160

Minimum Discipline: 15-Day Suspension

Maximum Discipline: Termination

Disciplinary Probation: 9 to 12 Months

APD Policy: 320.5.8(a) PERFORMANCE

Level of Violation: 5
Number of Charges: 1

Discipline Points: 50
Accumulated Points: 0
Total Points: 50

Minimum Discipline: Two-Day Suspension

Maximum Discipline: Termination

OPS INVESTIGATOR RECOMMENDATIONS

Fast Track Resolution			
Training or Retraining			
Written Reprimand			
Reassignment/Transfer			
Loss of Vehicle		Number of Days	
Probation		Number of Months	
Suspension		Number of Days	
Demotion		To Position/Rank	
Termination	X	Effective Date	TBD

Other_____

CHIEF'S FINDINGS

Fast Track Resolution			
Training or Retraining			
Written Reprimand			
Reassignment/Transfer			
Loss of Vehicle		Number of Days	
Probation		Number of Months	
Suspension		Number of Days	
Demotion		To Position/Rank	
Termination	✓	Effective Date	TBD

Other_____

APPROVED [X] DISAPPROVED [ ]

Jesse J. Sandusky, Chief of Police

10/11/2022
Date

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

STATE OF FLORIDA
INVESTIGATION

Agency Report Number: FDLE EI-14-0186

SUBPOENA DUCES TECUM

IN THE NAME OF THE STATE OF FLORIDA, TO ALL AND SINGULAR THE SHERIFFS OF SAID STATE:

You are hereby commanded to subpoena the **Alachua Police Department, , Attn: Records Custodian, 15000 NW 142nd Terrace, Alachua 32615** if found in your County, to be and appear before **State Attorney Brian S. Kramer** on **June 1, 2023 at 9:00 A**.M., at the Office of the State Attorney, 120 West University Avenue, Gainesville, Florida, person should appear to testify and the truth to speak in behalf of the State of Florida in a certain matter before said Court pending and undetermined.

IN LIEU OF PERSONAL APPEARANCE, RECORDS CAN BE DELIVERED TO Brian S. Kramer, State Attorney, Office of the State Attorney, 120 West University Avenue, Gainesville, FL 32601, on or before June 1, 2023 at 9:00 A.M..

The attached Business Records Certification must be completed, fully executed, and returned with the records. If this document is not returned, a subpoena requiring the custodian to appear may be issued for court.

ITEMS TO BE PRODUCED

Any and all records of any Internal Affairs Investigations and/or Office of Professional Standards Investigations for Joel Coppock.

YOU ARE NOT TO DISCLOSE THE EXISTENCE OF THIS REQUEST. ANY SUCH DISCLOSURE COULD OBSTRUCT AND IMPEDE THE INVESTIGATION BEING CONDUCTED AND THEREBY INTERFERE WITH THE ENFORCEMENT OF THE LAW.

And this you shall in no wise omit.

BRIAN S. KRAMER
STATE ATTORNEY

Gainesville, Florida, Alachua County,
this 3RD day of May 2023

Brian S. Kramer
State Attorney
Florida Bar No. 981265
120 West University Avenue
Gainesville, Florida 32601

COPY

BUSINESS RECORD CERTIFICATION

Pursuant to Sections 90.803(6) and 90.902(11), Florida Statutes

1. I _____ am currently employed with:
(Print name of affiant)

Business Name: _____

Business Address: _____

_____

_____

2. I am a custodian of records maintained by our business.

3. The attached record(s) are either originals or duplicate copies described as:

_____

_____

4. The attached record(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters.

5. The attached record(s) were kept in the course of the regularly conducted activity of our business.

6. The attached records(s) were made as a regular practice in the course of the regularly conducted activity of our business.

7. I am aware that falsely making this Certification or Declaration would subject me to criminal penalty under the laws of the foreign or domestic location in which this certification or declaration was signed.

8. I have signed this Certificate under oath.

I do hereby swear or affirm that this certification and the attached records are true and accurate.

_____
(Affiant Signature)

BEFORE ME, the undersigned authority, personally appeared _____, who was duly sworn under oath and who did sign the above Certification on _____.

The affiant is
_____ personally known to me or
_____ has presented _____ as identification.

_____
NOTARY PUBLIC (print name)

_____
NOTARY PUBLIC (sign name)
My Commission Expires: _____

Personnel Complaint Form

Your Information:

* Name
Braeden Willis

* Phone
(352) 682-4213

Address
515 Alton Road
Starke FL 32091
United States

Email
blwillis11@gmail.com

Incident Information:

Department Members Name
Deputy (Unsure) Coppack

Badge Number (If applicable)
SKIPPED

Case / Incident Number
SKIPPED

Date and Time of Incident
11/20/2022 12:00 AM

* **Incident Description**
A woman was dumpster diving when an officer was overly aggressive, and threatening action beyond his legal capability or capacity. He used disrespectful and foul language to engage in a conversation with a woman expressing her legal right and concern in regards to federal law, which is not conflicted by any state, county or city ordinance on Dumpster Diving.

ALACHUA POLICE DEPARTMENT

CITIZEN COMPLAINT FORM

OPS # _____

Please complete this form and return it to the Alachua Police Department. You may be contacted at a later date for additional information. We will send you a letter verifying receipt. If you do not know how to fill-in and / or understand a blank, please leave it empty. ***The race and sex information for the complainant is optional and used primarily for analysis purposes.***

COMPLAINTANT INFORMATION

Name (Last, First, Middle)	Date of Birth	Race	Sex
Robert Lydell Sharp	08-01-1971	BLK	M

Address	Phone Number
13625 N.W 158 Place	352-226-4911

Title/Rank	ID #	Agency/Organization	Email

ACCUSED EMPLOYEE INFORMATION

Name (Last, First, Middle)	Date of Birth	Race	Sex
Coppock, Joel		BLK	M

Physical Description if Name Unknown	Title/Rank	ID #	Team/Shift
	OFC	342	Team 1 Day

Supervisor Name	Supervisor ID #	Supervisor Rank	Supervisor on Scene
C. Hunt	332	Sergeant	☐ YES ☑ NO

Other Involved Employee	Title/Rank	ID #
J. Lamar	OFC	343
N/A.		

INCIDENT INFORMATION

Location of Incident	Day of Incident	Date of Incident	Time of Incident
13625 NW 158th PL Alachua 32615	Fri 7-1-22	7-1-22	6:50AM

Reason for Employee Contact
Noise Complaint

Remedy Sought

WITNESS INFORMATION

Witness Name	Address	Phone #
Witness Name	Address	Phone #
Witness Name	Address	Phone #

I came out July 12 2022 and Start Work in my yard and mackhum came down The Road yelling he Seen me Bring all That Stuff home 4 Am That he Try Start with me So I call The police To keep From Trouble and when They Show I Try Tell Them That it going FOR a while and officer Lamar was To me about what happen officer coppock came up and he had a very Bad Attuide he was very negtave Towardme he Told me To Buy Ear plug and wear Them he has alots of people upset and They are TRied of the harrassment

Thank you

Robert Sharp

HEATHER L. JONES
CHIEF ASSISTANT STATE ATTORNEY

BRIAN S. KRAMER
STATE ATTORNEY
EIGHTH JUDICIAL CIRCUIT OF FLORIDA
SERVING
ALACHUA, BAKER, BRADFORD, GILCHRIST, LEVY
AND UNION COUNTIES

120 WEST UNIVERSITY AVENUE
GAINESVILLE, FLORIDA 32601

TELEPHONE (352) 374 – 3670

PLEASE REPLY TO:

February 24, 2023

Bobi J. Frank, Esq.
14839 Main Street
Alachua Fl 32615

Re: FDLE Investigation EI-14-0186
Immunity
Witness: Lt. Sherry French, ACSO

Dear Ms. Frank:

This letter is to inform you that I as the State Attorney in and for the Eighth Judicial Circuit do hereby grant to Lt. Sherry French, Alachua County Sheriff's Office immunity from prosecution for any testimony or evidence that he provides as a part of the above investigation.

This immunity exists from this day forward and applies to any investigative interview, grand jury testimony, deposition testimony, hearing testimony, and trial testimony. As you know, immunity does not provide protection in the event that the witness provides false testimony or false evidence. This grant of immunity is not conditioned upon any other agreement between the witness and the State of Florida.

Most Sincerely,

Brian S. Kramer
State Attorney, 8th Judicial Circuit

HEATHER L. JONES
CHIEF ASSISTANT STATE ATTORNEY

BRIAN S. KRAMER
STATE ATTORNEY
EIGHTH JUDICIAL CIRCUIT OF FLORIDA
SERVING
ALACHUA, BAKER, BRADFORD, GILCHRIST, LEVY
AND UNION COUNTIES

120 WEST UNIVERSITY AVENUE
GAINESVILLE, FLORIDA 32601

TELEPHONE (352) 374 – 3670

PLEASE REPLY TO:

February 24, 2023

Bobi J. Frank, Esq.
14839 Main Street
Alachua Fl 32615

Re: FDLE Investigation EI-14-0186
Immunity
Witness: Ret. Capt. Brandon Kutner, ACSO

Dear Ms. Frank:

This letter is to inform you that I as the State Attorney in and for the Eighth Judicial Circuit do hereby grant to Ret. Capt. Brandon Kutner, Alachua County Sheriff's Office immunity from prosecution for any testimony or evidence that he provides as a part of the above investigation.

This immunity exists from this day forward and applies to any investigative interview, grand jury testimony, deposition testimony, hearing testimony, and trial testimony. As you know, immunity does not provide protection in the event that the witness provides false testimony or false evidence. This grant of immunity is not conditioned upon any other agreement between the witness and the State of Florida.

Most Sincerely,

Brian S. Kramer
State Attorney, 8th Judicial Circuit

HEATHER L. JONES
CHIEF ASSISTANT STATE ATTORNEY

BRIAN S. KRAMER
STATE ATTORNEY
EIGHTH JUDICIAL CIRCUIT OF FLORIDA
SERVING
ALACHUA, BAKER, BRADFORD, GILCHRIST, LEVY
AND UNION COUNTIES

120 WEST UNIVERSITY AVENUE
GAINESVILLE, FLORIDA 32601

TELEPHONE (352) 374 – 3670

PLEASE REPLY TO:

May 6, 2024

Honorable Ron DeSantis
Governor, State of Florida
Governor's Legal Office
The Capitol, Room 209
Tallahassee, FL 32399

Attn: Brandi Smith Manley

Re: Florida Department of Law Enforcement Case No: EI-14-0186

Dear Governor DeSantis,

In the spring of 2023, this office received a request to assist the Florida Department of Law Enforcement in its investigation of the Alachua County Sheriff's Office, Sheriff Clovis Watson, Undersheriff Joel Decoursey, Colonel Chad Scott, and Major Lance Yeager, among others. Assistance of this nature is normal and routine, and as such, this office issued subpoenas and compelled the testimony of approximately 30 witnesses pursuant to the request of FDLE, which legally granted immunity to these witnesses. These requests for assistance continued into the early fall of 2023. As that investigation progressed, the evidence became clear that Sheriff Watson's conduct in office would subject him to removal by you due to his malfeasance and misfeasance in office. Much of this evidence involved allegation of malfeasance by alleged retaliation by command staff members against deputies and misfeasance of improper promotions and failure to properly run the agency. As this misfeasance and malfeasance became clear, I informed Sheriff Watson, through his counsel, that it was my intention to present this matter to the Alachua County Grand Jury for the purpose of preparing a report to be forwarded to you outlining his malfeasance and misfeasance in office and requesting his removal. As I prepared to call for the Grand Jury, in October 2023, Sheriff Clovis Watson resigned his position publicly citing health reasons. Other than then Colonel Chad Scott, the subjects of this investigation separated from service from the ACSO at or around the time of Sheriff's Watson's resignation. You appointed Emery Gainey Sheriff of Alachua County.

After Sheriff's Watson resigned, my involvement with the FDLE investigation essentially ceased. There was no reason to continue with a presentation of Sheriff Watson's misfeasance or malfeasance to the Grand Jury, as he was no longer a public official. While that investigation remained open both in my office and with FDLE, there was little to no activity involving my

office from October 2023 until recently. Much has changed since that time. In October 2023, I became challenged for re-election. In April, my opponent qualified for the election, as did I. That election campaign will continue until the general election in November. Major Chad Scott is running against Sheriff Emery Gainey for Alachua County Sheriff. Clovis Watson and Joel Decoursey are both public supporters and members of Chad Scott's campaign. In April, I publicly endorsed Sheriff Gainey for re-election as Alachua County Sheriff. Sheriff Gainey has publicly endorsed me for re-election as State Attorney for the Eighth Judicial Circuit. While my support for Sheriff Gainey and his support for me has nothing to do with FDLE's investigation, my continued involvement in this matter would likely be seen by both those for and against Chad Scott as improper. Further, my opponent may consider it ripe for criticism during my campaign for State Attorney.

Recently, FDLE has informed me that their investigation is concluding and moving into formal review, and that after formal review, the report of investigation will be submitted for evaluation for charges to my office. From that conversation, it is apparent to me that FDLE intends to submit this investigation to my office with a request for prosecution for some or all these individuals. Under these circumstances, I cannot ethically prosecute, or determine not to prosecute, any person in relation to this investigation. My prosecution of any of these individuals would subject my office to judicial removal at the request of any defendant due to a clear conflict of interest. Any appearance of impropriety is sufficient cause for me to withdraw from this investigation, much less any actual conflict of interest. Further my refusal to prosecute any of these individuals, even if appropriate, which I cannot determine at this time, would likely be used against me by those who oppose my re-election. Both prosecution or lack of prosecution of these individuals creates a clear and unequivocal conflict of interest that requires that I recuse my office from the prosecutorial phase of this investigation. As such, I request that you re-assign this investigation to another State Attorney of your choosing prior to this matter being submitted for charges against any of the above-named individuals.

There are no courts dates set at this time. I will be prepared to forward the file material upon your notification of re-assignment.

Sincerely,

Brian S. Kramer
State Attorney, 8th Circuit

ALACHUA COUNTY SHERIFF'S OFFICE

Complaint Intake Form

COMPLAINANT'S INFORMATION			
NAME	Sgt. Kevin Davis	PHONE #	352-318-2904
ADDRESS	2621 SE Hawthorne Rd.		

ACSO EMPLOYEE(S) INVOLVED IN INCIDENT	Michelle Sherfield
DATE and TIME OF INCIDENT	Jan 5, 2021 - April 7, 2022

COMPLAINT – Brief description of the incident to include when and where the alleged conduct violation(s) took place.

I was recently advised of concerning Facebook posts made by Michelle Sherfield during the past 15 months. I opened Sherfield's FB page which displayed several posts that were racially insensitive and biased. Those posts were available for public viewing. On 1/5/21, Sherfield posted that she [redacted] was employed with the ACSO. Since identifying herself as an employee, Sherfield has posted four posts that display a racists perspective and are not conducive with fostering healthy and positive community relations. Ironically, Sherfield is employed as Gov. + Community Relations Director.

I swear or affirm that the information I have provided in this statement is the truth and nothing but the truth.

SIGNATURE	Sgt. Davis #437	DATE	4/25/22

Distribution: Original to OPS via chain of command
Originator: Office of Professional Standards
Directives Linked: ACSO 122; OPS Manual
(03/21)

ACSO 00-02D