

**FDLE****AFFIDAVIT OF SEPARATION**Florida Department of  
Law EnforcementIncorporated by Reference in Rules  
11B-20.001(3)(a)5.a., and 11B-27.002(3)(a)15., F.A.C.**CJSTC  
61**

1. Last Four Digits of Social Security Number: <u>                    </u>		<b>Employment Class</b> <input checked="" type="checkbox"/> Law Enforcement <input type="checkbox"/> Correctional <input type="checkbox"/> Correctional Probation <input type="checkbox"/> Concurrent <input type="checkbox"/> Special Elected or Appointed <input type="checkbox"/> Instructor  <b>Employment Type</b> <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time <input type="checkbox"/> Auxiliary
2. Name: <u>Rapoza, David K</u> <div style="display: flex; justify-content: space-between;"> <span>Last</span> <span>First</span> <span>MI</span> </div>		
3. Agency Name: <u>Volusia County Beach Safety</u>		
4. Agency ORI: <u>FL0641700</u>		
5. Date Employed: <u>02/14/2019</u>	6. Separation Date: <u>12/14/2020</u>	

**7. Separation Reasons**

<b>7A. ADMINISTRATIVE-ROUTINE</b> <input type="checkbox"/> Voluntary separation not involving misconduct <input type="checkbox"/> Transfer within agency. No break in service <input type="checkbox"/> Retired. Not involving misconduct <input type="checkbox"/> Deceased <input type="checkbox"/> Budgetary constraints. Local and Federal grants not renewed <input type="checkbox"/> Extended leave of absence Type: <u>                    </u> Periods of Time: <u>                    </u> <input type="checkbox"/> Military leave of absence Periods of Time: <u>                    </u> <input type="checkbox"/> Suspension Periods of Time: <u>                    </u> <input type="checkbox"/> Administrative separation not involving misconduct <input type="checkbox"/> Special elected or appointed Position: <u>                    </u> Anticipated Term: <u>                    </u> <input type="checkbox"/> Instructor request for change of affiliation  <b>7B. ADMINISTRATIVE-NON-ROUTINE</b> <input type="checkbox"/> Failure to complete basic recruit training <input type="checkbox"/> Failure to pass the State Officer Certification Examination	<b>7C. ADMINISTRATIVE - SUBSTANDARD PERFORMANCE</b> <input type="checkbox"/> Failure to satisfactorily complete the agency field training program (training performance issues) <input type="checkbox"/> Failure to perform assigned tasks satisfactorily  <b>7D. OTHER - EXAMPLE</b> <input checked="" type="checkbox"/> Excessive absenteeism, failure to report for duty, sleeping on duty, etc.  <b>7E. UNFAVORABLE - MISCONDUCT</b> <input type="checkbox"/> Voluntary separation or retirement while being investigated for violation of agency or training school policy not involving a moral character violation defined in Rule 11B-27.0011, F.A.C. <input type="checkbox"/> Voluntary separation or retirement in lieu of termination for violation of agency or training school policy not involving a moral character violation defined in Rule 11B-27.0011, F.A.C. <input type="checkbox"/> Terminated for violation of agency or training school policy not involving a moral character violation defined in Rule 11B-27.0011, F.A.C.  NOTE: The agency administrator or designee shall provide written documentation of the internal or criminal investigation upon request by Commission staff.	<b>7F.</b> Pursuant to Section 943.1395(5), F.S., an employing agency must conduct an internal investigation when having cause to suspect that an officer or instructor it employs or employed at the time of the alleged violation, or employed on a Temporary Employment Authorization is not in compliance with Section 943.13(4) or (7), F.S., or Rule 11B-27.0011, F.A.C.  <input type="checkbox"/> Voluntary separation or retirement while being investigated for violation of Section 943.13(4), F.S., or violation of moral character standards defined in Rule 11B-27.0011, F.A.C. <input type="checkbox"/> Voluntary separation or retirement in lieu of termination for violation of Section 943.13(4), F.S., or violation of moral character standards as defined in Rule 11B-27.0011, F.A.C. <input type="checkbox"/> Terminated for violation of Section 943.13(4), F.S., or violation of moral character standards as defined in Rule 11B-27.0011, F.A.C.  NOTE: The agency administrator or designee shall provide written documentation of the internal or criminal investigation upon request by Commission staff.
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NOTICE: Section 943.139(2), F.S., requires the execution of an Affidavit of Separation by the employing agency in a case of officer separation.  
 WARNING: Intentional false execution of this Affidavit of Separation constitutes a misdemeanor of the second degree.

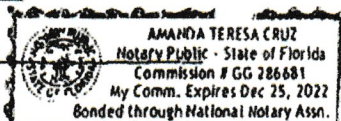
8. Agency Administrator or Designee's Signature: <u>[Signature]</u>	9. Agency Administrator or Designee's Printed Name: <u>Michael Beard</u>	10. Date: <u>12/18/2020</u>
11. Agency Administrator or Designee's Title: <u>Captain</u>		

**12. OATH**

Pursuant to Section 117.05(13)(a), Florida Statutes

STATE OF FLORIDA, COUNTY OF                       
 Sworn to (or affirmed) and subscribed before me by means of Physical Presence ☒ OR Online Notarization ☐ this 18th  
 day of December, year 2020. By Michael Beard

Signature of Notary Public - State of Florida

[Signature]

Print, Type or Stamp Commissioned name of Notary Public

Personally Known

☒ OR Produced Identification

Type of Identification Produced

Created 1/1/1992

Original - FDLE

Copy - Agency

1 of 1

Commission Approved Revisions: 8/4/16  
Form Effective Date 7/2017





Florida Department of  
Law Enforcement

## INTERNAL INVESTIGATION REPORT

Incorporated by Reference in Rule 11B-20.001(3)(a)5 b. and 11B-27.003(2)(a), F.A.C.



CJSTC

78

Please type or print in black or blue and use capital and small letters for names, titles, and address

### OFFICER

1. Last Four Digits of Officer's Social Security Number: [REDACTED]
2. Officer's Name: Rapoza David K  
Last First MI
3. Officer's Last Known Address: [REDACTED]  
Street City State Zip Code
4. Officer's Telephone Number: \_\_\_\_\_

### AGENCY

5. Agency ORI: FL 6. Agency Name: Volusia County Beach Safety
7. Agency Contact Person: Mark Swanson 8. Agency Contact Person's Telephone Number: 386-740-5120
9. Agency Fax Number: \_\_\_\_\_

### VIOLATION - ALLEGATION

10. Nature of Allegation(s): Sex of Duty, Sex with a Minor
11. Agency Disposition: Sustained - (Violation of Section 943.13(4) or (7) or Rule 11B-27.0011, F.A.C.) ☒  
Sustained - (Violation of Agency Policy): ☒ Not Sustained: ☐ Unfounded: ☐ Exonerated: ☐
12. Limitation Period for Disciplinary Action: Date Internal Investigation Initiated: November 2020 Date Internal Investigation Completed: 2/18/2024

Exception to limitation period for disciplinary action: Place a check mark by the exceptions to limitations that apply Days Toiled

- |  |       |
|--|-------|
| <input type="checkbox"/> Written waiver of limitation by officer                   | _____ |
| <input type="checkbox"/> Ongoing criminal investigation or criminal prosecution    | _____ |
| <input type="checkbox"/> Officer incapacitated or unavailable                      | _____ |
| <input type="checkbox"/> Multi-jurisdictional investigation                        | _____ |
| <input type="checkbox"/> Emergency or natural disaster as declared by the Governor | _____ |
| <input type="checkbox"/> Ongoing compliance hearing proceeding                     | _____ |

13. Criminal Charges Filed: N/A
14. Agency Disciplinary Action: Resigned under investigation
15. If the allegation has been sustained and determined to be a violation of Section 943.13(4) or (7), F.S. or Rule 11B-27.0011, F.A.C., attach and forward the following documentation to the Florida Department of Law Enforcement.

- |                               |                          |                               |                          |                              |                          |
|-------------------------------|--------------------------|-------------------------------|--------------------------|------------------------------|--------------------------|
| Summary of the Facts          | <input type="checkbox"/> | Internal Investigation Report | <input type="checkbox"/> | Name and Address of Witness  | <input type="checkbox"/> |
| Witness Statement/Disposition | <input type="checkbox"/> | Certified Court Documents     | <input type="checkbox"/> | Other Supportive Information | <input type="checkbox"/> |

NOTICE: Pursuant to Section 943.1395(5), F.S., an employing agency must conduct an internal investigation when having cause to suspect that an officer it employs or employed at the time of the alleged violation, or employed on a Temporary Employment Authorization is not in compliance with Section 943.13(4) or (7), F.S. or Rule 11B-27.0011, F.A.C. If the investigation is sustained, the employing agency must forward a report to the Commission as specified by Rule 11B-27.003.

16. Agency administrator's signature

17. Date signed 2/19/24

Mark Swanson, Director

18. Agency administrator's name and title

Created 1/1/1993

Original - FDLE

Copy - Agency

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Commission-Approved Revisions: 8/13/2020  
Form Effective Date: 5/2021





Florida Department of  
Law Enforcement

# Ammended AFFIDAVIT OF SEPARATION

Incorporated by Reference in Rules  
11B-20.001(3)(a)5.a., and 11B-27.002(3)(a)15., F.A.C.



CJSTC

61

1. Last Four Digits of Social Security Number:                       
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3. Agency Name: Volusia County Beach Safety  
4. Agency ORI: FL0641700  
5. Date Employed: 2-14-2019 6. Separation Date: 12-14-2020

## Employment Class

- ☒ Law Enforcement  
☐ Correctional  
☐ Correctional Probation  
☐ Concurrent  
☐ Special Elected or Appointed  
☐ Instructor

## Employment Type

- ☒ Full time  
☐ Part time  
☐ Auxiliary

## 7. Separation Reasons

### 7A. ADMINISTRATIVE - ROUTINE

- ☐ Voluntary separation not involving misconduct  
☐ Transfer within agency. No break in service  
☐ Retired. Not involving misconduct  
☐ Deceased  
☐ Line of Duty Death  
☐ Budgetary constraints. Local and Federal grants not renewed  
☐ Extended leave of absence  
Type:                       
Periods of Time:                       
☐ Military leave of absence  
Periods of Time:                       
NOTE: See Instructions on Page 2.  
☐ Suspension  
Periods of Time:                       
☐ Administrative separation not involving misconduct  
☐ Special elected or appointed  
Position:                       
Anticipated term:                       
☐ Instructor request for change of affiliation

### 7B. ADMINISTRATIVE - NON-ROUTINE

- ☐ Failure to complete basic recruit training  
☐ Failure to pass the State Officer Certification Examination

### 7C. ADMINISTRATIVE - SUBSTANDARD PERFORMANCE

- ☐ Failure to satisfactorily complete the agency field training program (training performance issues).  
☐ Failure to perform assigned tasks satisfactorily.

### 7D. OTHER - EXAMPLE

- ☒ Excessive absenteeism, failure to report for duty, sleeping on duty, etc.

### 7E. UNFAVORABLE - MISCONDUCT

- ☐ Voluntary separation or retirement while being investigated for violation of agency or training school policy not involving a moral character violation defined in Rule 11B-27.0011, F.A.C.  
☐ Voluntary separation or retirement in lieu of termination for violation of agency or training school policy not involving a moral character violation defined in Rule 11B-27.0011, F.A.C.  
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8. Agency Administrator or Designee's Signature

Director

11. Agency Administrator or Designee's Title

9. Agency Administrator or Designee's Printed Name

2/19/24

10. Date

## 12. OATH

Pursuant to Section 117.05(13)(a), Florida Statutes

STATE OF FLORIDA COUNTY OF VOLUSIA

Sworn to (or affirmed) and subscribed before me by means of Physical Presence ☒ OR Online Notarization ☐ this 19TH

day of FEBRUARY, year 2024, By MARK SWANSON

Marja D. Kolomyski  
Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Notary Public MARJA D. KOLOMYSKI COMMISSION #HH 158409 EXPIRES: July 28, 2025 Bonded Thru Notary Public Underwriters Known ☒ OR Produced Identification ☐

Type of Identification Produced

Created 1/1/1992

Original - FDLE

Copy - Agency

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Commission-Approved Revisions: 8/18/2022

Oath amended pursuant to Section 117.05(13)(a), F.S., effective 1/1/2020

Form Effective Date: 8/2023