



# VOLUSIA SHERIFF'S OFFICE

MICHAEL J. CHITWOOD, SHERIFF

Office of Chief Deputy Brian M. Henderson - Internal Affairs

## REPORT OF INVESTIGATION

REPORT NUMBER: 24-005

**DATE REPORTED:**

February 16, 2024

**SUBJECT NAMES:**

Jeffrey Miller, Former Holly Hill Police Chief  
Christopher Yates, Former Holly Hill Captain  
Thomas Bentley, HHPD Sergeant  
Shannon Fountain, HHPD Sergeant

**INVESTIGATING OFFICERS:**

Ben Gordon, Lieutenant  
Volusia Sheriff's Office Internal Affairs

Thomas Hachenberger, Sergeant  
Volusia Sheriff's Office Internal Affairs

**BASIS FOR INVESTIGATION:**

On February 20, 2024, the Volusia Sheriff's Office received a request from Jeffrey Miller, who at the time was the Chief of Police of the Holly Hill Police Department. Former Chief Miller's request was to conduct an administrative investigation concerning an incident that was reported to him on February 19, 2024. Former Chief Miller's request included the following:

*"Dear Sheriff Chitwood,*

*On February 19, 2024, I received a complaint from a sworn officer of this agency alleging that she has been the recipient of inappropriate comments from her immediate supervisor which were transmitted both verbally and through text communications.*

*In addition, the complaint alleged that my second-in-command, Captain Chris Yates (who serves as the Holly Hill Police Department's Professional Standards Investigator), along with the supervisor of the Criminal Investigations Division, also made inappropriate comments of a sexual nature about her to other subordinates.*

*Because a material portion of this complaint involves a member of my command staff, who also serves as this agency's Professional Standards Investigator, this constitutes a conflict which precludes this investigation being conducted by myself or a subordinate member.*

*I am hereby requesting that a sworn law enforcement officer of the Volusia Sheriff's Office with experience in the conduct of professional standards investigations be assigned to investigate these allegations pursuant to Florida State Statute 112.533.*

*Thank you in advance for your assistance in this matter.*

*Sincerely,*

*Jeffrey J. Miller  
Chief of Police"*

## **INVESTIGATION:**

On February 20, 2024, Chief Deputy Brian Henderson assigned the above incident to the Internal Affairs Unit. This report details the Internal Affairs investigation conducted by Lieutenant Ben Gordon and Sergeant Thomas Hachenberger.

After being assigned the investigation, Lieutenant Gordon and Sergeant Hachenberger contacted former Chief Miller at the Holly Hill Police Department. Former Chief Miller identified the complainant as Officer [REDACTED] and reiterated the contents of her complaint. Additionally, former Chief Miller identified Officer [REDACTED]'s immediate supervisor as Sergeant Shannon Fountain and the supervisor of Holly Hill Police Department's Criminal Investigations Division as Sergeant Thomas Bentley. Former Chief Miller also provided numerous pages of screenshots

of text messages, which Officer [REDACTED] had provided him. The text messages detailed conversations between Officer [REDACTED] and Sergeant Fountain.

On February 26, 2024, Captain Christopher Yates and Sergeant Thomas Bentley were served with a Notice of Internal Affairs Investigation (HHPD IA 24-01) by former Chief Miller. On February 27, 2024, Sergeant Shannon Fountain was served with a Notice of Internal Affairs Investigation (HHPD IA 24-01). Captain Yates, Sergeant Bentley, and Sergeant Fountain were each provided a copy of their Law Enforcement Officer's Bill of Rights by former Chief Miller. The Notice of Internal Affairs Investigation provided to Captain Yates and Sergeant Bentley listed potential Holly Hill Police Department General Order violations. The possible violations are as follows:

***Holly Hill Police Department's General Orders covering Harassment outlined in 223;***

*HARASSMENT- is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, ethnicity, gender, religion, national origin, marital status, disability, age or sexual orientation and:*

- *Has the purpose or effect of creating an intimidating, hostile or offensive work environment;*
- *Has the purpose or effect of unreasonably interfering with an individual's work performance; or*
- *Adversely affects an individual's employment status, reputation, or promotional opportunities.*

***Holly Hill Police Department's General Orders covering Rules of Conduct outlined in 214.25;***

*214.25 Contact with Other Department Members:*

*Department members will be respectful, courteous, and considerate in their demeanor and personal interactions with other Department members. Members will refrain from unfriendly conduct and communications which discredits other members. This will include interactions with other City departments and employees.*

*Respect: Members will never intentionally belittle or demean an associate for any reason. Supervisors will treat subordinate officers with respect and courtesy at all times. Supervisors will never intentionally demean or belittle a subordinate officer, nor will they use harsh or offensive language when dealing with a subordinate.*

The Notice of Internal Affairs Investigation provided to Sergeant Fountain listed potential Holly Hill Police Department General Order violations. The potential violations are as follows:

***Holly Hill Police Department's General Orders covering Harassment outlined in 223;***

*HARASSMENT-* is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, ethnicity, gender, religion, national origin, marital status, disability, age or sexual orientation and:

- *Has the purpose or effect of creating an intimidating, hostile or offensive work environment;*
- *Has the purpose or effect of unreasonably interfering with an individual's work performance; or*
- *Adversely affects an individual's employment status, reputation, or promotional opportunities.*

*SEXUAL HARASSMENT-* Sexual harassment is defined as any unwelcome sexual advance, request for sexual favors, and any other verbal or physical conduct of a sexual nature when:

*Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or*

*Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or*

*Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.*

***Holly Hill Police Department's General Orders covering Rules of Conduct outlined in 214.25;***

***214.25 Contact with Other Department Members:***

*Department members will be respectful, courteous, and considerate in their demeanor and personal interactions with other Department members. Members will refrain from unfriendly conduct and communications which discredits other members. This will include interactions with other City departments and employees.*

*Respect: Members will never intentionally belittle or demean an associate for any reason. Supervisors will treat subordinate officers with respect and courtesy at all times. Supervisors will never intentionally demean or belittle a subordinate officer, nor will they use harsh or offensive language when dealing with a subordinate.*



During the investigation and while conducting interviews with both current and former employees of the Holly Hill Police Department, several additional complaints and allegations emerged. The complaints arose during interviews with Evidence Technician [REDACTED], Sergeant [REDACTED] and former Holly Hill Police Officer [REDACTED]. Their complaints included allegations of harassment and sexual activity from the agency's command staff, including Captain Christopher Yates, Sergeant Thomas Bentley, and former Police Chief Jeffrey Miller, while they were on duty and working in their law enforcement capacity.

On March 14, 2024, Captain Christopher Yates and Sergeant Thomas Bentley were served with an additional Notice of Internal Affairs Investigation (VSO IA 24-005). Captain Yates and Sergeant Bentley were also provided with a copy of their Law Enforcement Officer's Bill of Rights. The Notice of Internal Affairs Investigation provided to Captain Yates and Sergeant Bentley listed potential Holly Hill Police Department General Order violations. The possible violations are as follows:

***Holly Hill Police Department General Order covering Harassment and Sexual Harassment outlined in 223;***

*HARASSMENT- is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, ethnicity, gender, religion, national origin, marital status, disability, age or sexual orientation and:*

- Has the purpose or effect of creating an intimidating, hostile or offensive work environment;*
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or*
- Adversely affects an individual's employment status, reputation, or promotional opportunities.*

*SEXUAL HARASSMENT- Sexual harassment is defined as any unwelcome sexual advance, request for sexual favors, and any other verbal or physical conduct of a sexual nature when: submission to such conduct is made either explicitly or implicitly a term or condition of employment; or submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.*

***Holly Hill Police Department General Order covering Rules of Conduct outlined in 214.25;***

***214.25 Contact with Other Department Members:***

*Department members will be respectful, courteous, and considerate in their demeanor and personal interactions with other Department members.*

*Members will refrain from unfriendly conduct and communications which discredits other members. This will include interactions with other City departments and employees.*

*Respect: Members will never intentionally belittle or demean an associate for any reason. Supervisors will treat subordinate officers with respect and courtesy at all times. Supervisors will never intentionally demean or belittle a subordinate officer, nor will they use harsh or offensive language when dealing with a subordinate.*

In addition to being provided notice of IA 24-005, Captain Yates and Sergeant Fountain were placed on administrative leave. On the same date, Captain Yates' investigation was also tolled based on the possibility of criminal charges.

Former Police Chief Miller was also to be served with a Notice of Internal Affairs Investigation and placed on administrative leave; however, before being contacted by members of the VSO Internal Affairs Office, former Chief Miller resigned during a private meeting with Holly Hill City Manager Joe Forte. After his resignation, members of the VSO Internal Affairs Office could not provide former Chief Miller with a Notice of Internal Affairs Investigation. A copy of the notice was forwarded to former Chief Miller via certified mail and included the following potential violations of the Holly Hill Police Department General Orders:

***Holly Hill Police Department General Order covering Harassment and Sexual Harassment outlined in 223;***

*HARASSMENT- is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, ethnicity, gender, religion, national origin, marital status, disability, age or sexual orientation and:*

- Has the purpose or effect of creating an intimidating, hostile or offensive work environment;*
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or*
- Adversely affects an individual's employment status, reputation, or promotional opportunities.*

*SEXUAL HARASSMENT- Sexual harassment is defined as any unwelcome sexual advance, request for sexual favors, and any other verbal or physical conduct of a sexual nature when: submission to such conduct is made either explicitly or implicitly a term or condition of employment; or submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.*

***Holly Hill Police Department General Order covering Rules of Conduct outlined in 214.25;***

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The following are summaries of the interviews conducted during the investigation. For a complete comprehensive understanding, please refer to the attached transcripts. In addition to the summarized interviews, numerous current and former employees were interviewed as part of the investigation; however, they were unable to provide information relevant to the complaints and allegations. Due to them having no information about the investigation, their interviews were not summarized, and the transcripts are attached. These current and former employees include:

Sergeant Michael Shaffer  
Officer Jared Shaheen  
Sergeant Jason Weiss  
Officer Kirstin McCorkle  
Sergeant Robert Hutchison  
Officer Terry Hyde  
Officer Logan Cronk  
Officer Prudenciano Ibarra  
Officer Nicholas Dimini  
Detective Jared Bionelli  
Officer Nikolas Stacy  
Officer Anthony Bernal  
Detective Andrew Barrett  
Records Clerk Nicole Kloetz  
Victim Advocate Daisy Gonzalez  
Records Clerk Laura Depass  
Records Clerk Tamara Szabo

**Interview with Officer [REDACTED]**

On February 28, 2024, at approximately 1528 hours, Lieutenant Gordon conducted a sworn recorded interview with Officer [REDACTED] of the Holly Hill Police Department. Lieutenant

Gordon conducted the interview at the Sheriff's Office Administrative Building at 123 W. Indiana Avenue, Deland. Present for the interview was Sergeant Hachenberger, City of Holly Hill Human Resources Manager Jeaneen Witt, Attorney Kelly Chanfrau, and Taylor Carley.

At the opening of the interview, Officer [REDACTED] provided a detailed timeframe of all the incidents that she believed to be sexual harassment and resulted in a hostile workplace environment. Officer [REDACTED] advised during this timeframe, Sergeant Shannon Fountain was her direct supervisor, and she was assigned to his shift. According to Officer [REDACTED] the first time she was aware of this behavior was in the summer of 2022. This started when Sergeant Fountain added Officer [REDACTED] on the social media platform Snapchat. During the interview, Officer [REDACTED] was unable to provide any of the messages sent over the application due to the nature of the messages being private and disappearing after reading them. Officer [REDACTED] advised the messages eventually moved from Snapchat to her personal cell phone. Officer [REDACTED] noted in a text message on May 28, 2022, that Sergeant Fountain took a picture of her backside and sent it to her, which made her feel uncomfortable.

In an incident on July 05, 2022, Officer [REDACTED] went to a bar with a co-worker, Officer Soto, and the two ran into Sergeant Fountain, who was also at the establishment inadvertently. Officer [REDACTED] and Officer Soto later decided to go to a different bar. According to Officer [REDACTED] *"we went there Sergeant Fountain had followed us there. And he was aware that we were going there so he you know had followed us there. I don't recall whose idea it was to go to that bar. But we had went there, I drove my vehicle. We all, all three of us myself, Officer Soto and Sergeant Fountain walked inside the bar, we got a table towards the back of the bar. There's like a darts area and a few other bar games. While I was there Officer Soto had went to the bathroom and Sergeant Fountain had came behind me, sorry, he grabbed my waist and he pulled me back into his groin. Sorry."* Officer [REDACTED] stated that it made her feel uncomfortable, and she did not understand why Sergeant Fountain would act in such a way. According to Officer [REDACTED] during this incident, Officer Soto was not present and believed she went to the bathroom during the interaction. After this interaction, Officer [REDACTED] began fielding questions from Sergeant Fountain, asking her for pictures of herself.

Additionally, on September 11, 2022, Sergeant Fountain sent Officer [REDACTED] a text message that said, *"I heard all the sugar daddy's are gone until November"*. It was explained that the November reference was meant to draw a correlation to Officer [REDACTED]'s current boyfriend, Investigator [REDACTED]. This was due to his call signed which is 1N34. Officer [REDACTED] alleged that Sergeant Fountain continued to make jokes stemming from her current relationship by using the month of November.

Officer [REDACTED] then referred to the documentation she provided. Below is the summary of the documentation. It should be noted the information below is in Officer [REDACTED]'s own words:

Summer 2022: Sgt. Fountain sent me a Snapchat photo of himself naked with a small cloth covering his genitals.

July 05, 2022: Sgt. Fountain told me about a conversation that was had between Sgt. Bentley, Captain Yates and himself. Sgt. Fountain stated the context of the conversation was about a

vacation I was taking to Charleston, South Carolina where they asked Sgt. Fountain if I was going up there to get breast enhancement surgery due to all the overtime I had been working recently.

September 19, 2022: I attended a speed measurement class at Daytona State College Advance Technology Center. On the second day of class, two members of the Flagler County Sheriff's Office approached me and stated Sergeant Fountain told them to ask me about how big my penis is. They informed me he told them to ask on the first day, but the two felt like it was inappropriate. Sgt. Fountain texted me, stating, "enjoy class chickie I may miss you," followed by "I liked you better when I liked you" and "I played around flirted at best."

October 13, 2022: Sgt. Fountain questioned me about my GPS and where I was located. He frequently did this and made comments about me meeting up with other men. He rarely asked other officers, especially male co-workers, working where they were and what they were doing.

October 16, 2022: I texted Inv. [REDACTED] stating, I wished the comments from Sgt. Fountain would stop while on duty and off duty and I wished I could say something but felt if I did, he would try and target me even more.

October 18, 2022: At the end of my shift, Sgt. Fountain, Officer Rosabella, and I were talking about an incident during the shift where I was battered in Daytona Beach. During this conversation, Officer Rosabella stated, "She hit [REDACTED] and [REDACTED] turned around and went to swing on her. [REDACTED] took it like a champ." Sgt. Fountain then stated, "that's what her boyfriend says," inferring a sexual reference that made me feel uncomfortable.

October 26, 2022: Sgt. Fountain asked me why I was being so quiet, to which I advised him I wasn't feeling well. Sgt. Fountain responded by asking me if it was "morning sickness." (a sickness developed during pregnancy)

October 2022: Sgt. Fountain requested me to complete a female search for Officer Chewing in reference to a traffic stop, Officer Chewing conducted. I advised Sgt. Fountain I did not feel comfortable with the probable cause for the search. Sgt. Fountain stated to me later that he felt I was slacking lately and I needed to get laid or take the tampon out of my ass.

October 2022: Sgt. Fountain sent a message via Snapchat where he asked me, "get any good dick this weekend so you can stop being a pain in the ass" This comment made me feel uncomfortable.

November 2022: Sgt. Fountain told me during briefing that I need to put my lips to good use. I told Sgt. Fountain, I was sick, and he told me it's because I've been kissing dirty boys and have had dirty dicks in my mouth.

November 3, 2022: Officer Soto posted a picture on Snapchat while off duty eating lunch with Captain Yates (who was on duty). Officer Soto was pictured drinking a margarita.

November 24, 2022: I was questioned by Sgt. Fountain why I was still on a call. Sgt. Fountain would regularly micromanage my calls and the length of time it took to complete them and would let other officers sit on calls without asking why or what they were doing. This occurred on multiple occasions causing me to feel like I was being targeted.

December 9, 2022: Sgt. Fountain brought up again that he feels like my nights are filled with meeting up with other officers. Again, he would not question or even watch other officers AVL/GPS and ask what they were doing.

December 17, 2022: Sgt. Fountain texted me at 3 am in reference to a call we worked at the Pilot Motel where VSO assisted and had On Patrol Live (television show) with them. The incident ended up airing on TV. Sgt. Fountain sent a screen shot picture of a text message conversation between him and his fiancée to me. Depicted in the conversation was comments about "our girlfriend is on tv." Sgt. Fountain also stated via text message to me, "You're being shared, I guess the secrets out." I took this as an odd comment to make and made me uncomfortable. I also asked him if his fiancée now likes me, as he had told me several times she did not care for me and did not like me on his shift.

Further on during this same conversation, I observed the photograph of the screen shot he sent me had been deleted from our text message. I asked Sgt. Fountain if he deleted the picture and he stated, "haha I don't need you sharing my messages."

December 22, 2022: Prior to this date Sgt. Fountain was removed from snapchat. Sgt. Fountain texted me and in reference to me assisting Officer Deap on a call, he stated; "thanks for helping him out and being a good teammate." I replied to him asking "why are you being nice to me?" He stated, "I'm not mean, it's my way of flirting."

On another call, Sergeant Fountain directed me to go assist Officer Deap. I asked Sergeant Fountain if he wanted me to follow Officer Deap around all night to assist him. Sergeant Fountain text back, stating: "who will keep 1440 safe?" Insinuating I did not do anything through-out my shift and would sit at 1440 N Nova Road. I was texting Sergeant Fountain, and the conversation was about Officer of the Year. Sergeant Fountain text me and stated, "hey if this is you 2-3 months ago it would be you but you were breaking my heart instead." and also stated, "you already got my vote, nerd, personally and at work."

Sergeant Fountain texted me and asked, "when are we getting some drinks?"

December 31, 2022: Sgt. Fountain sent an Instagram message asking me again to get drinks. I responded by stating, "I don't drink anymore," in an effort to deflect the invitation. Sgt. Fountain responded by stating, "I'm sure admin would have an issue with it anyways even though I used to hang out with my old sgt and she is smoking hot." Sgt. Fountain then asked me if me and my ex-husband were back together. I responded by telling him "no" and further asked him what he was talking about. Sgt. Fountain stated he would say and that he couldn't continue to talk about it because no more rumors. I responded by stating, "Well, that kinda is a rumor but ok."

January 5, 2023: Sgt. Fountain text me and said "the things I do for you, have a little faith in me you're the one that ditched me. I was always here for you."

February 5, 2023: Officer King advised me of a comment he heard made by Captain Yates in front of Investigator Ballentine about my outfit I wore to the police department during my off day to turn in a rifle estimate for approval.

February 6, 2023: Sergeant Fountain text me, stating, "No homo your ass is dirty," and proceeded to text me a picture of a stuffed animal with an erect penis.

February 14, 2023: Sent an Instagram message to me asking if I would come drink with him and drive a golf cart.

February 23, 2023: Told me to let Officer Rosabella know he was "fucking up." Sergeant Fountain would routinely tell me to tell Ofc. Rosabella to stop meeting with me in my zone.

February 26, 2023: I texted Sergeant Fountain asking about the traffic operation, and when he was available to work it, as it was mandatory two officers must work the FOOT traffic grant. During the conversation, I asked Sergeant Fountain if Tuesday would be okay to work. Sergeant Fountain had asked, "hmmm so I control your pay?" I stated, "yes, essentially," and he responded by saying he was my "sugar daddy by proxy" and then further asked if my new date paid for dinner. Sergeant Fountain appeared to be jealous as he responded after I said, "he always does," by putting a laughing emoji and an emoji that is vomiting.

March 9, 2023: I was working the off-duty Ride Now detail with Sergeant Fountain. Sergeant Fountain's fiance came by, and the two went inside of Ride Now to make a purchase. Later in the day, Sergeant Fountain sent me an Instagram message stating, "It was weird having my fiance and my work crush there at the same place." As soon as I saw the message, Sergeant Fountain deleted it from the conversation.

March 12, 2023: Officer Deap, Sergeant Fountain, and I went to breakfast at the Rivera golf course. I paid for everyone's breakfast where Sgt. Fountain had a coffee. Later that day he texted me and stated, "thank you." I replied and said, "What are you thanking me for" I replied and stated "the coffee". Sergeant Fountain then asked if there was something else he needed to be thanking me.

March 15, 2023: I received a text message from Sergeant Fountain in reference to another officer backing me on a call.

March 27, 2023: Sergeant Fountain texted me about the Chad Driggers incident where he stated he took all of the blame for the incident.

April 3, 2023: I was called into Captain Yates' office and was told the pink handcuffs I was using were degrading to men.



April 17, 2023: I received a text message from Sergeant Fountain about a snapchat picture I posted where he was insinuating rumors would be started about myself and Investigator [REDACTED]

May 16, 2023: While in briefing with Officer Abin and Officer Deap present, Sergeant Fountain stated to everyone that I seemed miserable all of the time and that I should be happy due to all the new wiener I was getting (talking about my relationship with Inv. [REDACTED])

June 30, 2023: I was called into Captain Yates' office due to chewing gum at the awards ceremony and was told it was unprofessional. I informed Captain Yates that I chew gum because I get fidgety in situations like that, and it helps with nerves.

August of 2023: I was made aware of a conversation by Officer Rosabella that Sergeant Bentley had with him where Sergeant Bentley stated I came to the police department with no experience and have a bad attitude.

January 8, 2024: I was called in for a meeting with Sergeant Fountain and Captain Yates and was spoken to for approximately 45 minutes about a traffic stop I conducted. During the conversation, Captain Yates asked if I was in a bad mood during the incident and asked if one of my kids got into trouble at school or if Inv. [REDACTED] and I got into an argument before work, causing me to be in a bad mood.

The following were comments made from Sergeant Bentley to Officer [REDACTED] and Investigator [REDACTED]

April of 2023: Sergeant Bentley advised Investigator [REDACTED] "Officer [REDACTED] was not allowed to hang around his house during work hours."

2022: While in the south parking lot, Officer [REDACTED] left the parking lot in her patrol vehicle; Sergeant Bentley was talking to Investigator [REDACTED] to which he stated, referring to Officer [REDACTED] "She needs to get fucked down."

May 16, 2023: Sergeant Bentley asked me if I was going to break up with Investigator [REDACTED] in order to get the open CID position.

May 23, 2023: Sgt. Bentley called Investigator [REDACTED] while I was present. During the conversation Sergeant Bentley asked Investigator [REDACTED] why he hasn't picked up some subpoenas at the office. Investigator [REDACTED] stated he has not been at the police department. Sgt. Bentley stated a "little birdie" told him Investigator [REDACTED] had been at the police department delivering me dinner and called me Inv. Wilmot's "future ex-wife."

May 25, 2023: Sergeant Bentley stated to Investigator [REDACTED] when Investigator [REDACTED] and I break up, "you know you will have to show us her pictures," Insinuating explicit photographs of me.

Additional Comments:

-Officer Soto's phone connected to Sergeant Bentley's truck when receiving a call. The truck was previously assigned to Captain Yates. Officer Abin was present for this incident. A lot of officers within the police department found Officer Soto and Captain Yates' relationship to be inappropriate and she was always talking to him on the phone, snapchatting him, and sitting in his office for hours on end.

- 02/10/2023: Deputy Currie (VSO) called Captain Yates about a call I assisted Deputy Currie with in reference to a difficult subject that had to be taken to Halifax Medical Center for an ex-parte order that was issued. Deputy Currie informed Captain Yates about my involvement with this call and stated I did a great job with the subject that was taken into custody. I was familiar with this subject and built a good professional relationship with her as she was experiencing a mental health crisis over the course of a few months. A few months later, Deputy Currie asked me if I received anything in reference to his compliment he provided to Captain Yates. I informed him, no, and I was not aware he spoke to the Captain in reference to this call. Deputy Currie again went to Captain Yates and told him in person at the Holly Hill Police Department, and Captain Yates still did not provide a Performance Observation Report, the document frequently used for officers who receive compliments for calls for service.

- On March 20, 2023, I requested copies of everything kept in my file from Lisa O'Neal. Upon receiving the copies, I noticed I did not have a POR that was written by Sergeant Hutchison in reference to a suicidal female on November 19, 2022. I sent a text message to Sergeant Hutchison informing him that the POR he submitted was not in my file. Sergeant Hutchison stated he was enroute to the Holly Hill Police Department, to which I responded, "dangg coming here on your day off? Loi". Sergeant Hutchison responded, "yes. Loi. I'm not happy you didn't get what I gave you.". Later that day, I was informed by Sergeant Hutchison that Captain Yates lost the POR, and Sergeant Hutchison had to reprint the document and submit it. The following day, I spoke to Chief Miller in reference to this incident, to which Chief Miller stated I did a great job as he watched my body-worn camera and stated I would be receiving a commendation for this incident. Chief Miller stated he was going to have it typed up. Approximately a month later, I had asked Sergeant Fountain if I would be receiving the commendation for this POR and was advised since I received a negative POR for an arrest, it basically cancels out the positive POR. Sergeant Fountain laughed and stated why should I be recognized for doing my job. Further, I was informed later (I do not recall the date) during a sergeant's meeting that Chief Miller stated I would not be receiving a commendation for this as the suicidal female's cuts to her wrist were not very deep.

- On January 02, 2024, I was informed by Investigator Ballentine that Captain Yates had denied two training classes I requested. The following day, I went into Captain Yates' office and asked why my two classes were denied. Captain Yates informed me my classes were denied due to sending another officer to these classes. This officer has less seniority than me and I was confused as to why I could not attend along with this officer as we work different positions where neither of us need coverage for our shifts. Captain Yates stated that he is not punishing me but "remember you pulled out of THI (traffic homicide investigations)". It seemed that after I turned down attending THI school and withdrew my interest in the traffic unit, that I was being treated poorly and denied classes that would assist me in being a better police officer.



- I was made aware by an officer who is no longer employed by the Holly Hill Police Department that sexual comments were made about me prior to my hire date and while I was in the hiring process. This previous officer further stated to me that comments were made while I was employed. The previous officer stated Captain Yates and Sergeant Bentley made comments about my breasts and waist size.

Officer [REDACTED] went line by line and, provided additional context and summarized each incident listed above.

In reference to the incident on September 19, 2022, Officer [REDACTED] provided the names of the two Flagler County Deputies, which were Corporal Carmine Celico and Corporal Brandon Fiveash. According to [REDACTED] they both approached her and were both told by Sergeant Fountain to ask her how large her penis is. This made her feel uncomfortable, and found it strange. Officer [REDACTED] said, *"Sergeant Fountain had texted me and he had said I got your back bro. I think prior to that he had sent me like a Snapchat message if I remember correctly saying that you know he had eyes in class and that I better basically behave...So then after he had said I got your back bro I responded by saying they didn't say anything but now I'm wondering. And then he had put a peace sign emoji and then I had said no, no answer me. And he said ha-ha I didn't tell them anything other than you're good people and you hate men at the moment and that you have a huge penis. And then he said I liked you better when I liked you. And his comment's in reference to that and I hate men at the moment is due to my divorce. And then I responded by saying whatever bro why you always hating on me? And he said ha-ha I have never he put wants but hated on you[sic]. I've playground third grade flirted at best."* The texting back and forth continued a little, and Officer [REDACTED] said, *"He [Sergeant Fountain] said I told them [Corporal Carmine and Corporal Fiveash] not to talk to you, you have a huge penis. He had responded back or responded after that, he put enjoy class chickie I may miss you. And then he put two emoji's one with a zipper for a mouth and then the other one has the finger over his mouth like."*

During the incident on October 13, 2022, Officer [REDACTED] alleged that Sergeant Fountain questioned her about her GPS being disconnected and said she was spending too much time stationary and talking to other law enforcement officers. Officer [REDACTED] said that she felt Sergeant Fountain was acting jealous and that he never called out any other officers who spent more time than she did inactive. On the topic, Officer [REDACTED] said, *"I'm pretty proactive that's why I'm on the swing shift so I was constantly trying to you know stay busy do traffic stops and things like that."*

On October 16, 2022, during the incident where Officer [REDACTED] sent a text to Investigator [REDACTED] advising she wished Sergeant Fountain would stop his behavior and that if she failed to respond to his messages, she felt that it would make things worse. Officer [REDACTED] said, *"Any time if I didn't respond to any of his messages I felt like he treated me differently at work. He would look for reasons to get me in trouble. It was always something you know just make comments in briefing. I was afraid to report it, I was going through a divorce single mom to three kids so I was on probation was afraid that you know I could lose my job and not provide for my kids."*

In reference to the relationship between Captain Yates and Officer Soto, Officer [REDACTED] stated the following, "November 3, 2022, Officer Esmerelda Soto had posted a picture on Snapchat while off duty eating lunch with Captain Yates who was currently on duty. Officer Soto was pictured drinking a margarita. There's a lot of officers that suspected inappropriate conduct between Officer Soto and Captain Yates due to their close relationship. Last year in approximately February or March Captain Yates had arranged Officer Soto and Captain Yates' son to go on a date. They're currently in a relationship." Officer [REDACTED] reflected on a portion of her training that was spent riding with Officer Soto. Officer [REDACTED] noted, "During my time with Officer Soto, Captain Yates would call her and text her, send Snapchats. He would bring her slushies from Sonic frequently. I found that relationship to be very inappropriate and strange. So I'm not sure you know like what was kind of going on with that." Officer [REDACTED] was asked if she had any evidence of preferential treatment. Officer [REDACTED] recalled, "So I know there was an incident I'm not sure which date. Officer Soto and Officer Abin had responded to an attempt to contact for I believe it was Ormond Beach Police Department and attempt to apprehend a male with a warrant. They had knocked on the door. A male refused to open the door and said that that person doesn't live there. Officer Soto had made several comments that she you know she was gonna kick in the door and that you know they were gonna make entry into the residence. It was later posted on James Madison audits the first amendment auditor. Officer Soto just received a performance observation report which is it's not technically like a write up." Officer [REDACTED] alleged that Officer Soto routinely spent an abnormal amount of time in Captain Yates' office, which caused her to be viewed as someone who was not proactively trying to handle calls for service in a timely manner.

While speaking about Officer Soto being shown favoritism, Officer [REDACTED] provided additional context to the issue; Officer [REDACTED] explained that during Christmas times, all of the employees have a stocking. Over the course of the holiday, each stocking is filled with a variety of items. Officer [REDACTED] said, "So I had texted Sergeant Fountain I said I think Captain gave Soto a \$50 gift card. Officer Soto had gone to her stocking and pulled out an Amazon gift card for \$50. She had informed me that it was from Captain Yates. No one else received any Amazon gift card or anything of that sort from Captain Yates. And then Sergeant Fountain said for what? And I said must be nice having a sugar daddy cuz that's like the comments that Officer Soto makes, she would say that she has a 40-year-old sugar daddy in reference to Captain Yates. So I had responded must be nice having a sugar daddy. And he said LOL get you one. I said it was in her stocking. And then he had said you want \$50 what do I get? And then I had responded to be my supervisor. And he goes ha-ha it's not the win you think it is. So I thought that was kind of weird."

In the incident on November 24, 2022, Officer [REDACTED] felt that she was being targeted because Sergeant Fountain was asking why she was staying on an overdose call for an extended period of time. Officer [REDACTED] said, "I felt like he [Sergeant Fountain] was constantly singling me out and just always on my back about everything that I did. So that's why I had responded weird, everyone else does it. And then he had said that you know better than that, not on my shift we don't. And so I had responded with the confused emoji and I put ok. And he said LOL ol officer of the quarter going to that head. And that's because I received officer of the quarter in the third quarter of 2022."

On December 17, 2022, Officer [REDACTED] was involved in an incident that was later aired on On Patrol Live. During the airing, Officer [REDACTED] was visible on the show. This prompted Sergeant Fountain to contact her about the show. Officer [REDACTED] said, *"The incident ended up airing on TV and Sergeant Fountain sent a screen shot of the picture of a text message between him and his fiancé. In the conversation was comments about our girlfriend is on TV. For, that was from his fiancé which I included the screenshot of it. So these are the text messages it's a screenshot of a conversation between him [Sergeant Fountain] and his fiancé. She had taken a screenshot of, or taken a picture of the TV of the On Patrol Live. She said you're famous, you and our girlfriend, in reference to me. He had sent it to me with a laughing emoji and I said oh she likes me now. He was always telling me that his fiancé didn't like me, she was uncomfortable with me being on his shift. Never talked to her, I don't know why she would say these things other than I know previously Sergeant Fountain had informed me that you know she had found like inappropriate messages between him and another female. So I'm not sure why I don't know what was said so I can't you know really explain why he said that she didn't like me but that is the screenshot that she had. He said I guess you're being shared LOL secret's out. And I said what does that mean? And he put the laughing emoji and I, I had said did you delete the picture that screenshot cuz with iMessages you can unsend messages."*

Referencing the incident on December 22, 2022, Officer [REDACTED] said, *"Sergeant Fountain had texted me thanks for helping him and being a good teammate. It was in reference to me assisting one of our newer officers with a call for service. I had asked him why are you being nice to me are you feeling ok? He said ha-ha I feel fine, you're good at your job I want you to know that LOL but I also like ragging on you and giving you a hard time. I had responded you know you don't have to be nice to me right it's kind of weird when you're nice because he was constantly threatening to give me POR's for things. Always on me about like my GPS where you know I was you know if I would like meet up with another officer or if I had like grabbed you know lunch at Publix with another officer."* These conversations usually occurred in private over the telephone. Officer [REDACTED] continued, *"So I had said it's kind of weird when you're nice. I misspelled it so then I put nice in the following message. He said ha-ha I'm not even mean it's just my way of being, of like being social/flirting like a first grader at school. Like if I pinch you or hit you it's not because I'm mean. Anyways good job keep it up your change the last few weeks has been good."*

While discussing the incidents, Officer [REDACTED] described the type of environment at the Holly Hill Police Department. There was a time when she was asked to get drinks with Sergeant Fountain; she brought up the fact that maybe it was inappropriate and unprofessional given the work dynamic. During the conversation, Officer [REDACTED] recalled, *"Sergeant Fountain responded by stating I'm sure admin would have an issue with it anyways even though I used to hang out with my old sergeant and she is smoking hot."* Despite this obviously being an issue, Sergeant Fountain reasoned that he used to drink with his former sergeant and that it was what he was taught.

During the incident on February 05, 2023, when Officer [REDACTED] went to the Holly Hill Police Department, she was told about an incident where people were talking about her breasts. Officer [REDACTED] said, *"I was off duty I went to the police department to turn in a it's a quote for my rifle for work. We don't get issued rifles we have to purchase our own so I did the purchase program through the police department. So I went to the city to have it signed off on when I was off duty. I*



*met up with Officer King, or I didn't meet up with him I ran into him at the gas station on my way back from the police department after I dropped off the paperwork. Officer King had advised me of a comment he heard made by Captain Yates in front of Investigator Ballentine about the outfit that I wore to the police department on my day off to turn in the rifle estimate for approval. I wore a t-shirt and jeans and apparently they were making comments about my breasts."*

On February 06, 2023, Sergeant Fountain sent her a text message about a green stuffed frog that had an erect penis. Sergeant Fountain wrote, "no homo your ass is dirty." In a text message on February 13, 2023, Officer [REDACTED] detailed, "Sergeant Fountain had said I shot my shot LOL with a laughing emoji. I reacted to that message by putting a question mark. If you like click and hold an iMessage it'll like you can question it. He said we're homies LOL anyways. I responded to that first message that I shot my shot that he had sent with an emoji with the eyebrow raised. He said anyways I said ah typical. He said find something LOL and I had said that I was looking for the stabbing suspect from it was a call from Daytona."

During calls for service, Officer [REDACTED] explained that Sergeant Fountain would randomly attempt to solicit her to go on dates with subjects on various occasions. Officer [REDACTED] said, "during calls and stuff for service he [Sergeant Fountain] was always like making jokes about me you know being divorced or going through a divorce. Trying to like set me up with different people. Making jokes about me like hooking up with people on calls and stuff which has never happened. I don't know why he would say that but you know he would just make jokes about like setting me up on dates with different individuals that we came in contact with or if I you know received any sort of comments or anything from the public." Officer [REDACTED] was asked if she had any calls that she could think of that we could research to locate these possible comments on BWC (Body Worn Camera). Officer [REDACTED] was unable to provide any calls for service that corroborate her statements. The conversation continued; Officer [REDACTED] explained, "So I had responded with the so glad you always think about me and my future with these Holly Hill men. He said ha-ha it's just you not really the men aspect I think about and then he had put an emoji of a man with a hand covering his face and then another emoji with the hand over the mouth and then he had said, anyways. I had responded oh with like eyes like confused what he meant by that. He said LOL quit it. Anyways wrong choice of words. I said what was? With a confused emoji. He said nothing LOL quit trying to catch me slipping. And I said no bro explain that. He said I have no recollection of what we were talking about LOL. Messages were already deleted. So it wasn't unsent it was deleted from his phone because I still had the message on mine. So I thought if I replied to that specific message that he said he had deleted that it would show up on his end." And, "he [Sergeant Fountain] said ha-ha how about we just leave it no need to make me blush at work. I said why can't you explain yourself. He said why wouldn't we just leave it. I said fine. I said I don't or he said I don't even know what part I was supposed to explain with a laughing emoji. He said I always say some dumb shit. Ha-ha a wink face. Hey but IYKYK. I guess that means if you know you know."

On February 26, 2023, there was a discussion about an FDOT traffic grant that required two sworn officers in order to participate. Officer [REDACTED] noted that if they do not get the two positions filled, the overtime is then canceled. Officer [REDACTED] provided the following account of the date, "So I texted him and said what day are we doing the traffic op this week? And he said what day was it you wanted Tuesday? I said Tuesday would be awesome. He said I can't tomorrow for

*sure is Rosabella doing it too or just me? I said that I work Friday and Saturday and it would just be you, no it would just be you. He said hmm so I control your pay? And I said LMAO yes essentially. He said it's like a sugar daddy by proxy. And he said yeah I think Tuesday can work and then I said I guess that's one way to look at it. And I said we can do 8 to 1400 hours if that's better I don't care what hours I just need the overtime money. He said ok lol let me double check tonight but we'll plan those hours. So I don't it was weird that he basically told me that he controls my pay and whether or not I get overtime."*

While recounting all of the various text messages between Sergeant Fountain and Officer [REDACTED] the nature of their conversation always appeared light-hearted. At no point in the text messages did Officer [REDACTED] indicate that the messages were not wanted, nor did she ever specially ask Sergeant Fountain to stop. In opposition, Officer [REDACTED] often followed some of the comments made by Sergeant Fountain with emojis or common colloquialisms that would lead someone to potentially believe the content of these messages to be well received. Admittedly, Officer [REDACTED] said that at no point did she ever tell him to stop. According to Officer [REDACTED] *"Any time I tried if I ignored him he treated me differently at work. He seemed to target me. He would threaten to write me up for things."* Officer [REDACTED] further elaborated, *"No no one ever told me not to come forward. I was just I was very afraid of retaliation. I was afraid of being looked at you know differently. Getting treated differently at worked, at work. I was afraid of losing my job and not being able to provide for my kids especially after you know a very nasty hostile divorce. I didn't want to give him any you know ammunition to where you know he thought that I wouldn't be able to provide for my kids. I mean I was just afraid to come forward. It's embarrassing it's humiliating it's yeah."*

On April 03, 2023, Officer [REDACTED] was involved in an incident in which it was later determined to be an unlawful arrest. Officer [REDACTED] utilized pink handcuffs during the incident, which caused an issue. Officer [REDACTED] said, *"I was called into Captain Yates' office. I had we get assigned one pair of handcuffs for our department. So I had purchased a few other ones I had purchased pink handcuffs in October for breast cancer awareness. My mother was diagnosed with breast cancer seven years ago and she had since passed in 2018 so I had purchased pink handcuffs for breast cancer it's a normal thing that most departments do. Captain Yates called me into his office and told me that the pink handcuffs that I was using was degrading to men. I felt that it was very ironic that he used the word degrading to men when he had made several inappropriate comments about my breasts and my waist size and my divorce and other derogatory things that he had said about me that was degrading to me but he was more so worried about my pink handcuffs and that it was degrading and I didn't use them for any other reason but for breast cancer awareness."*

On January 08, 2023, Officer [REDACTED] was a part of a meeting with Sergeant Fountain and Captain Yates. The meeting was in reference to the way Officer [REDACTED] handled a traffic stop that involved an elderly woman who allegedly fled from Officer [REDACTED]. During the meeting, Officer [REDACTED] felt that she was unjustly berated to the point of tears for approximately 45 minutes for doing what she thought was right. Captain Yates and Sergeant Fountain, on the other hand, thought that she handled the situation poorly and were displeased with how Officer [REDACTED] conducted herself. Officer [REDACTED] said, *"And I'm like, like I'm getting berated for this and yelled at like to the point where like I was in tears like when I left there. They had brought up they're like what did you*



*kids get in trouble at school you know you're never like this why are you being like this to people did your kids get in trouble at school or did you and [REDACTED] get into a fight before you came into work. [REDACTED] meaning my boyfriend and I was like no like my kids are not troublemakers at all I don't have issues with my kids. And I don't get into arguments with my boyfriend we have a good relationship so I'm like why is any of this even being brought into this conversation. Again why is my personal life the topic of discussion and you're you know telling me that I'm lucky that the conversation is going this way and that, Captain Yates told me that you're lucky that I'm not targeting you. He said do you remember Officer Culver? And I said no I said he wasn't employed by Holly Hill when I was hired. And he goes look at him, he's gone. Officer Anderson which was the officer that was fired."*

Officer [REDACTED] provided further information that Investigator [REDACTED] witnessed, including comments Sergeant Bentley made to Investigator [REDACTED]

*In reference to the disclosure that Officer [REDACTED] and Investigator [REDACTED] dating, Officer [REDACTED] said, "Officer [REDACTED] had contacted Sergeant Bentley to inform him that we were in a relationship. Sergeant Bentley had advised Investigator [REDACTED] that I was not allowed to hang out around his house during working hours. Investigator [REDACTED] before he had moved into my house in Edgewater he had a house in Holly Hill..... So I was like why would that even be an issue. So I found it very odd because Sergeant Fountain lives in the city and he takes his lunch breaks at his house and he goes and visits with his fiancé and meets up with her and he's home. We had a call for service it was a domestic disturbance in the apartments that Sergeant Fountain lives in. Officer Rosabella and he had a trainee at the time Officer Hyde had responded to the apartments and they saw Sergeant Fountain while working moving baby furniture into his apartment. But you're telling, you can go and do that on city time and go and hang out at your apartment where you don't get reception and usually he doesn't answer his radio if he's there. He can go and do that but I can't you're saying I can't go anywhere near my boyfriend's house and even just see him for a minute? It just seems very hypocritical."*

Officer [REDACTED] explained that there were instances when her relationship caused issues within the Holly Hill Police Department. Officer [REDACTED] then went into discussing an open position within the Criminal Investigation Division (CID). Officer [REDACTED] explained, "May 16, 2022, we had an open CID position within our department that I had applied for. I continued asking if my relationship with Investigator [REDACTED] would be a conflict for me to put in for the detective position in our agency. Even though he is assigned to the task force, and I would just be working out of the police department. Our policy states that your like if you're in a relationship with someone they can't directly supervise you. It doesn't say anything about working in the same unit. So I had tried to get clarification on that several times if I should even bother applying. So you know and then I was told multiple times like you know no like even if it is like you know interviewing within the department is good experience cuz I haven't interviewed for another position within the department so I was strongly encouraged to you know still apply and go through the interview process cuz it's good experience. While in the training room after I was leaving for lunch Sergeant Bentley had asked me if I was going to break up with Investigator [REDACTED] in order to get the open CID position."

Officer [REDACTED] also advised, *"May 25, 2023, Sergeant Bentley was in his office and Investigator [REDACTED] went to Sergeant Bentley's office to pick up a subpoena. Sergeant Bentley had made a comment to Investigator [REDACTED] saying that you know you will have to show us her pictures when you guys break up. Insinuating nude photographs of me."* Additionally, Sergeant Bentley referred to Officer [REDACTED] as Investigators Wilmot's future ex-wife.

Officer [REDACTED] then went into several concerns about not receiving recognition for times when she felt that she went above and beyond her responsibilities and duties. These incidents were never documented, and when she sought an answer as to why she received negative feedback from both Sergeant Fountain and Captain Yates. Additionally, during her last evaluation period, Officer [REDACTED] received an overall grade of "Meets Standards"; however, contained within the evaluation, there were listed incidents that she felt were unnecessary and should not have been added. At this time, Officer [REDACTED] did not file any complaint or grievance for the evaluation and was advised to sign the evaluation despite disagreeing with it.

Officer [REDACTED] then went on to discuss the Master Patrol Officer status within the Holly Hill Police Department. Officer [REDACTED] explained that several employees within the Holly Hill Police Department strive to obtain Master Patrol Officer (MPO) status. This status is designed to be a half step in the direction of the supervisor and is accompanied by a pay increase. In order to become an MPO, an officer must complete certain classes and have been with the agency for three years. Officer [REDACTED] felt that she had been denied numerous training classes and felt that she had been unjustly targeted and would be unable to obtain MPO because of the targeting. Officer [REDACTED] believed that this to be the cause of an incident involving a Traffic Homicide Investigation (THI) class. Officer [REDACTED] said, *"I had initially put in for the traffic unit six months ago approximately. Then I was informed that I would have to take THI the Traffic Homicide Investigations. And that I would have to sign an agreement to stay with the department for two or three years. I did not want to sign that agreement. I wasn't sure you know what could happen if I stay if I you know go if I find a different job if you know anything can happen so I didn't want that held over my head and have to repay that especially being a single mom. It's just me. It's me and my three kids."* Because Officer [REDACTED] denied the class, she felt this was later used against her. According to Officer [REDACTED] Officer Deap went to an Interview and Interrogations class that she was denied and who has less seniority. Officer [REDACTED] explained, *"So I had confronted him over that and then Captain Yates had told me that he's not punishing me but remember you pulled out of THI. So I was like I mean that kind of seems like a punishment like if you're bringing this up."* Officer [REDACTED] was asked about the amount of training an average employee with Holly Hill receives in a year, but she was unable to provide an estimate.

Also discussed was the fact that Officer [REDACTED] had previously filed a hostile work complaint on June 07, 2023. Officer [REDACTED] stated, *"I had filed a formal complaint in reference to hostile work environment with another sergeant that was creating false rumors about me making different comments about how miserable, he made a rumor about how I was leaving the department. So I had actually gone to the Chief I had a meeting with Chief Miller and HR over this incident.....I actually reported to Sergeant Fountain that Sergeant Weiss was, he was creating like a lot of like derogatory rumors about my work, arrests that I've made, making you know different comments about me leaving and stuff like that so I was you know I had already confronted Sergeant Weiss about it I had asked him I said you know if you have any questions if I'm staying with the*



department or if I'm leaving, if you have any questions to ask me about anything you know come to me like I'm open you have my phone number you can call me you can text me you can email me. You know instead of going around and asking other people why don't you just come directly to the source. That went absolutely nowhere so I ended up you know he was still Sergeant Weiss was still creating you know a whole bunch of rumors and hostility so that's when I had you know done the formal complaint, met with the Chief and HR."

Officer [REDACTED] was asked about the outcome of her complaint and if it was resolved. Officer [REDACTED] replied, "They wanted me to submit a written complaint no later than that next Friday. I didn't because I mean I felt like the meeting was pointless. Especially when I had brought up that just a few months prior on April 4th Captain Yates had sent out an email about due to the number of emails and verbal discussions given if you are found to be spreading rumors I will begin discipline with a written reprimand. I've reported several incidents of Sergeant Weiss creating rumors and creating a hostile work environment and there was no disciplinary action taken. None."

Officer [REDACTED] was then asked several questions about how she filed this new complaint, at which point she explained the following, "So when I disclosed this the sexual harassment with Sergeant Fountain to Sergeant [REDACTED] it's a female sergeant that we have. This is how this whole process got started. I didn't just reach out I was, it's not that I didn't have any intentions but I was afraid to bring this up and have this addressed because I was afraid of retaliation. I was afraid of hostile work environment, I was afraid how my peers would look at me, I was afraid of everything." It was during her discussion with Sergeant [REDACTED] that she was encouraged to make the complaint, and she (Officer [REDACTED]) was advised that there were other victims of sexual harassment. Officer [REDACTED] listed [REDACTED], [REDACTED] and Sergeant [REDACTED] as potentially other victims of similar behavior.

Also, during the interview, Officer [REDACTED] mentioned a previous employee, Sergeant Robert Milne. According to Officer [REDACTED] Robert Milne was aware of ongoing sexual harassment at the police department and even attempted to report the sexual abuse upon his departure. Some of the inappropriate behavior included comments made about Officer [REDACTED] prior to her being hired by the police department. Officer [REDACTED] alleged that because of this, she had been sexually harassed from the very beginning of her employment.

At the conclusion, Officer [REDACTED] was unable to provide any further physical evidence that could assist in the investigation.

### Interview with Robert Milne

On March 8, 2024, at approximately 0924 hours, Lieutenant Gordon conducted a sworn recorded interview with former Holly Hill Police Officer Robert Milne. Lieutenant Gordon conducted the interview at the Sheriff's Office Administrative Building at 123 W. Indiana Avenue, Deland. Present for the interview was Sergeant Hachenberger.



During the interview, Milne explained he was employed by the Holly Hill Police Department for approximately seven and a half years and retired in 2022, shortly after Officer [REDACTED] was hired. Milne recalled behavior from the agency's command staff when Officer [REDACTED] was going through the hiring process with the police department which he stated was inappropriate.

Milne specifically recalled an incident where Captain Yates and Sergeant Bentley were involved in a conversation he overheard concerning Officer [REDACTED]'s physical attributes: *"Basically you know the scenario pretty much would be you know a lot of people go in and out of the detective's office there. There's an office where they the investigators work and then of course Sergeant Bentley, everything is open door you know. Leading to both hallway and to their thing. And Yates would usually be in there with Bentley and the discussion came up about well you've gotta see you know the one that's coming next. Something about her being from Daytona or something or dating someone from Daytona that's I remember something about that. And they were just carrying on about you know she's hot she's got nice tits. You know Bentley brought up the Facebook page...."* Milne stated the conversation continued for *"quite a bit"* and was discussed on several separate occasions.

Milne also recalled several instances where Captain Yates, Sergeant Bentley, and former Chief Miller *"...got to a comfortable stage of where they were just saying or doing whatever they thought was normal which wasn't."* Milne expanded upon his statement, *"On numerous occasions I would go into the kitchen and I ate inside all the time I never ate in you know out on the field and everyone knew that. So I would come in and eat and it would be either the Chief or a lot of times Bentley and Chris Yates watching television. And it would always be something inappropriate and at times I remember Yates or the Chief, Chief was really famous for this would turn around to the civilians that were eating and ask them if it, is this ok with you this doesn't bother you does it? And I'm sitting there thinking to myself who's gonna say no to the Chief or the Captain? And they'd be like oh yeah whatever you know and they would continue watching R rated things."* When asked if there was nudity on the television, Milne responded, *"Oh yeah"* and *"Yeah no I mean you know it may be not you know like triple x type of stuff but I mean it's it's you know if I'm with a woman that I don't know next to me I'd feel uncomfortable. I mean you know there was panting and all that other nonsense going on. The name of the shows I couldn't tell you."* Milne explained during these types of incidents, he would typically leave the area *"...because you can't fight the system. I mean you know I tried doing that. But it went on deaf ears."*

Another incident Milne mentioned during his interview involved Captain Yates, Sergeant Bentley, and former Chief Miller. Milne stated, *"...I had one time where I was in the office and you know excuse me for being open with my words. They were asking me if I you know eat my wife's ass. And I literally like looked at them like and they're going back and forth and discussing like how disgusting this would be and door's wide open to the hallway. Door wide open to the detective's office where your trainees are."* Milne continued and began explaining, *"I had*

*numerous occasions where the lieutenant would come running into the well when I say lieutenant, Yates, would come running into Bentley's office, bend over in his face, fart and then run out laughing and there's me, other female officers there."*

*During a separate incident that Milne described, he stated, "You know I could tell you the Chief literally when he was a Chief for god sakes leaned over to me and it was there was other people in the room in the kitchen asking me if I've ever had my prostate milked. This is the Chief, this is the Chief of Police. I didn't know what the hell it was. And I couldn't you know I didn't even know what the hell I just like looked at him I'm like yeah, no. You know why would you even you know ask that. And I know there was other people in the room because you know he would never ask that you know but when you're one on one because it's kind of you know weird. So I, I just left I'm like you know this is, I got my own personal issues I was having and a hostile work environment which it was on many levels not just sexual. Very hostile. I, I think the amount of people that have come and gone since I left, not even two years yet maybe 12? All the women are gone. All the women are gone all the civilian women. Every female officer that came in there is gone since I've been there. So you know I, I you know the only thing I never heard there was something racial. That's it, everything else was fair game."*

Milne also stated that he reported this activity through a formal complaint to the city's Human Resources Manager *"I, I could not go to Yates because he was the next one above me. I certainly could not go to the Chief, you know Miller. So I had gone to I think her name was Diane Cole at the time I don't think she works there anymore. And I was reporting a lot of problems."* Milne advised that no action was taken after he made these complaints to Human Resources.

Milne explained shortly after he retired, he authored an email which he sent to the Holly Hill City Manager, Joe Forte. Milne advised the email detailed these events and behaviors he observed while employed at the police department. Milne provided a printed copy of the email, which showed he had sent it to City Manager Forte on September 25, 2023, at 9:55 PM.

*"To City Manager Joe Forte,*

*Although I have not come in for an exit interview, I find it necessary to submit a letter describing the events leading to my departure, with the hopes of highlighting serious issues within the department that may shed some light on why the Holly Hill Police Department seems to have a revolving door when it comes to employment. But before I get into that, I'd like to begin with a brief history of my career as a police officer and the credentials I have earned over the decades.*

*My career began in 1988 with the New York Police Department when I was twenty-one years old. Over the 15 years that I served the city of New York, I was awarded over 50 commendations and numerous awards as I gained experience through specialized units such as the Brooklyn North Task Force and the Auto Larceny Undercover Unit. After working through 9/11, I retired*

*and moved my family to Florida. My next employment was with the Port Canaveral Police Department, where I served as a Sergeant and Watch Commander working closely with the FBI, Homeland Security, U.S.*

*Customs, and the Coast Guard. During the five years I was there, I never once used sick leave or received any kind of disciplinary action. In fact, throughout my entire career prior to Holly Hill, I had never been the subject of an IA. When the Brevard County Sheriff's Office took over the Port Canaveral Police Department, I applied to the Holly Hill Police Department and began working there as a police officer.*

*During my 7 years with the Holly Hill Police Department, I responded to and witnessed many disturbing incidents such as elderly and child abuse, and suicides committed right in front of me. The command staff offered no support to their officers and instead turned the department into a sorority house riddled with gossip, toxic work environments, ridicule, sexual innuendoes, and harassment.*

*Officer Coley was made so uncomfortable that she refused to come into the police department unless necessary, going as far as eating her meals in her car and eventually quit her job to find employment elsewhere. Officer Lugo, a good officer with prior military experience, shot and killed a man during a call. He was placed on a short, restricted duty period, and even though it was obvious he was suffering from PTSD and behaving oddly, he was put back on patrol, where he ended up losing control of his rage and punched a handcuffed prisoner. The ridiculous group counseling the administration tosses the officers as a side thought is nothing but humiliation resulting in emasculation from being forced to show vulnerability in front of other officers, inciting further ridicule and gossip. Not to mention, there is no psychiatrist or doctor leading these sessions; it's led by a random outsider with no merit in the kitchen of the police department where anyone can walk in and listen or eavesdrop, adding to the discomfort and humiliation. I attended two of these sessions and found them only damaging my mental health further.*

*The sexual misconduct of Chief Miller is astounding; throughout the shifts, he would constantly make sexual remarks to then-Lieutenant Yates about other officers and their significant others, asked Investigator Traylor for pictures of his girlfriend's breasts, and watched disgustingly inappropriate videos around the female staff - going as far as asking [REDACTED] and Alicia if they minded, which shouldn't have even been a question since he is the Chief of the department and shouldn't be even partaking in such inexcusable activities at work. He is a sexual deviant who has received numerous complaints for sexual harassment and was even asked to resign from the Volusia County Sheriff's Office due to his sexual behavior and reports. The fact that he is a Chief of Police is embarrassing and it is no surprise that he was turned down by every police department he applied to in Florida for a Chief's position. The shred of morality that somehow clung to the department is easily vaporized by the fact that the Chief only promotes his friends, and everyone knows it. Captain Yates was handed his position even though he doesn't have the*

*required college experience and was given the pass to finish his schooling post-promotion. Sergeant Bentley has been guaranteed the lieutenant's position as Captain Yates' good friend, even though there are numerous sergeants who are more qualified and deserving of the position. In fact, Sergeant Bentley should have been fired years ago for using DAVID for his personal use, which is obviously a crime and one of the first things they inform us in the police academy. But instead, he received a small slap to the wrist and a promotion to sergeant with a promise of a future lieutenant position. Captain Yates allows Sergeant Bentley to violate the no-tobacco policy and looks the other way as Sergeant Bentley swears on official, departmental documentation that he does not use tobacco. A quick mouth swab could easily prove him a liar. The officers all know that rules and policies do not apply to command staff and administration; the unofficial slogan is "Do as I say, not as I do."*

*As if the toxic work environment and trauma on the streets wasn't enough to pollute my mind,*

*Chief Miller made it widely known and clear that he despised me and was out for me because I wasn't afraid to report his unethical behavior. He is so open about his malicious intentions that I had civilians and officers informing me of his obsessive schemes to fire me, how he is intimidated by my experience, and he does not like my honesty. When he was getting rid of Sergeant Wall, Chief Miller personally approached me and asked me to say that I had heard Sergeant Wall bad mouthing the administration. I immediately refused and stated that I had never heard him do any such thing and that I would not lie. Imagine my surprise when I became the next target on his hit list. He has violated the ADA twice in the presence of my PBA delegate, Mike Scudiero, and was even recorded doing so. He outright told Scudiero that he would fire me for my history of knee injuries and surgeries.*

*I could write a novel on the issues and unprofessional manner that runs this department, but I will spare you a ten-page letter. During the seven years I was a supervisor at the Holly Hill Police Department, I never once received a single civilian complaint about me, nor a complaint from any officer working under my supervision. There have never been any negative impacts from decisions I've made on the scene of any incidents. In fact, I was always highly requested by officers to be their Sergeant during squad picks.*

*With the larger picture painted in this letter, I'm moving forward to what ultimately led to the end of my career as a police officer. My PTSD had been brewing since 2018, which was well known by Captain Yates, as we had spoken about it several times. I was self-medicating with alcohol, which only led to dependence and further depression. When Officer Raynor was tragically murdered, I was traumatized by the gruesome scene I witnessed. I had to call Captain Yates several times to try to get him to come in, and to convince him to call in more officers for extra patrol to look for the cop-killer who was still roaming the streets. It took 45 minutes for Chief Miller to agree, and by the time he and Captain Yates finally strolled in, it had already been two hours since the shooting. Their arrival was pointless anyway because all they did was*



*stand at the same car to casually converse in the parking lot about how this would be the perfect opportunity to get Chief Aldrich bounced out of command.*

*Everything is about money to them; Captain Yates even said so during an interview when he was running for Sheriff in Flagler County. He openly stated that he was "in it for the money" to the interviewer. Despite his lack of involvement and the fact that he shared a vehicle with Chief Miller instead of driving on his own to broaden the search for the killer, Captain Yates had the audacity to state that I could not have seen what I said I saw at the scene of Officer Raynor's shooting.*

*Captain Yates continued his sad attempts at tarnishing my values during the pension hearing, when he claimed that I was only retaliating for "being demoted". I was never demoted. He was referring to several months prior when I had requested to step down from my sergeant position to work inside because I could no longer tolerate the relentless way Chief Miller grasped at any chance to attack my name and employment. At this point, my PTSD was spiraling out of control, and I was suffering panic attacks, nightmares that kept me up all night, suicidal ideation, and alcoholism. I wanted to be out of Chief Miller's radar, inside where I would be safe, and reduce my stress and overstimulation by surrendering my position as supervisor to focus on my well-being. I knew that my officers deserved more than what I could provide in my time of suffering. I finally snapped one day on patrol and had a panic attack in my car resulting in blacking out. When I came to, I immediately obtained permission from my supervisor, Sergeant Marquez, as well as from the patrol supervisor Sergeant Hutchinson, to leave my post to seek help. They granted me permission. Once I was home, I immediately notified Mike Scudiero, Diane Cole, and Lisa O'Neil and told them that I had a bad feeling that Chief Miller and Captain Yates would try to jam me up for going home. Sure enough, Chief Miller and Captain Yates went to Diane Cole's office to attempt to get me fired for "abandoning" my post. As usual, Chief Miller was too excited to find fault with me and hadn't even bothered to find out if I'd gotten permission from my supervisors. I'd followed protocol completely, once again exposing Chief Miller's true colors.*

*I didn't bother appealing the decision at my pension hearing because it was obvious that the pension board was going to do everything that they could to deprive me of my disability pension, even though PTSD is a work-related injury per Florida Senate Bill 376 and I had been diagnosed with PTSD by 4 different psychiatrists, including the psychiatrist chosen specifically by the department. I did appreciate you asking me how my health was, because nobody else from the administration bothered to ask or reach out during my twelve weeks out on FMLA leave. Even when Dr. Hoffman reached out to the police department to express his concerns for my well-being related to my suicidal ideation, not one person called to check up on me or perform a well-being check. I received one phone call from the department, and that was to set up a date to "relieve me of my vehicle, ID cards, gun, and other department issued items".*

*I do want it known, however, that though my experience with the police department was less than delightful, I always had a positive experience working with all the other city employees and serving the community of Holly Hill. I have always respected your position and believe you to be a nice guy, City Manager Forte, and that you take your position very seriously. I am determined to move forward and help other first responders suffering from PTSD, as it is a widely ignored issue that plagues the community. If there's one takeaway from this letter, it would be to push the benefits of joining the UCF Restores Program; it has greatly helped me with my mental health and should be more advertised. They have so much passion for first responders and the trauma they face. Wrapping up, I have no pending litigation, nor will I ever from this point on, so I have nothing to lose or gain by writing this exit interview letter. I thank you for taking the time to read all of this; it's not for revenge or personal gain, I genuinely care about the police officers that still work there and I hope that this information might be helpful in the future should anything come to light from someone else. The truth, no matter how ugly, needs to be known. It may save the city one day from future lawsuits.*

*Thank you for your time,*

*Robert S. Milne*

*[Rlmilne@aol.com](mailto:Rlmilne@aol.com)*

*[REDACTED]*

After receiving Milne's email, City Manager Forte responded on the same date at 10:19 PM. City Manager Forte's response was included on the printed email chain provided by Milne and stated:

*"Good evening Robert,*

*Foremost, I hope you are doing well and getting better,*

*I want you to know I read your message this evening and I would like to think about it. I know you don't expect a response and I'm not sure if I can or should but I want you to know I take your statements seriously and with concern.*

*I truly wish you the best and pray for your well being.*

*On a personal note, if I can ever be an ear for you to just speak freely, please call on me with assurance of confidentiality.*

*Respectfully*

Joe”

Milne then responded with the last email of the exchange on September 26, 2023 at 12:56 AM:

*“Thank you very much. It's been a long road that I never expected to travel down and lost the will to live many times but I got help so I can be there for my kids and grand child. It's been a battle for quite a few years and I thought I could fix it on my own. I regularly go to therapy and take my meds every day.*

*I could not retire in good conscience without coming forward with the information I shared with you. I care very much about the officers I left behind. Im very passionate about my career, after 30 years, it becomes part of you and losing my career was very devastating for me. As far as my health, it's getting better, it's been over a year since I drank and my doctor saved my life.*

*Thank you and God bless*

*Thanks again, I wish the best for you and thank you for offering to listen if I needed someone to talk to.”*

It should be noted that this same email exchange was later mentioned to Lieutenant Gordon by City Manager Forte. During this discussion, City Manager Forte expressed concern and admitted that no investigation was initiated into Milne’s statements because Milne was perceived as a disgruntled employee. As a result, no one was questioned, and there was no documentation into any of the allegations made by Milne. This oversight by City Manager Forte allowed serious allegations to go unexamined and unresolved.

#### **Interview with** [REDACTED]

On March 13, 2024, at approximately 0922 hours, Lieutenant Gordon conducted a sworn recorded interview with Evidence Technician [REDACTED] of the Holly Hill Police Department. Lieutenant Gordon conducted the interview at 1435 US Highway 1, Ormond Beach, the VSO District 3 North office. Sergeant Hachenberger was present for the interview.

[REDACTED] began by saying that she is currently an employee of the Holly Hill Police Department and that her current position is as an evidence technician. [REDACTED] advised she began working for the Department in 2012 and knows all of the subjects involved in this investigation. Currently, Sergeant Bentley is her direct supervisor but works for Captain Yates and, at that time, Chief Miller. Additionally, [REDACTED] knows Officer [REDACTED] and has a professional relationship with her. [REDACTED] was working when Officer [REDACTED] started working at the Department and was aware of unprofessional comments made about Officer [REDACTED]’s appearance. [REDACTED] said, “I know when it may have been before she started they sit in CID it’s Bentley, Yates, Ballentine, Miller before he became chief sit in the CID room which is right across the hall from my evidence room

looking at people's Facebook profiles, Instagram talking about girls. So with [REDACTED] they showed me a picture of her and made comments like look at those lips. I believe that was Yates that made that comment. It's just a lot of banter, lot of talk and inappropriate stuff all the time."

[REDACTED] went on to explain that the behavior was commonplace and an everyday occurrence. While they discussed Officer [REDACTED]'s appearance, [REDACTED] said, "And then when she did start I was asked how come you don't wear make up like that? You know she doesn't look like that in real life and look at those lips do you think they're fake or real. And I recall them asking if I thought her breasts were real but that was probably I, it's hard to say the timeframe of like the, cuz it's happened more than once with them showing me a picture you know and asking about her lips..... And why don't I wear make-up like that." Captain Yates made comments about [REDACTED] seeming lack of make-up.

According to [REDACTED] all three subjects (Sergeant Bentley, Captain Yates, and then Chief Miller) were often in the CID office, having inappropriate conversations that were unbecoming of command staff. When asked about an example of the behavior, [REDACTED] said, "looking at all everybody's picture and a lot of sexual innuendoes and just looking at talking about dating apps. Look at her boobs. Looking at you know, videos I don't know Tik Tok or inappropriate, like girls dancing and their boobs and cuz when Tik Tok first started to become popular you know you see all these women on there." [REDACTED] went on to explain that the majority of the comments came from Captain Yates, but Sergeant Bentley, Investigator Ballentine, former Chief Miller, and even sometimes Sergeant Fountain were present for these conversations and that none of them attempted to stop the inappropriate conduct or change the topic or conversation.

[REDACTED] was then asked about the allegations of sexual harassment in the workplace and if she ever experienced a hostile work environment. [REDACTED] responded, "Yes. For almost the entire time that I've worked there it's, it's always the, you've got to be in the circle of trust you know you've got to earn you know your way into this circle of trust and all the joking the looking at women's boobs you know on profiles talking about them. Always making comments you know what's your problem why do you got a attitude. I've, for, in the towards the beginning and Miller used to be in this one office before he came Chief. Miller and Yates they'd call you into their office you'd go in there and Yates would turn off the lights and then grab you and joke you and grab your ass grab your boobs and thought that was really funny all the time and try to scare you like arrr and then they'd, they'd grab you. They did that a lot. At the time [REDACTED] was out front with records that had worked there. I don't know if they did that to her I'm sure they did because they, I know that that's what they do. They have you come in, turn out the lights, scare you. When I went into the evidence a girl named Kim took over my place and they were always hanging out front always like just talking the jokiness and you know you've got it made here you, you know we may not pay that much money but we're a family and you gotta, the circle of trust and it was always like sexual jokes, sexual comments. I know Kim witnessed a lot of that, [REDACTED] too. I don't know if they put her in their office and turned off the lights and grabbed her. You can walk down the hallway and, grab your butt." [REDACTED] further described those types of incidents would happen as she would walk down the hallway. Afterwards both Captain Yates and former Chief Miller would make sure no one was looking when they did this.



█████ was asked how this type of behavior was allowed to continue at the police department. █████ then described an incident with █████ and former Chief Miller. █████ said, *"When I first started I know that there were some kind of allegation going on with another female. Her name is █████ and I didn't really know her well but I know that Yates and Miller were not like happy with what was going on and I just remember the comments deny, deny, deny, deny. About her allegations and from the beginning I've I've seen them get rid of people. Once you have a target on your back you're gone. I've saw them do that to Toby Wall, Thornton, Sara Skillea, Misty Howie. So there's a great fear from the beginning if you, I don't even know what they did. Like if maybe they deserved to be relieved or if you go against them because you're, the circle of trust you know and as soon as they didn't like something about you you're, you got a target. They will, I felt like what I saw is like they will do whatever they can to you know get you to leave."* █████ went on to explain that they ruled with an iron fist and terminated and publicly embarrassed anyone who opposed them or did not do what they asked. Additionally, █████ was asked if there was anyone else who presently works for the Holly Hill Police Department who has been a victim of abuse. █████ responded by saying that she knew Sergeant █████ was a victim and the former Chief Miller's secretary/office manager, █████

Multiple times in the interview, █████ referenced the term "circle of trust." █████ was asked about this term, what she was referencing, and who was in the "circle of trust." █████ said the members of the group were *"Yates, Miller, Bentley, probably Ballentine, but it's, it started so long ago and it was just Miller, Yates and Bentley."* Follow-up questions were asked, such as how one gets into the circle of trust and what the benefits of being in the group are. According to █████ *"You had to prove yourself or, because. Well that's what was always the mystery. Like what do you mean? Well you just have to be trustworthy so if you like there was a couple times in the past we would go out together like a whole big group and go and have drinks somewhere, go to St. Augustine you know and it's like that circle of who they trusted to where they could like be themselves you know or have a drink and not have to be an officer you know. But I don't know if that like the grabbing the groping if that you know proved to them because then your stuck in a position where you felt like I couldn't say anything and it actually got a lot worse from that because then it turned into let me see your tits. You know let me see your tits. And come into your office and then you're like I don't wanna get fired I don't want a target on my back and I was asked that a lot."* █████ went on to clarify that she was asked multiple times by former Chief Miller to see her breasts and a couple of times by Captain Yates. █████ further explained, *"it started to get worse then it's like let me touch your ass you know let me see your ass you know like and it's like no and I would I'd get frustrated and would like NO! You know like and I can't, I can't yell I can't open up the door you know like I felt terrified that I'm gonna lose my job. I'm a single mom you know I can't, I can't afford you know to lose my job. I've worked so hard and do the best that I can and this is going on and it started to get worse and in November I'm not sure what was going on outside but Miller came over and goes did you say anything to █████ does she know? Does she know? And I'm like what are you talking about? Well she made a comment and he was so paranoid for a couple weeks kept on asking me if anybody comes and talks to you and says anything just deny it, just deny it. And I'm like I don't know what's going on, just deny."*

At this point in the interview, [REDACTED] became visibly distraught and began to cry. [REDACTED] continued her testimony and said, "Yes. And so I don't know what was going on. What was being said but he wanted me to deny it. And then there was a couple times he came in said I could go home early at 4 if I showed him my tits and he'd walk by a lot of times. I would try to make excuses because he'd come by and say tits today titties today and I'd be like I'm sick I've got covid you know I'd make excuses to get him to go away you know or pretend to be on the phone or to come in my office close the door, titties day and I'd be I'm sick and then he'd back off. There's one incident that happened in January that took it to the next level that he came in wanting to see my tits and he sat in my chair and he's like let me just cum on your tits, let me just cum on your tit, and I started to back up and I'm like no. Let me see your ass. You don't have to do anything you don't have to do, just let me just let me do it. [REDACTED] continued and said, "And I sat there looking up at the ceiling while he ejaculated masturbating in my chair." [REDACTED] recalled the incident occurred in her office while no one was around and the door to her office was closed. [REDACTED] confirmed that there was no camera footage that would have captured the events that took place due to the extended time frame the incident occurred. Additionally, there are no cameras in her office. [REDACTED] was unsure of the exact date this occurred but believed it was in January of 2024. For reference, [REDACTED]'s office is located near the back of the police department and shares a wall with Sergeant [REDACTED] who is the supervisor for the Community Redevelopment Area (CRA).

[REDACTED] was asked several follow-up questions about other instances that occurred to her during her employment at the police department that occurred while she was at work. [REDACTED] stated the following:

"My office is right next to [REDACTED] I confided in her because there was an incident it was I think like last year April they did the turn off the lights and grope. You know it had been a while since like in the beginning before I moved into evidence they would do that a lot like grope you and turn off the lights. They [former Chief Miller and Captain Yates] came in, into [REDACTED]'s office and did that and that was about like April of 2023." During this traumatic incident [REDACTED] recalled, "Miller sat in [REDACTED]'s lap and wiggling and groping and you know tickling and laughing and they leave and that's why I went to [REDACTED] I'm like I need to talk to you you know. So I confided in her to see if it was happening to her because after them doing that and you know to her I kind of figured you know can't be the only one." During that incident, both [REDACTED] and Sergeant [REDACTED] were in the room together, and both of them witnessed what occurred to each other and witnessed the physical abuse at the hands of former Chief Miller and Captain Yates.

"Yates has done the same thing not like, not like that he's more quiet and be like I've never touched an implant before you know you're you know I'm always nice to you and you know I give, give, give and you're a taker you know. I'm a hugger type of person so he started giving me a hug like all the time. Like and I just realized that I'm the only person he gives a hug to. There was one time he in my evidence room we were going over like getting ready for an audit and because my door there's a window you can see in the CID table. And he goes go over there and he goes flash Bentley I wanna see his reaction and laughing goes go ahead and flash him. I'm like no you know."

*"Ok when I did expose my breasts a lot of times it progressed further to where they wanted to see my ass or you know like try to pull my pants down and and I would get very aggravated cuz I couldn't take that any further. It was bad enough that I was showing my breasts but they would try to push and push to see more or to see my butt and I would like kind of yell at them but and you know move their hands and back away and they would be like ok ok you know ok." Again, [REDACTED] was asked if the behavior of both former Chief Miller and Captain Yates solicited further advancements beyond showing her breasts. [REDACTED] explained, "Yeah, Miller. But I think Yates made a comment once, he's not he wasn't like I don't know what the term you would say aggressive as Miller."*

*"So. And the I know I mentioned the times when they would pull me in their office and tickle me and turn off the lights. I remember well the one time he'd that him and Yates and Miller did that to me and [REDACTED] in [REDACTED]'s office, the time before that it had been some time and I was trying to remember why like that kind of stopped and the last time when he [Captain Yates] did that I had shoved my elbow and arm into Chris's chest to get him away and jerk, I shoved him and I kind of like really whacked him hard. And I remember him saying I can't believe you hit me. You just hit me I could have you arrested for that. And I was I was terrified, I was scared. I didn't it was to get him away from me. You know to get him to stop which it did and he stopped after that and for about a week or two after that whenever I saw him he'd come by and he'd look at me and go I can't believe you hit me. You hit me. And I got frustrated that because I was scared to death it made me really really upset. And then I told him I said, well have a fun time trying to explain why I did that to you. You know with him saying he could get me arrested for that. So and then he stopped making comments like that."*

*"there's a time period when Yates would come up, well first he started off saying he's a hugger and he like when he sees people he likes to give people a hug. It kind of, I thought that was weird because I had been working in the Police Department for probably two years you know and he just brought that up and he's like can I give you a hug? So he started giving me a hug like in the morning, say good morning but it was like more like a man would give another man a hug like pat on the back you know like how are, you know good morning. But he started unsnapping my bra strap in the back. He would twist it and unhook it. It was very aggravating, and he would brag about how fast he could do it in like one, two seconds and so when he'd give me a hug or sometimes would just come up behind me and he'd laugh and then he'd unsnap my bra strap. That used to really aggravate me a lot and so I'd always try to pull away or jerk away. He broke one of my clasps in the back because he bent it too hard so he actually bought me a bra for Christmas. I don't remember if that was 2020 or 21." According to [REDACTED] these types of incidents occurred from 2014 onwards and happened around twenty times. [REDACTED] was unsure if this was witnessed by any of the other office workers but said it may have been due to how loud Captain Yates would laugh about it. [REDACTED] said, "Yeah he [Captain Yates] would laugh about it and used to say like you know it's funny to watch you get upset you know he would say that a lot with different things." [REDACTED] described one of those times that occurred near Christmas of 2020 when Captain Yates accidentally broke [REDACTED]'s bra during an incident. [REDACTED] further explained that in order to make amends for breaking the bra, Captain Yates bought her a new bra as a gift and to sort of apologize for his actions. On the topic, [REDACTED] said, "It well it wasn't actually at a Christmas party he brought it into my office and it was in a bag. And you know gave it to me there and said that he went to, it was Macy's in the I think Daytona Mall before Macy's closed."*



*And he was joking about how he spoke with the clerk like he didn't know he got help from a lady and she's like well what size is she and he's like well like you the size of you, and then she helped him pick out a bra. And then I returned it and I didn't, I didn't want it!" [REDACTED] said this made her feel uncomfortable and added that he paid for the bra with cash so that his wife would not see the charge on his credit card.*

In 2018 or 2019, [REDACTED] spoke about another incident, *"When he [Captain Yates] was there Bentley was in his office and I don't remember who was up in records at that time. I don't know if it was Kim and [REDACTED] or Kim and [REDACTED]. He called me into the office and told me to close the door. He had put a banana in his pants like where his penis area is and there was a big bulge, and he was asking me questions like general questions and they [Captain Yates and Sergeant Bentley] both started laughing and they're like don't you see anything unusual here? You don't notice anything in this room and I'm like no and then I just I you know they both were laughing and I just turned around and walked out and just kind of rolled my eyes."*

[REDACTED] was asked how these incidents started and how they became so common in her workplace. [REDACTED] said, *"it started off as joking and you know the joking the bantering and the fear and one thing about me you can say that I'm not a strong person. I think that stems from I've had a history of domestic violence with my ex-husband and I it brings flashbacks because in the same situation of a victim like that you, you can't defend yourself."*

[REDACTED] was clear to state that Sergeant Bentley never touched her inappropriately or made jokes that were sexist or degraded her; however, [REDACTED] said Sergeant Bentley was always present for the comments and inappropriate behavior and never stopped it or made any attempt to check to see if she was alright.

[REDACTED] was asked if she had any physical evidence to support her allegations, such as text messages or potentially any other documentation. [REDACTED] replied, *"They're both married so I don't you know Yates' wife is extremely extremely jealous. I don't think that he would dare have anything like that on his phone."*

Of important note, [REDACTED] was asked about training as it pertains to a hostile work environment or sexual harassment. [REDACTED] was questioned if she had undergone training or knew how to report any instance in which she felt sexually harassed or targeted. [REDACTED] responded by saying, *"No. No. I think they had online training that we had to do and you know they just click through it a lot but that was the only thing. And I know that if I asked a question, it's oh you have to go to your supervisor you know like cuz when Miller was my supervisor if I had a question sometimes I would you know ask him and they were like no you have to ask this person that was the only thing like the chain of command."*

#### Interview with Sergeant [REDACTED]

On March 13, 2024, at approximately 1125 hours, Lieutenant Gordon conducted a sworn recorded interview with Sergeant [REDACTED] of the Holly Hill Police Department.

Lieutenant Gordon conducted the interview at 1435 US Highway 1, Ormond Beach, the VSO District 3 North office. Sergeant Hachenberger was present for the interview.

Sergeant [REDACTED] began by saying that she has worked for the Holly Hill Police Department since September 02, 2005. Currently at this time she works as a supervisor overseeing the Community Redevelopment Area division known as CRA. Sergeant [REDACTED]'s current supervisor is Captain Yates and she works in the Holly Hill Police station with her office right next to [REDACTED]'s office. Both offices are located near the rear of the building.

Lieutenant Gordon opened the interview by explaining the reason for the investigation and the allegations made against Sergeant Fountain, Sergeant Bentley, Captain Yates, and former Chief Miller. Sergeant [REDACTED] explained she was the person that Officer [REDACTED] originally contacted about her complaint. According to Sergeant [REDACTED] Officer [REDACTED] then recounted several of the incidents that were brought up and mentioned during Officer [REDACTED]'s interview.

Sergeant [REDACTED] then shifted the conversation and began to speak about incidents that she herself had seen and experienced. Sergeant [REDACTED] said, *"I have been there 18 and a half years. Unfortunately the culture itself from even day one going back there were signs there. There were signs of cliques, of you do as you're told and you don't question things. There are cliques that effect the moral the day-to-day basis there where if you're not in that circle of the Chief, Captain Yates, Tom Bentley you know you're almost made to feel like you're an outside person."* Sergeant [REDACTED] went on to say how law enforcement is a male-dominated workforce, and due to her being a Hispanic female at the Holly Hill police department, she was made to feel less than and inferior to her male counterparts.

While discussing the culture of the department, Sergeant [REDACTED] said, *"You know I personally and I hate to say this you know the sexual innuendos happen with female officers that are potential recruits and they come in looking a certain way there are comments that are made and they're made by administration. It starts with the Captain [Yates], it starts with Bentley who follows right after. It starts with you know his investigator, Ballentine, who personally has not done anything to me but there's a certain clique there's a certain you know unspoken gray line that you know they'll look at people's profiles on Facebook. And they do that openly and they'll do that you know in their offices, or they'll have their Monday morning office meetings and you hear that walking through the hallways."*

Sergeant [REDACTED] was asked for examples of this behavior, what was specifically said, and by who. Sergeant [REDACTED] explained, *"I can tell you that in, in most recent times when I think it was Officer McCorkle was going through her PAT exam a physical training ability the comments that were made was that she was thick, she was big. And it was with that emphasis of big and thick. There were comments that would even stem up with you know you've*



got I had a DJ that was hired for national night out just last year and you know the Chief was like she's pretty she's pretty he's checking out her profile she's big she's big her boobs are big." Sergeant [REDACTED] went on to state, "There are so many different incidents that throughout the years you almost I would say you become numb to it."

Speaking about these incidents, Sergeant [REDACTED] said, "I had a recent, recent call unfortunately that was on 15th Street with a barricaded subject where we asked for assistance from a narcotics team or a special, hostage negotiation team to come out and help us. And there was a comment that the Captain with Sergeant Bentley approached me and there was a female that was part of that team and one of the comments was we're trying to strategically work with the other team a comment that was made was oh who, are you live? Are you live? And I'm like well what do you mean? And I've got my BWC on live but I'm muted. Is that off? And I go yeah yeah yeah it's on but it's muted. Oh ok who's the hottie over there with the big boobs? That was Captain Yates in the presence of Sergeant Bentley. And I'm standing there going ok who, who are they referring to? And I'm looking around there was a young lady there from Port Orange you know long hair, I didn't think anything of it."

At that moment, Sergeant [REDACTED] became quiet and started to cry. While visibly upset, Sergeant [REDACTED] detailed specific behavior that she witnessed firsthand. Sergeant [REDACTED] recalled, "You know you got the Chief of Police (Former Chief Miller) that will come in, in my area ok, and would tell me how stressed he is ok, and he would come in (Sergeant [REDACTED]'s Office) and would say you know how stressed he is and to touch it. Referring to his penis and to touch it. And show me them titties let me see some titties. On another occasion he would text whoever he needs and he'll say hey come on meet me outside lets take a ride and we'd go out my side door and I'm in uniform and working that day and we'd just you know I would hate having to go for rides or be anywhere alone with him because you know of all the years of it just accumulating to these points where I would get in and I remember getting in during the day and he was just driving around, anything going on, and this was his way of kind of interacting with you anything going on what's going on? And coming out of the station and walk, you know driving down Riverside Drive and just shooting the wind and you know you'd get the mental block of oh my god let me get the fuck out of here you know like what's going on or if it's just, you know whatever. And we pulled into a, Ross Point Park and this park is an open park and usually there's some questionable people that are there. And I'm in the passenger seat and you know he'll go on and say god you know I'm so stressed you know I'm so horny and you know you just, just touch it just touch it. And he'd unzip his pants and he'd jerk off. Unknown if he even finished, I was just taken back by like oh shit is this really fucking happening? You know like I'm looking around I'm going please let somebody be here you know. And it was just like you know he would, this is his deviant way of just doing things and when he would be done you know it would be like you know it was like a funny ha-ha like ok so what else is going on? And it was so nonchalant. So nonchalant. And you know we would go back to we you know we were in



*the car no one was around we'd drive off and we'll go back to the station and drop me off and like hey ok tomorrow we'll do coffee again. That's the pattern."*

Sergeant [REDACTED] was asked how many times this occurred. She responded by saying the incident in the park only happened once, but there were two to three times when former Chief Miller entered her office and asked her to touch his male genitalia. Sergeant [REDACTED] clarified that former Chief Miller asked her to touch his genitalia; he was not requesting her to simulate a sexual experience but merely wanted her to touch it as a sign of power. According to Sergeant [REDACTED] prior to having her touch his genitalia, former Chief Miller would make sure no one was around and close the door to her office before the incidents happened.

On a separate occasion, Sergeant [REDACTED] described the incident when she found out that [REDACTED] was also being abused. Sergeant [REDACTED] said, *"There was an incident with Captain Yates where I was in my office and this was probably sometime in I'm gonna say April of last year. If I'm not mistaking. So my, my desk is here door is there. I generally have two little lamps there and my light is dimmed, it's off. And I was working on my computer when [REDACTED] ([REDACTED]) came from her office and stood at my doorway we were talking about something...And then we see them (former Chief Miller and Captain Yates) coming in or they were coming in from that area and we kind of looked at each other was like oh crap. So they pushed her in joking, joking manner, both come in, they close the door. Close the door and the Chief sits on my lap and starts going like this...just bouncing up and down. Making the motion of bouncing up and down and then grabbing my hands and just more or less touching like his, his leg area and his thigh. And they laughed it was like a hahahaha you know kind of thing. Just their normal everyday."* Sergeant [REDACTED] was asked what Captain Yates was doing when this occurred. Sergeant [REDACTED] recalled, *"Groping, grabbing [REDACTED]. Grabbing [REDACTED]."* And *"then when they, it was said and done that they left the first thing they do is they open the door, I think it was Yates that opened the door. They look out to make sure that there was nobody around and then they walked out. When they did her and I looked at each other and we realized we were comfortable enough to know that there was an understanding that this wasn't probably the first time. So at that point it was clear that she ([REDACTED]) was like what the fuck. And that is where we have kind of had that common I wouldn't say that bond but that understanding of oh shit you know it is wrong."* Because of this, Sergeant [REDACTED] and [REDACTED] developed a close connection and came up with an alarm-type system to let the other know that former Chief Miller and Captain Yates were coming to their offices. Sergeant [REDACTED] said, *"The general rule if whenever they (former Chief Miller and Captain Yates) would come in [REDACTED] and I, [REDACTED] will knock on our doors which is very paper thin so we'd go like this (knocks twice) and we'd know that they were coming."*

Sergeant [REDACTED] then went on to explain several other incidents that she recalled. The first was a magic show at an elderly community. During a part of the show where the magician appears to swallow a long balloon, former Chief Miller made jokes about the size of Sergeant

██████████'s husband's male genitalia. Additionally, Sergeant ██████████ said, *"You know there's, they had another event and it may have been the same event where there was a physical therapist. Young girl, pretty girl and the comments of would you tap that? Again it's not a you know fraternity we're not in a fraternity we're in a work setting. Just let it go because just let it go, that's it. Who's gonna be there to say yes you said that? It's not gonna happen but I have nothing to lose. I have nothing to gain. I have the truth which is what I'm sharing and I just feel that after all these years and hearing the little bit that I see her (Officer ██████████) go through it brings back so much that you know it is, and I can I can do the checkmarks and go toxic, absolutely favoritism, absolutely. The same duty I had and this is just my feel, the same duty I had to put this on paper for them to just investigate was the same duty I feel that Bentley, a supervisor who's tagged along with them throughout good bad and indifferent should have said I've got to take myself out of this and maybe let me find a way to figure out how I can report this. Ok so I'm not saying that the guy (Sergeant Bentley) is responsible for touching someone but the same consequence has to be for him as well because he failed and we have a general order that says you have a duty to report this."*

On several occasions, Sergeant ██████████ said, *"I don't remember everything right now it's just been a plethora of just one thing after another that you know I know of the coming in and saying and he (former Chief Miller) has a way of just conveying you know I'm so stressed and oh my god and you know let me see some titties and just in the mannerisms of how he says it."*

According to Sergeant ██████████ Captain Yates asked to see her breasts on several occasions, and even after she denied showing him, he continued to ask.

Sergeant ██████████ was asked several questions about other possible victims. Sergeant ██████████ remembered an incident that involved ██████████. On the topic, Sergeant ██████████ said, *"I mean periodically she (██████████) would come and help out if they needed with the new transition of the new secretary there. But she, she you know she disclosed to us that he (former Chief Miller) gave her a hickey on the neck. That he grabbed her, groped her and gave her a hickey on the neck and she had a mark on her neck. But the Chief grabbed her. And then started like groping her and then gave her a hickey on the neck and when he realized what he did he said oh my god oh my god and I remember her disclosing to, cuz again things that have happened to us we didn't openly say hey did this happen to you... So when she did disclose that to us you know it was shocking because this is a woman that you know who's a commissioner in her own city and and you know she's got her own private life going on and we just felt that you know if it happened to her and of her stature and what she, I don't know who else that I know of. I can only attest to what has happened to me."*

Additionally, while speaking about possible victims, Sergeant ██████████ brought up ██████████ who was formerly ██████████. Sergeant ██████████ said, *"I do know that there was a I'm sorry I just remembered there was a previous female officer ██████████"*

██████████ had she was a bit challenging. Strong, strong woman but there were allegations of sexual harassment that she brought against the Chief of Police which is Jeff Miller. And I know at one point you know every now and then they'll there are comments that he would make like don't be like a ██████████ or you know ██████████ you know really did us with our pension or something to that effect that you know our pension is affected by her."

Sergeant ██████████ then explained the process as she understood it for someone to report an incident of sexual harassment or a hostile workplace. Sergeant ██████████ said the current general orders at the Holly Hill Police Department are "defective" because if someone is being abused by their superior, there is no way for the victim to report the incident to anyone other than the victim's supervisor. Sergeant ██████████ clarified that there is an option to report the incident to Human Resources; however, she felt that if someone did that, it would be career suicide due to the small nature of the department.

While speaking about reporting the incidents of sexual abuse and a hostile work environment, Sergeant ██████████ advised that a former employee, Robert Milne, brought his concerns directly to the attention of Manager Joe Forte in the form of an email. Milne showed the email to Sergeant ██████████ in hopes of changing the culture of the police department. On the topic, Sergeant ██████████ said, "When I read that once again I said fuck this guy is he's (Milne) hitting every point. The toxic work environment, the innuendos, the inappropriate chats... but all of these key points and he makes it a point to address it to the city manager, human resource and this was in 2023 in September that he sent this and he said ██████████ something has to change there. It's a bad environment. And you know me I could have said hell yeah you know and I, I was like dude I get it. I get it. And it's not about nailing the city or nailing anybody it's just at what point you get to a point that enough is enough. And this guy gave the city the heads up and you would think that somebody would knock on our door and say hey what's going on?" Sergeant ██████████ went on to say that no one did anything with the information Milne provided. The leadership within the City of Holly Hill, specifically City Manager Joe Forte, failed to take appropriate action based on the email Milne sent. Sergeant ██████████ suggested that people could have thought that the email crafted by Milne may have been caused because he was a disgruntled employee; however, regardless of how Milne left, based on the information the email presented, there was a duty to act. Sergeant ██████████ said, "I would have felt better had they said you know what we're just gonna ask. We're gonna ask quietly we're gonna take them out to another building we're gonna do somewhere where they're taken out of that environment and give them a fair opportunity to say yes or no. Do your due diligence. When I'm given a case we follow it a through z there's no you know there's no skipping. You gotta make, that was never ever an option for us. We were never called. Nothing had ever happened.... They just failed to move on with it. So the way I look at it is there was no resource for us and if they got that in writing what makes you think that they're gonna do something with one or two or three or four or five or six or seven of us?"

Sergeant [REDACTED] was asked why she had not come forward earlier or reported the incidents she had witnessed and experienced. Sergeant [REDACTED] noted that she was afraid of retaliation and was extremely embarrassed about her involvement. Sergeant [REDACTED] advised, *"As a female police officer you're supposed to know the difference. You should you know you're held to a higher standard to just you know take your lumps and go with it. And in fear of you know not being I wouldn't say accepted just you wanna end your career on a high. And you, you want to say that when you look back at something that you were able to push through certain things that were challenges because of something like this you know would go out at that point with no resources no HR no one that you can tell. You're pretty much by yourself. And who's gonna believe you and now it's career suicide. You know who's to say that I want to stay and do my job or I wanna go and become part of the Sheriff's Office, this will carry me for wherever I go unless I ask for some type of privacy, leniency, redaction something."* While speaking about the sexual abuse several women experienced while working at the Holly Hill Department, Sergeant [REDACTED] said, *"But the truth is is you've got one woman that came forward. Now you have three more, now you've you're gonna have probably the pattern of other incidents and just to do right by these people I think their voices need to be heard."*

Sergeant [REDACTED] concluded the interview and said, *"I never asked for any of this, I never invited it. I never gave anybody any right to touch me. I never gave anybody any rights to say hey lets get in the car and go, none of that."*

#### Interview with [REDACTED]

On March 13, 2024, at approximately 1422 hours, Lieutenant Gordon conducted a sworn recorded interview with [REDACTED], the former office manager of the Holly Hilly Police Department. Lieutenant Gordon conducted the interview at 950 Ridgewood Avenue, Holly Hill. Sergeant Hachenberger was present for the interview.

[REDACTED] explained she was employed by the Holly Hill Police Department from 2016 until February 2024 as the agency's office manager. When asked if she recalled any conversations before Officer [REDACTED]'s employment involving her looks or physical features, [REDACTED] stated, *"No I've heard of that but I... I did not witness that no. I know that has happened. With other you know they may have made a comment about somebody else they were interviewing or looking to interview. Just in passing. Not directly like having that conversation with me. But honestly with [REDACTED] I do not recall that."*

[REDACTED] was then asked if she had been present when Captain Yates reprimanded Officer [REDACTED] for an extended amount of time, and she responded, *"I believe I was over there but I don't remember. I mean I didn't hear anything. His office is across the hall. And he's kind of quiet."*



*Had she had been in with the Chief I probably would have heard everything because he's extremely loud. I don't, I know she was in there for quite a while. But I didn't hear anything. So I was not witness to that but I, I know it was quite a while."*

During her interview, [REDACTED] reported she was the custodian of the agency's personnel and disciplinary files. When asked if she was familiar with Officer [REDACTED] receiving any recent discipline, [REDACTED] stated, *"I believe she had a POR (Performance Observation Report) like right before I left."* [REDACTED] continued explaining she believed it stemmed from a traffic stop involving an elderly female in December of 2023 before stating, *"Normally she had great reviews I mean.....it was a lot of positive commendations in her file that I.....I remember. Not really many negatives."*

When asked about any possible disparity in Officer [REDACTED]'s training requests and if she was familiar with Officer [REDACTED] wanting to attend THI school to be assigned to the agency's motor unit, [REDACTED] explained, *"She wanted to go to the school but our city manager requires that you sign a two year contract and if you leave within that time you have to pay the city back for all the money they put into the class. And I, I don't think she wanted to sign that form."* After being asked if Officer [REDACTED] was denied any other classes, [REDACTED] stated, *"I remember hearing a conversation about her being denied a class but I don't know the details. And that may have been right kind of towards the end of me leaving... or somewhere around that time where I had a lot going on. Cuz occasionally they'll have conversations that I can hear but not, I'm not really paying attention to everything that's going on."*

While speaking about the relationship between Sergeant Fountain and Officer [REDACTED] [REDACTED] mentioned *"I always thought they got along. In fact I thought for a while they were dating but just cuz they had a good relationship. I thought that they were very close but I don't, I mean I don't see them especially when they work at nights... They'll go months that I don't see them at all. And on days I only see them when they actually come through my side of the building and we do small talk you know. Hi how are you that kind of stuff. But just kind of the observation like and I know that was just my observation. As far as I know they never dated. But they had that relationship that I was like oh I wonder if they're seeing each other."*

[REDACTED] recalled this close relationship between Sergeant Fountain and Officer [REDACTED] occurred *"...in the beginning when they, she started with his shift."* And that the two's behavior appeared to have changed recently *"Yeah maybe it was a little bit and maybe not just so friendly. But I didn't think it was... Yeah I didn't think it was bad. But I could tell she had changed as well. She... Normally she would come through and she was always hi how are you and really kind of friendly and she wasn't so much over like the last several months."*

[REDACTED] was asked if she had overheard any disparaging remarks about Officer [REDACTED] from Sergeant Fountain, Captain Yates, or Sergeant Bentley. [REDACTED] responded, *"No. There was one*



*comment made and again I'm not sure who made it they talked about her lips and someone had made a comment that she had told them that she gets Botox and cuz she likes the bigger plump lips. And that was really I think the only comment I ever really heard."* [REDACTED] reiterated she was unsure who made the comment *"It was just one of those there was a bunch of people around and I don't even know who but they had just made the comment about, about her lips."*

When asked if she had any information about Officer [REDACTED] being denied a position as a detective with the agency, [REDACTED] initially stated *"No."* before further explaining, *"Now I know if they refused well maybe not refused but if they didn't want her in CID it would have been because [REDACTED] was in there. That may have been their..."* and *"And she's a, she in my opinion is probably one of the best officers we've got. I would, wouldn't see why they would deny her CID unless it was because she was dating [REDACTED]... and they didn't want them together in the same unit."*

[REDACTED] was questioned about inappropriate sexual content being played on the television within the department's breakroom and recalled, *"There were times we'd all be sitting in there and something would be on Netflix and a sex or naked scene would come up and somebody would fast forward through it but. Yes there were at times inappropriate but we did it was fast forwarded through."*

During the interview, [REDACTED] was asked if she witnessed any inappropriate sexual behavior at the department and explained, *"I've heard that a lot of that goes on. I've been hugged and maybe a little bit too aggressively and maybe a little grabbed at."* [REDACTED] was asked who had hugged and grabbed at her when she stated, *"The Chief."* [REDACTED] further explained that it made her uncomfortable and that *"It's not appropriate."* [REDACTED] said she had never been touched by Sergeant Bentley, Sergeant Fountain, or Captain Yates before advising, *"Bentley, Bentley if anything ever was ever inappropriate he kind of got red faced and almost walked out. He was, yeah... Yeah too embarrassed. Now he may be different behind closed doors with the guys but he was never inappropriate at all ever to me. Captain Yates I really didn't have an issue there was nothing really."*

[REDACTED] was asked if she had ever heard members of the agency's command staff proposition to see female employees' breasts or if it had ever been directed towards her. [REDACTED] advised, *"I'm trying to think. It's been a long it's been I mean I may have been asked that once. But I, they knew they they couldn't do that. I was you know."* When asked if she recalled who asked her to see her breasts, [REDACTED] stated, *"It may have been the Chief. And again it was you know hahaha let me see your breasts and I just kind of dismissed it and walked out."* [REDACTED] then further explained, *"Yeah. I mean at the holidays now not this past Christmas but maybe the one before that he'd you know have a great holiday cuz I'd usually I'd always take off at Christmas time he would hug me and you know maybe grab my ass or something you know and I'd just kind of push him away and you know tell him to have a great holiday and that was that. But other than that*

there was no grabbing no nothing like the other women have experienced." [REDACTED] also explained former Chief Miller would occasionally make inappropriate comments to her "I mean he might make a comment if I had a pair of jeans on that I had a nice ass. Which obviously was inappropriate..." [REDACTED] clarified that only former Chief Miller would make the inappropriate comments to her, "No it was just the Chief. And again I think it was just because we worked close and... Felt comfortable enough... that he could make those comments."

When asked if she had ever witnessed this type of behavior happen to other employees, [REDACTED] stated, "I do recall somebody's boob getting grabbed but I don't remember who that was. It was like several years ago." [REDACTED] then clarified her statement, advising, "No that's I remember it was [REDACTED] but I don't remember who did it."

It should be noted that during an interview with the Florida Department of Law Enforcement, [REDACTED] disclosed that former Chief Miller had given her a hickey on her neck while at the department. [REDACTED] explained former Chief Miller was hugging her when he kissed her neck and caused the hickey. [REDACTED] did not provide this information to either Lieutenant Gordon or Sergeant Hachenberger during their interview.

#### **Interview with Master Patrolman Michael Rosabella**

On March 18, 2024, at approximately 1011 hours, Lieutenant Gordon conducted a sworn recorded interview with Master Patrolman Michael Rosabella of the Holly Hill Police Department. Lieutenant Gordon conducted the interview at the Holly Hill Police Department located at 1065 Ridgewood Avenue, Holly Hill. Sergeant Hachenberger was present for the interview. Master Patrolman Rosabella explained he has been employed by the Holly Hill Police Department for approximately two years and previously worked for the South Daytona Police Department for nearly three years.

Master Patrolman Rosabella was asked if he had observed any behavior that he would classify as sexual or workplace harassment to which he responded, "It was when I first started, I was assigned to Sergeant Fountain's shift. And it was you know it was me and Officer [REDACTED] I believe and I think Officer Ali who no longer works here we were assigned to that shift. We basically from time to time Sergeant Fountain would tell us how he wanted things more or less and it was more how I perceived as somewhat of a hostile work environment based upon how we were spoken to and kind of treated you know. We were very proactive officers and sometimes were given a hard time about not staying in zones or you know 56'ing and talking about where to be proactive and where to look for narcotics and things like that. But sometimes like you know like not spoken to the way I would want to be spoken to. Like that's one thing I've tried to now when I fill in like try to teach you know be respectful to these guys and build them up and you know I felt

*like sometimes he would either be in a good mood with us or other times would just be you know straight up nasty to us depending on the day and kind of give us a hard time about what we were doing and how we were doing it. And you know I know I'm not the most experienced officer but for our department we have a lot of people with less than two years. I have almost six years and I've prided myself on doing a good job and not getting complaints and you know I was told at times verbatim... .. Told that I was fucking up and things like that. And heard someone else say that over the phone when we were talking to someone saying that he said that I messed up and that type of thing so that, that kind of bothers you you know. I'd rather be spoken to and respected. I mean given we have times where we're on calls we have to be spoken to a certain way which I expect and you know there's times when safety and scene security is most important but you know I felt on that shift I had a really tough time."*

When asked if Sergeant Fountain had unjustly berated him, Master Patrolman Rosabella stated, *"He berated me about uniforms a couple times. So we have here the CRA unit it used to be a crime suppression but now it's like a community policing unit so I was assigned to that and then pulled from it due to short staffing. And I was told when I went back to the road I was still assigned to that unit because it's a specialty position or you get a pay stipend. And I had a different car and things and I was allowed to wear different uniform at the time prior to us being allowed to wear this. And when my yearly eval came around it wasn't explained to me but it was handed to me and in my eval he put how I've been spoken to about wearing an improper uniform and spoken to about it multiple times and was spoken to about not wearing a drop leg holsters when the Captain had approved all these things and allowed me to wear them. And he put that in my yearly eval and did not speak to me about it."*

Master Patrolman Rosabella began explaining another incident where he had received discipline in the form of a Performance Observation Report. *"So I got a POR for something when it was basically I didn't feel that it was should have been articulated the way it was and I was kind of spoken down upon. Like basically like told that I messed up. And that you know I don't agree with how I was spoken to and how it was handled. You know when other officers here get away with things and meanwhile I'm getting held to a standard that I shouldn't be. There was a male who I got a call about being in the roadway. I got there he wasn't in the roadway. I rolled down my window and said sir please stay out of the street, he wasn't committing any crime or anything like that and I was told that I needed to go back and evaluate him for a baker act because a citizen called in and complained. But meanwhile this male was doing nothing. I know his rights and I know the law. He's standing on the sidewalk he's allowed to do that. Doesn't matter how he looks."*

Master Patrolman Rosabella reported that Sergeant Fountain would *"...say a lot of like sarcastic things"* concerning Officer [REDACTED] during the shift's briefings. Master Patrolman Rosabella expanded on his comment saying *"There'd be like lots of jokes like I know she was going through a tough time with family stuff. And I know her a little bit from another agency and so I*

*know she was going through some stuff and he would say things like she would say you know I'm having this or that and he would kind of make sarcastic remarks. I don't remember the exact verbiage but it'd be kind of stuff that you know even I would sit there sometimes I'm like I don't know if that's ok. It was just kind of over a period of time. I'm not really one to like rock the boat so I was just kind of like you know let adults talk. Certain things you know it's one of those tough situations how do you tell a boss how they should or shouldn't speak. I mean I know there was times that she said that you know why would he say that to me and I'm like I don't know he I perceived a lot of it that sometimes he would come in in a bad mood and take it out on us."*

Master Patrolman Rosabella could not recall any specific statements made by Sergeant Fountain towards Officer [REDACTED] during briefings; however, stated he did recall one incident *"I mean some of it was sexual in nature. And I remember thinking I was like no that's not really right but I, I just don't remember the exact verbiage. I, I wanna say maybe a couple times she said she wasn't feeling good or something and he made a remark about like being with a bunch of dudes and that's why or something like that like oh you gotta stop sleeping with those dirty dudes or something like that but. I don't remember the exact verbiage of it."*

During Officer [REDACTED]'s interview, she mentioned an incident where she was battered by a mentally ill person and later in the shift, she and Master Patrolman Rosabella were recounting the incident to Sergeant Fountain. While speaking of the incident, Master Patrolman Rosabella mentioned Officer [REDACTED] *"took it like a champ"* before Sergeant Fountain stated *"That's what her boyfriend says"* inferring a sexual reference according to Officer [REDACTED]. Master Patrolman Rosabella was asked if he recalled the incident and provided his account of it, *"Yes. Yeah me and Officer [REDACTED] went to get breakfast at Wawa because there's no food in this city unfortunately after a certain time. And I was hungry we went to Wawa to get like a bagel or something and she got battered by a mentally ill person and that it was later on after the I guess debrief or whatever you could say."* Master Patrolman Rosabella then confirmed Sergeant Fountain had made the statement which Officer [REDACTED] mentioned during her interview.

Master Patrolman Rosabella was asked if he recalled having a conversation with Sergeant Bentley where, according to Officer [REDACTED] Sergeant Bentley stated she came to the department with no experience and a bad attitude. Master Patrolman Rosabella explained he did not recall the conversation stating, *"No. That one I don't. And again like I said it may have been so long ago I just don't remember honestly there's been a lot of crap since then."*

When asked if he had witnessed or heard anyone comment on Officer [REDACTED]'s appearance, Master Patrolman Rosabella advised *"I don't think anybody else. Like I said again I try to keep my head down when I come in here."* Master Patrolman Rosabella explained he had not observed any sexual harassment or instances of workplace harassment from any other members of the agency.



Master Patrolman Rosabella then began discussing training classes as it pertains to the agency stating *"it upset a lot of people for a long time because people felt only certain officers would get classes. I mean I had a lot already so I didn't really care. And I just wanted to move up but I know a lot of people that used to get annoyed though oh why does only certain people go why do others not. It didn't seem like there was a rhyme or reason who went it kind of was just it was kind of..."* Master Patrolman Rosabella, who is a member of the agency's training committee, stated the selection and approval process for training classes was recently revamped in an attempt to make it more consistent. Master Patrolman Rosabella stated the training committee consists of *"Myself, Investigator Barrett, Officer McCorkle, Officer Nick Stacy and Sergeant Weiss I believe. And Investigator [REDACTED] and Officer [REDACTED] used to be on it."* Master Patrolman Rosabella explained Officer [REDACTED] is no longer a member of the committee because *"I think she got frustrated with how she felt things weren't changing for the better."* When asked his opinion of the changes made since the committee was formed Master Patrolman Rosabella stated *"I think it's better now yes definitely. I think before it was, it was a lot less structured it was just you know people turning in stuff and I don't know how it would get approved or what would get approved."* Master Patrolman Rosabella was asked if the approval process appeared to have been done with any form of favoritism or was done randomly, he explained *"I would say more random. But again I can't fully attest to it cuz like I said to be honest I just kind of stay out of it. I, I, I Yeah just random yeah I know people felt that there was favoritism with it. And only certain shifts and certain people would but I didn't see it as that. I know a lot of people don't understand you've got to figure out there's cost, there's times you've got to have shift coverage you know you've got to have enough people. Cuz we're a smaller agency there's only two in a float unit so you take one guy you take half of your road basically and you've got to create overtime so."*

#### **Interview with Detective [REDACTED]**

On March 19, 2024, at approximately 1025 hours, Lieutenant Gordon conducted a sworn recorded interview with Investigator [REDACTED] of the Holly Hill Police Department. Lieutenant Gordon conducted the interview at the Holly Hill Police Department located at 1065 Ridgewood Avenue, Holly Hill. Sergeant Hachenberger was present for the interview.

Detective [REDACTED] began the interview by stating that the Holly Hill Police Department has employed him for approximately ten years and that he is currently assigned to the East Volusia Narcotics Task Force. Detective [REDACTED] explained that his current supervisor is Sergeant Bentley, although he typically works outside of the Holly Hill Police Department due to his Task Force assignment. Detective [REDACTED] advised that he and Officer [REDACTED] are currently involved in a relationship.

When asked if he recalled any conversations where Sergeant Bentley made inappropriate statements, Detective [REDACTED] explained *"Yeah, he made several comments to me before we*

*started dating as well as after we started dating and I can go through them but... First one pretty much we were in I forget how long ago it was I think it was in 2022 we were in the parking lot in the south parking lot there where we park our police cars. We had been me, [REDACTED] and Sergeant Bentley were talking. She appeared I guess he thought she had an attitude that she took off she left in her patrol car and afterwards it's me and him and I was getting ready to go back in the PD for something and he said he looked right at me and said someone needs to dick her down. Pretty much insinuating that she had a bad attitude and she needed to get fucked down to get a better attitude. After we started dating when we obviously per policy we notified chain of command and he was my chain of command. I, couple a week or so afterwards he told me that when we break up that I need to show him photographs and I took that as him insinuating that like show him photographs, nude photographs of [REDACTED] like after we break up and all that stuff."*

Detective [REDACTED] continued recounting the incidents *"There was also one incident like I was on the phone he called me reference to a subpoena I had at the office cuz they leave it in my box and I have to come get it. He said that you know why haven't you gotten your subpoena cuz we had been busy that week or something. I said oh I haven't been by the PD and he goes oh a little birdy told me that you know you've been visiting your future ex-wife. And then there's a couple other I think there's another incident I can't remember exactly."*

When asked how he felt about his supervisor making the comments, Detective [REDACTED] stated *"When the dick down one I was like kinda like taken off guard like cuz that's the first time like ever like he made the first comment when he said dick down I was like kinda like that I just kind of laughed it off and walked away. Yeah it was a very odd comment and I walked away and then the last one we were actually in CID when he said about the photographs and I, I was very like taken back and I was like infuriated but he's my boss so like I kind of just like I was like I just walked out. Like I didn't even say anything back to him."* Detective [REDACTED] explained Officer [REDACTED] would share comments she overheard or learned about with him that were made about her. Detective [REDACTED] stated the comments made Officer [REDACTED] *"...feel like a object..."*

Detective [REDACTED] advised Officer [REDACTED] also disclosed the comments made by Sergeant Fountain and the text messages she received from him explaining *"Yeah so I mean she would text me all the time like she's like you know Shannon said this or Sergeant Fountain said this and you know I just wish the comments would stop. She would tell me like obviously she's like I just like newly divorced you know three kids. Like what are you doing like being pretty much being an asshole. She also felt like you know she wouldn't have trust in administration because she had come forward before with complaints in reference to another sergeant about spreading rumors and stuff like that and she had like a meeting with them and she felt like it really didn't go anywhere and they just put out a power point of like six slide about workplace bullying and she's like I just don't feel, she's like I feel like essentially it's a good ol boys system and that they're looking out for each other and that if I come forward it's just gonna get swept under the rug, they're gonna target me and I'm gonna be out of a job. And she's like I can't afford to do that without having*

*you know cuz I have kids to provide for and she's like it just it's a very defeating feeling. And I honestly could see the decline in her like morale and like just like mental space like going from like the last year it's gone dramatic just based on like coming here. She used to be excited to come here and like wanna do stuff and she was a very good officer. I mean she still is but she's very proactive and very like upbeat and then like as like all this continued happening."*

Detective [REDACTED] was asked if Sergeant Bentley had told him that Officer [REDACTED] was not allowed to be at his home during work hours and he responded *"Oh yeah like when we first started dating like obviously we per policy we notified our immediate supervisors. And like one of the first comments he made to me he was like you know cuz I had a house in the city with my dad, had a house. He's like you know she can't be going by your house or anything like that. And I just was like ok I mean I don't know why that's a first thought like not like we would she never has been to my house like we don't just hang out like she's working she's working. And then there's other officers who live in the city who just spend time at their house and stuff like that so it's like I get it I understand like what the perspective might be if she was hanging at the house but people are allotted lunch breaks and stuff like that. But like it was just very weird that they said that and then there's sergeants or other people who go to their houses for lunch or 10-10's or something like that so it just seemed very specific to us."*

Detective [REDACTED] explained Officer [REDACTED] had also shared several other comments and conversations she had been told about; however, he had no firsthand knowledge of the comments.

### **Interview with Officer Jose Abin**

On March 19, 2024, at approximately 2223 hours, Lieutenant Gordon conducted a sworn recorded interview with Officer Jose Abin of the Holly Hill Police Department. Lieutenant Gordon conducted the interview at the VSO District 3 North office located at 1435 US Highway 1, Ormond Beach. Sergeant Hachenberger was present for the interview.

Officer Abin explained he has been employed as a police officer for the Holly Hill Police Department since 2015 and is currently assigned to patrol. When asked if he has observed any behavior that he believed was sexual or workplace harassment, Officer Abin stated *"Yeah I mean I've never directly observed any, any of that here."*

Officer Abin was then asked if he recalled Sergeant Fountain making an inappropriate comment during a shift briefing. During Officer [REDACTED]'s interview, she alleged Officer Abin was present when Sergeant Fountain said, *"that I seem miserable all the time and that I should be happy due to all the new wiener I was getting..."* Officer Abin did not recall Sergeant Fountain making the comment.

During his interview, Officer Abin mentioned Officer [REDACTED] had voiced concerns to him stating *"I mean she did say that comments had been made in the past. Between her and I don't know if she was referring to Sergeant Fountain or Sergeant Bentley. She was referring to some, one of those sergeants. Saying something along the lines of oh you're, you're just upset I guess her the way she told me was when she was going through her breakup with her ex-husband. I guess she showed up to work and she was you know understandably she wasn't very like happy you know based on everything that was going on... And she made the comment to or you know somebody made the comment and I don't recall if she was referring to Sergeant Bentley or Sergeant Fountain or anybody else I don't that part I don't remember but she did say to me that somebody had said oh you just look that way because you're upset you just need to get a solid dicking or you know something to that along those lines. So she has voiced concerns before."*

### **Interview with Officer Esmerelda Soto**

On March 19, 2024, at approximately 2307 hours, Lieutenant Gordon conducted a sworn recorded interview with Officer Esmerelda Soto of the Holly Hill Police Department. Lieutenant Gordon conducted the interview at the VSO District 3 North office located at 1435 US Highway 1, Ormond Beach. Sergeant Hachenberger was present for the interview.

Officer Soto explained she has been employed by the Holly Hill Police Department for approximately three years and is currently a patrol officer.

Officer Soto was asked if she recalled an incident that Officer [REDACTED] had mentioned during her interview where she had conducted a traffic stop involving an elderly female who was speeding. Officer Soto remembered the traffic stop and stated she responded to the stop when Officer [REDACTED] said the driver was fleeing and not stopping for the traffic stop. Officer Soto detailed what she observed as she arrived at the location of the traffic stop, explaining, *"I get there she's yelling at the lady or what not and I mean I'm being honest so. You know the lady's like freaking out she's like 70 something so I'm thinking about it like my grandma or something you know. And so I'm trying to calm down the lady and that's pretty much it."* Officer Soto provided further detail, stating, *"No I mean she was just like you know yelling at her telling her like you know do I need to have a sign on top of my car that says you know I don't remember what she said but do I have to have a sign on the top of my car. The lady's like... Yeah something like that and the lady's just like, she's like well I didn't wanna cuz there's guard rails on LPGA so I understood what she really kind of meant. The lady's like there's guard you know there's guard it's not safe to stop. She's like you know I was trying to find a safe spot. Well you know so she found a safe spot I guess so. That's pretty much it."* Officer Soto then advised, *"[REDACTED] gave her some citations and went from there. She didn't make the arrest but she she was she had told me she was gonna do an affidavit on her."*

When asked what her impression of the traffic stop was with the conduct she observed, Officer Soto said, *"Eh..."* and could not expound further. Officer Soto was asked if she believed the



conduct was appropriate, and she responded, "No." Officer Soto explained she thought it was inappropriate "...cuz she's an older lady you know."

During the interview, Officer Soto stated she had not observed sexual or workplace harassment during her tenure at the police department.

While speaking about specialized training at the agency, Officer Soto said she had requested to attend approximately nine specialized training courses; however, she could only attend one because *"The classes get filled up you know. Filled up or what not, or somebody asks for them first, and I've gotta wait for the next one."* Officer Soto further explained, *"...I didn't get it, but I wasn't like, you know, they're not like telling me you know you can't go or not, that's what I'm kind of understanding..."*

Officer Soto was then asked about possible favoritism throughout the department that had been mentioned by Officer [REDACTED] during her interview, specifically regarding Officer Soto's current relationship with Captain Yates' son. Officer Soto confirmed she is in a relationship with Captain Yates' son. When asked if their relationship played a part in your role at the Holly Hill Police Department, she stated, *"No that has nothing to do with the department. That's my time. So. Yeah I don't bring my personal stuff to the police department."*

#### **Interview with Investigator Mike Ballentine**

On March 20, 2024, at approximately 1003 hours, Lieutenant Gordon conducted a sworn recorded interview with Investigator Mike Ballentine of the Holly Hill Police Department. Lieutenant Gordon conducted the interview at the Holly Hill Police Department located at 1065 Ridgewood Avenue, Holly Hill. Sergeant Hachenberger was present for the interview.

Investigator Ballentine began the interview by explaining that he has been employed by the Holly Hill Police Department since November 2014. Ballentine stated although he is currently a CID investigator, he is also responsible for pre-employment backgrounds and is the agency's training coordinator.

When asked if he could recall any instances involving former Chief Miller, Captain Yates, or Sergeant Bentley that would rise to the level of sexual or workplace harassment, Investigator Ballentine stated, *"No. You may, you may refresh my memory eventually but... Just right now I can think of nothing that I've ever heard cuz I would have said something, that's how I am."* Investigator Ballentine was then asked if he recalled anyone reviewing Officer [REDACTED]'s social media accounts before her employment and commenting about her physical features. Investigator Ballentine explained, *"No sir. I'm not trying to tout myself but if somebody especially them in their position had done that in front of me I would have either got up and left or I would have said something depending on how egregious it was."*

While speaking about Sergeant Fountain, Investigator Ballentine was asked if he had ever heard him make derogatory statements or inappropriate jokes, to which Investigator Ballentine responded *"I have heard nothing from him like that."* Investigator Ballentine expanded on his statement, explaining, *"I, I honestly think that I put out this vibe for lack of a better way of putting it and they don't include me in stuff like that. They just don't."*

Investigator Ballentine was questioned about the relationships between former Chief Miller, Captain Yates, and Sergeant Bentley. Investigator Ballentine noted, *"Well the two the Chief and the Captain, the Captain's been here 19 and the Chief's has to have been close to that although there was a break I think he went to the county briefly. Bentley's been here since 2010-ish so they, and he's slowly come up to where he's like one of the next to move up to the Captain or lieutenant whatever they do. I think they have a good working relationship. They seem to have a good working relationship."* When asked if their relationships created an environment that showed favoritism or nepotism, Investigator Ballentine replied, *"Not that I've seen. I think before I got here they like the I'm sure they had parties that I've heard of and I don't know if you guys knew Seth Green, Seth Green used to work here he works for Flagler now but I think they did a lot off duty back then. But I don't think anybody does anything on duty now, off duty now. I have no clue is what I'm saying."*

Investigator Ballentine was then asked about the agency's training, specifically the specialized training that an officer with one or two years of experience would receive. Investigator Ballentine explained, *"It's supposed to be and this is their rule or whatever you wanna call it, their policy that if you're in your probationary year you can go to Interviews and Interrogations and Speed Measurement. Very rarely do they get away from that. So the first year they're only gonna go to two classes max. The issue lately has been that we've been hiring prior law enforcement and they already have Speed Measurement and, now we have a Master Patrol Officer program where you need three classes in your first three years to be able to get that and so we've slowly I've been trying to talk them into you know if if they put in for this, one of these three classes you've got to let them go I mean unless something else is going on and it's slowly changing a little bit. I don't know how it's gonna work now but. Yeah normally in that first year they, they can go to one, or two classes."* Investigator Ballentine stated after an officer's second year, *"They can put in for whatever they wanna put in for."*

When asked what the average number of classes an officer may request to attend, Investigator Ballentine initially asked, *"If you take her [Officer █████] out of the equation?"* before saying, *"I would say on average one officer would put in for maybe two classes a year. Two maybe three depending on how motivated they are."* Investigator Ballentine was then questioned about his earlier statement and asked what was different about Officer █████'s case from the average officer when he responded, *"She put in for I wanna say seven to eight last year and has already put in for a handful this year and I think she's gone to roughly half of the ones she's put in for. Or she's been entered into the class then I get notified there's waiting list and then she never*

gets to go because it's waiting list and we don't get chosen." Investigator Ballentine provided more detail, stating, "She's gone to roughly 50 percent of what she's put in for."

During the interview, Investigator Ballentine recalled Officer [REDACTED] showing interest in the agency's traffic unit before backing out of the position because "She didn't wanna go to THI school and sign a two year commitment." Investigator Ballentine then clarified his statement: "I'm not sure about the THI school. I'm sure she would have done it, it was the two year commitment." Investigator Ballentine confirmed Officer [REDACTED] had "...told me that personally yeah." Investigator Ballentine later confirmed that attending THI school is required for the traffic unit, and the City of Holly Hill requires officers to sign a two-year employment commitment before attending the class due to the associated cost and investment.

Investigator Ballentine was asked if Officer [REDACTED]'s training opportunities had been limited since her decision not to sign the commitment or if staff members were upset because of her decision. Investigator Ballentine responded, "I don't personally think so. She's been in my office a number of times since then and we've talked and she just has a vision for herself that I'm very proud of and I encourage her to keep putting in for stuff but she wants to go the whole drug narcotics route and we don't have a need for that right now. So I, I and the Captain because he has the ultimate say we have to like that's most of the ones that got denied for her. Were the narcotics and dangerous drugs although I've tried to get her into this last one she's on a waiting list. Send her to a HIDTA class a one day HIDTA class up in Jacksonville. She found some online courses through I think it's St. John's River or some online thing it's a day, a day thing that you do online and I tried to tell her we're not against her doing that but this is why they are ultimately turning you down because I ultimately don't turn anybody down. I look at the form I make sure people aren't off that's gonna conflict with it and cause issues with overtime and all that. They're really big on overtime upstairs and downstairs. And then I would just sign it and then eventually I would go to the Captain and say ok here's the two or three that I have for you lets review them and he'll give his answer and ask for my input and then we decide from there whether they go or not." Later in the interview, Investigator Ballentine offered additional insight, stating, "And I like I said I applaud her for wanting to prepare herself for that in the future I totally get it but you know there's a time for that and every time she puts in for it the class is full she goes on a waiting list and never gets it or they just deny it for whatever's going on at the time."

When asked if he had noticed any forms of favoritism regarding training being approved or denied, Investigator Ballentine explained, "I was thinking about that when you first brought it up. I don't feel like the Captain had anything against her and was denying her for that. It doesn't mean it wasn't happening but I don't believe that, I cuz I actually sat down with him and we went over them..." Investigator Ballentine offered additional insight stating "...we would sit down and we would say, he would ask me is anybody off? Like for instance right now Sergeant Hutchison is at the Florida Leadership Academy one week a month January, February, March and April."

*And I don't know this happened but lets just say she put in for a class and then we got Ofc. Deap is at THI up in Jacksonville for two weeks. So for instance if she had put in for a class during these two weeks we probably would have denied her because it's just too many people away."* Investigator Ballentine further clarified that Officer [REDACTED] was only denied training requests due to staffing issues, the class being full, it not pertaining to her specific job duties, and *"Or not just being right for that time."*

Investigator Ballentine was asked about an instance where another officer from the agency, who Officer [REDACTED] stated had less seniority than her, had their training request for a class approved while Officer [REDACTED] was denied for the same class. Investigator Ballentine recalled Officer [REDACTED] approaching him concerning it and explained *"And I told her seniority doesn't have a, I'm not gonna put somebody in for a class and they get it and then you come along and want it and me pull them and put them in. I'm not, I'm not doing that."* When asked if seniority played a factor in approving one officer over another, Investigator Ballentine reiterated *"No absolutely not."*

After the interview, Investigator Ballentine provided documents detailing the specialized training courses that agency members had requested to attend and the amount of training hours they accrued for each class. In the documents, it was observed Officer [REDACTED] had asked to attend specialized training courses 18 times since 2022. Of the 18 training requests, Officer [REDACTED] attended seven classes and was denied 11. It should be noted that three of the classes denied were due to the class being full, and Officer [REDACTED] was placed on a waiting list. The documents, which are also attached to this report, detailed the following information training requests pertaining to Officer [REDACTED]

CLASS NAME		REQUESTED	ATTENDED	HOURS
<b><u>2022</u></b>				
Speed Measurement	Attended	09/23/2022		40
<b><u>2023</u></b>				
Hostage Negotiations	"no need at this time"	09/24/2022		
Injury and Death Investigation	"(unknown reason)"	09/24/2022		
Narcotics & Dangerous Drugs	"class full"	12/13/2022		
Interviews & Interrogations	"supervisor on leave"	12/13/2022		
Crisis Intervention	"ATTENDED"	12/13/2022	03/27/2023	40



Drug Identification	"(unknown reason)"	03/20/2023		
Hostage Negotiations	"supervisor on leave"	06/07/2023		
FTO	"ATTENDED"	06/07/2023	08/21/2023	40
CPR Instructor	"ATTENDED"	08/04/2023	09/07/2023	16
Advanced Report Writing	"ATTENDED"	08/31/2023	10/30/2023	40
Interviews & Interrogations	"(unknown reasons)"	09/13/2023		

CLASS NAME		REQUESTED	ATTENDED	HOURS
<b><u>2024</u></b>				
Dangerous Drugs & Narcotics	"reapply later"	12/27/2023		
Interviews and Interrogations	"reapply later"	12/27/2023		
Dangerous Drugs & Narcotics	"class full – waitlist"	01/14/2023		
HIDTA	"ATTENDED"	02/07/2024	03/12/2024	8
Dangerous Drugs & Narcotics	"class full – waitlist"	02/09/2024		
Drug Identification	"ATTENDED (online – own time)"	-	02/24/2024	8

While reviewing the documents provided by Investigator Ballentine, it was noted that Officer [REDACTED] had accrued 192 hours of specialized in-service training from 2022 through 2024. Despite having many of her class requests denied, Officer [REDACTED] received more specialized training hours than any other sworn officer within the Holly Hill Police Department.

#### **Interview with Corporal Carmine Celico**

On March 20, 2024, at approximately 1411 hours, Lieutenant Gordon conducted a sworn recorded interview with Corporal Carmine Celico of the Flagler County Sheriff's Office.

Lieutenant Gordon conducted the interview at the Flagler County Sheriff's Office District 2 substation located at 14 Palm Harbor Village Way, Palm Coast. Sergeant Hachenberger was present for the interview.

During the interview, Corporal Celico explained he has been employed with the Flagler County Sheriff's Office since 2005 and recalled attending a training class at the Daytona State College Advanced Technology Center on September 19, 2022. Corporal Celico confirmed both he and Corporal Fiveash were present for the class. Corporal Celico stated he did not recall hearing or making any statements involving penis size to Officer [REDACTED]

### **Interview with Justice King**

On March 27, 2024, at approximately 0927 hours, Lieutenant Gordon conducted a sworn recorded interview with former Holly Hill Police Officer Justice King. Lieutenant Gordon conducted the interview at the Sheriff's Office Administrative Building at 123 W. Indiana Avenue, Deland. Present for the interview was Sergeant Hachenberger. King explained he was previously employed by the Holly Hill Police Department as a police officer from October 2021 until August 2023.

King was told of an incident Officer [REDACTED] mentioned during her interview when she was bringing a patrol rifle to the police department while she was off duty. King was asked if he recalled the incident and if he was present for it before stating *"Yeah I think she's referring to she came in jean shorts and a like a spaghetti strap shirt that day and we were all in the CID room. And it was Captain Yates, Sergeant Bentley and Detective Ballentine I think was all at the table at the time. Excuse me I have allergies. My throat's going out. She came in did her thing with because Captain Yates is our gun instructor whatever he qualifies whatever. As she left all three of them were making comments about her ass about how good she looked that day. You know would you hit that, would you tap that, just shit like that. So me and [REDACTED] are really close. I let her know like hey like you know this shit's going on in the PD like here's some things that are being said about you. I notified her and I think that's the incident that she's talking about."* When asked who was making the comments during the incident, King explained *"All three of them. I mean it was like a when they get in a group it's like hey would you hit that would you, you know shit like that so it was all three of them. Bentley, Ballentine and Captain Yates were all three chiming in on that."*

During the interview, King was asked whether Officer [REDACTED] had ever confided in him about other instances before he reported *"Yeah so we went to dinner at Fords Garage one night I think we were doing an operation within the City of Holly Hill and she had some text messages I believe from Sergeant Fountain that were referring to she's dating [REDACTED] Detective [REDACTED] ok. And he had made some comments over text message that were basically demeaning him like why*

*are you with him like you could do much better like I could be way better than him and kind of going on and on. She didn't specifically show me those text messages but she confided in me then you know here's the shit that's going on with Sergeant Fountain, he's texting me these things. I had told her save them because you never know what's gonna happen. So I'm not sure if she saved those or not but that was I know one time that she came to me but we would talk weekly. So she was on the opposite rotation to me. So we would talk weekly you know and like I said I she was my first trainee as an FTO so we kind of built that bond and that relationship then and it carried out throughout my career at Holly Hill. So we were always close, always texting calling each other. If she wasn't going to [REDACTED] about something she was coming to me and like you know here's the shit that's going on like you would never believe this stuff."*

King then began speaking about the climate within the police department *"Other than so the I'm gonna tell you something, so within the admin department over at Holly Hill it's a good ol boy society right. Those three gentleman that I mentioned a minute ago were very close, very sleezebally if if that's you know. And it was always talking about other women at the PD specifically [REDACTED]. Always at one point they had started a rumor that she got a boob job. She went on vacation up to I think it was like Tennessee or some shit and I think it was Sergeant Bentley started a rumor that she got a boob job and they were all like oh man I can't wait to see her tits when she comes back, I mean to see her boobs when she, you know. So I told her about that and she's like Justice I'm on vacation with my family to Tennessee and next thing you know rumors spread out throughout the PD by admin."*

When asked if the previously mentioned comments were inappropriate and if they made Officer [REDACTED] feel uncomfortable, King explained *"100 percent. I mean if she didn't feel uncomfortable she wouldn't have came to me and be like here's the shit that's going on. But I have on my side the majority of what I hear is from admin because part of my job was working with admin and targeting certain troubled areas and so we would have meetings and shit in CID. You know string of burglaries are going on hey Justice we're gonna hit these areas you know what I mean. So the rash of what I heard would have been from the admin side of things and I think a lot of what was going on on her side that she wasn't that she was hearing herself was from her shift. So I wasn't on that shift so a lot of that stuff that was said by Sergeant Fountain I don't I can't speak on."*

While continuing to speak about comments made about Officer [REDACTED] King reported *"You know it's, it I will tell you a lot of this starts and I don't know what you've been told so far but a lot of this shit starts with Bentley. He's a complete fucking sleezeball. When it starts with Bentley, so Bentley and Yates are best friends. I don't know if I'm telling you shit you already know... Yeah, yeah. They're best friends, own a company together. So when Bentley starts going Yates starts going. And it turns into a shit show basically to put it lightly. And so when Bentley would start about [REDACTED] or really there was another female officer there too as well. McCorkle. Kirsten McCorkle. I remember one day we're sitting in Sergeant Bentley's office it was Yates, Bentley*

*maybe Ballentine and me. And Kirsten McCorkle calls Yates like out of the blue on her day off and she's like yeah I'm just laying on the couch just like relaxing. He had it on speaker phone and he couldn't like turn it off and we're all looking at each other like why the fuck is chick calling him in the middle of the day just like yeah I'm just lounging in my pajamas on the couch like just weird shit like that was happening and he was like hey I gotta call you back (unintelligible) and hangs up the phone. And so when Bentley would start it would be like god did you see her ass man? We got new BDU's right like (unintelligible) [REDACTED]'s ass in those BDU's man? And then Yates would chime in like yeah and start laughing yeah man she looks good yeah yeah. They say shit like that. You know it, I will say you know out of everybody that I had contact with it was usually Bentley was the instigator and then Chris Yates being his best friend would just hop on the train and start talking shit too."*

*King continued explaining "Yates, Yates was just a weird guy. He had this like really weird relationship with female officers there like they would go in his office and sit in there for hours like dude what the fuck are you doing, go do your job like we've got shit I mean it's Holly Hill like we've got shit that's going on all the time. Esmerelda Soto is another one that was just weird. I think she's dating his son now. But just weird like on the phone with each other all day. She would sit in his office take her vest off take her duty belt off and just relax in his office and it's like what the fuck's going on like. You know what I mean like you're at work. And we got two officers on the road and you're in here just fucking around. But he just had these weird relationships and I did my best to stay out of admin's office like I fucking hated admin. So like I did my best to stay on the street and, but like I said there was times when I would have to go in and have sessions like this in CID and you know plan and shit and so I would hear this stuff."*

*King was then asked about former Chief Miller and if he had overheard any inappropriate comments from him before stating "You know I never heard Chief say anything bad. I've never heard Miller, what my, what my issue with Miller was is that I think he knew this shit was going on and didn't do anything about it. I think that was my issue. There was times we were in an operation one night and he sat in on you know on the, on the planning and everything going on and you know some jokes had started then and you know Miller just laughs and sits there. I think one of the times we were talking about an attractive girl that lived in the city who we had baker acted and we had you know instances with. And they're all like yeah man I'd have sex with that girl I'd do this I'd do that. It's like dude like it's the Chief you know the Chief's just sitting there like laughing like yeah yeah yeah it's like. It was just weird shit like that." King then began speaking further about Sergeant Bentley "I'm telling you man like if there's anybody who needs to be involved it's fucking Bentley that guy was a sleezebag. Talking about yeah I could have fucked this girl over here. Earlier in my career I went to this call man and she wanted me so bad like it just the dude nonstop. Just talk... It's like dude like I don't know if you've got a problem or what but it was just like always always something either judging a girl good or bad, sexual I mean it was just like constantly. And like I get like I don't know I don't even wanna say that like*



*I, like guys, guys mess around but like there's, there's a cutoff point. And like for him he didn't know. Like there was no like filter."*

When confirming who was involved in the conversations, and what their positions were within the police department, King advised *"Yeah so Bentley was admin as well. He had the title of sergeant but he was really a lieutenant. So it was a little concerning that you had Bentley and Yates were both considered admin, I mean Yates was he was a Captain. And then you had Bentley who I mean this dude's working sex crimes? This dude's working overseeing you know rape investigations, he's over, and it's like just a little weird that we have a guy in that place who is making comments like this. You know and it was like in front of the Chief like he didn't give a shit. Like and that's what I'm saying like that good old boy culture is like Chief could be sitting right here, didn't give two shits about what was being said about anybody, any officer any civilian... No had no, no inkling to stop it at all. And like I said it's a little hard for me to pull like exact words and exact because I've been gone now eight months. But definitely I do remember that incident that [REDACTED] brought up for sure."*

King was then asked about his departure from the agency when he explained *"You know and it's it's kind of sad that I wanted to be in law enforcement since I was six years old and unfortunately this agency blew it for me. I'm out. You know and just the work environment the mandatory overtime the, it was, it was taxing. You know I did two years there and I felt like did fucking ten. You know I was so burnt out when I left there but I didn't, I didn't really I didn't make it any hostile than I should have. You know I put in my two weeks and, and I got out of there. They were pretty upset that I was leaving but I just I couldn't do it anymore. It was pretty bad."*

When asked if he had overheard anyone make any inappropriate statements concerning Officer [REDACTED] during her pre-employment process, King advised *"Yes. Yes. Thank you for bringing that up. So when Officer [REDACTED] I was there when she interviewed but when she came in she looked professional had a dress on, high heels whatever. And after she got out of her interview I was walking through the hallway near CID. So CID sits here Yates and then the Chief they all kind of sit right there. I could hear them you know getting loud in CID so I went in there just to see what was going, what they were joking about. And I walk in and they were talking about how she looked during her interview. How hot she was. How this'll be a win for the PD."* King was asked if he recalled anyone making any specific statements and he stated *"I was walking up the hallway finishing up my call, she had already left and that's when I had poked my head in CID and they were all talking about how hot she was and I think it was Ballentine who mentioned that she, she would be a you know she's gonna look good for the PD cuz how attractive she is. How it's a win for the PD. I wanna, I'm like 98 percent sure that was Ballentine as I'm replaying this in my head."* King was then asked if anyone had been showing Officer [REDACTED]'s social media accounts to which he reported *"I believe this was later on he pulled up her Instagram and was showing people her Instagram and her pictures and how hot she was and yeah that was 100 percent that was Ballentine. And that was on Instagram."*

### Interview with [REDACTED]

On March 27, 2024, at approximately 1404 hours, Lieutenant Gordon conducted a sworn recorded interview with former Holly Hill Police Officer [REDACTED]. Lieutenant Gordon conducted the interview at the Sheriff's Office District 3 South substation located at 124 North Riverside Drive, New Smyrna Beach. Present for the interview was Sergeant Hachenberger.

At the beginning, Lieutenant Gordon discussed the nature of the complaints made against former Chief Miller, Captain Yates, Sergeant Bentley, and Sergeant Fountain. [REDACTED] advised that she does not know Officer [REDACTED] nor was she aware of any incidents involving her. According to [REDACTED] she worked at the Holly Hill Police Department from December of 2006 to May of 2017. During her tenure [REDACTED] worked with former Chief Miller, and even worked for him when he was a sergeant at the department.

[REDACTED] started off by describing what is known to her as an inner circle. [REDACTED] was asked who was in this inner circle and to describe it further. [REDACTED] said, *"The Chief [at the time], Gina Baker, Miller, Yates, there was a group of people that were close and you either got close to them or you did not get promoted. That's kind of the general, you've got to be trusted. They had to trust you. I knew about those things peripherally but as a nobody you know a rookie cop like that you're not included in those things."*

[REDACTED] then began to discuss a sensitive topic that involved an incident where she felt she was sexually abused. [REDACTED] recalled the incident happened in either April or May of 2008. [REDACTED] explained, *"I got invited out by the in crowd, super excited about that it was the first time I had been invited out in a group setting by the haves if you will. The inner circle. I was super excited about that, I didn't want to make a fool of myself or get too drunk or risk driving drunk you know what I mean any of those things so I contacted a personal friend, she was a manager at the Publix in Holly Hill.... Yes. So her name was Nicole, she had a house in Holly Hill so that night I parked there at her house with the intention of staying at her house that evening and we went to Razzle's over on beachside on Seabreeze. Where we met up with the group. Our records clerk [REDACTED] Gina Baker, she was one of our investigators, the last I knew she works for the state attorney's office now Jeff Miller, Barker, like the haves.... Everybody was just talking I remember sticking pretty close to [REDACTED] and Gina. There wasn't anything significant about our time at the club. That draws any attention and memory. But where memory gets very sharp is leaving the club. Had a lot to drink, getting to the end of the night everybody's starting to leave. Myself and Nicole were headed to Nicole's vehicle. Miller came up behind and kind of took me by the arm and offered to give me a ride. Nicole did you know hahaha no, no, no, Nicole did her job and deflected that you know nope she's coming with me haha you know and*

kind of loads me into the vehicle and we take off. Miller did not accept no. He followed our vehicle, texting me the whole time you know hey I just wanna talk lets just talk we can be friends we can whatever. And I'm feeding all this to Nicole as we go and she's like just turn your phone off, just turn your phone off you know it's just ignore him and I'm like no he just you know just realizing now a mistake and stupidity. But no he just wants to talk you know whatever. We ended up pulling over at Ross Point Park it's off of Riverside Drive and he approached the vehicle and he started talking and insisted that we're just gonna talk we're just gonna this we're just you know we're just friends we're gonna be friends we're gonna talk. Nicole's like no, no, no she's supposed to go with me you know. I told her no it's fine you know nothing's gonna happen he's a cop blah, blah, blah. She gives up on me she's like alright fine whatever be safe. I get in the car with him she takes off we start driving up north on Riverside Drive. And we were just that just talking carrying on did you have fun did you you know, whatever I don't remember the context of the whole conversation it was just small talk just bullshit. The next thing I know Miller's kind of like hey you know hey cuz I'm just looking ahead looking out the window just you know I'm nervous in the first place. But when I look over he has his penis out of his pants and he's like hey hey and he's smiling carrying on like it's it's fun and he starts telling me to just put it in your mouth just get it hard just you know just a lot of stuff. And had several moments of pause, just kind of oh shit. And I did not say no and he did not physically force me and it is very humiliating to own to like I ended up in this situation."

██████████ explained further that at the time, former Chief Miller was an investigator, but due to his social status within the inner circle, if she declined to take part in the abuse, she would lose her job. ██████████ said, "It felt like either humiliate this man and there's the end of your career or just put it in your fucking mouth... I did not feel like like no was an option." ██████████ continued, "I just need to do this and move on like I just need to do this and get it over with like So I tried. And as I was trying he started saying some really fucked up things to me about wanting to take me to his dojo apparently he had a dojo in Ormond at the time. I don't know if he owned it or if he worked there I don't know the ins and outs of that but he wanted to take me there so he could fuck me in front of the mirrors and pull my hair and choke me and he knew I was dirty and he knew just, I got scared. And I stopped and I told him that I felt sick and when I stopped he started groping me and try putting his hands down my pants and everything else and I kind of just started looking out the window and telling him like I feel sick I'm gonna throw up we can't you know I need to get something to eat, I need to get something to eat. He's like no we'll wait till we're done wait till we're done and I... you know ok my house go to my house my mom and dad my mom and step father were there you know I just say those say that they were there but I just figured you know that would be my way out. And he was refusing to do that he didn't feel comfortable with that I was like well I need to eat or I'm gonna throw up, I'm gonna throw up in your car like I need to get you know I need to get something to eat so finally he agreed to go and get something to eat. And that was the end of that physical incident. However, once we got to the restaurant to get something to eat, I don't remember the context of the initial communications when we got there we were doing small talk still, again I should say just trying to get away from where we had just been. And kind of this, this back and forth conversation came up about him and my zone partner at the time they seemed to have some sort of game or challenge about how many women they could sleep with in the city."

██████████ recalled hearing former Chief Miller brag about how many women he has slept with within the city of Holly Hill. ██████████ explained that they were victims of crimes, suspects of crimes, and witnesses. ██████████ was asked if there were boundaries to what former Chief Miller bragged about. ██████████ replied, *"Whether on duty off duty there's been no boundaries."* Still, while bragging, former Chief Miller then produced several pictures from his phone of the women in question in various sexual acts. ██████████ then, in an attempt to keep the focus off of her, attempted to make a joke about her zone partner sleeping with an underage female. At that point, ██████████ said, *"So I laughed and I told him I'm just kidding there's nothing there I'm just I'm so just kidding I just wanted to see your face blah, blah, blah, blah. He's like no that's serious, no that's serious. So what ended up happening is this conversation ends. I ask to be driven back to Nicole's house in Holly Hill which he did. And before I got out of the car at her house he asked me to get together again the following night he wanted to finish this incident, finish what had started. When I said no to him, he told me remember you have 30 days. He had, he had told me I'm sorry I fast forwarded. At the restaurant he told me that I had 30 days, or no maybe it was in the car. To turn my partner in or he was going to. Yes. I reinforced the fact that there was nothing to turn him in over and that was the end of the night, I got out of the vehicle. So fine and dandy. Over the course of the next 30 days via call, via text, parking lot, hallway, anytime we had contact or he called or he texted he would ask me out. He would ask me if we could get together what's your plans tomorrow what's your plans this weekend what's your plan, whenever I would shoot him down tell him no tell him I'm busy tell him nothing he would let me know how many days I had left. This probably happened at least ten times. He would tell me how many days I had left so hey can we get together tonight hey do you wanna grab some drinks tonight? No I'm busy. You have 27 days left. You know what I mean, you know until we got down. He, it was we're going to have sex or your partner's gonna lose his job."* ██████████ said that she never gave in to his demands, which led to former Chief Miller reporting the joke ██████████ had made as fact. After an investigation into the incident was concluded, it was determined to be unfounded, just as ██████████ had said.

Because of the incident and her involvement, ██████████ advised she experienced hell because of what former Chief Miller did to her. ██████████ said, *"Miller's favorite thing to do was to humiliate me and get me to the point of either beet faced red angry crying or telling him to go fuck himself in front of every, like he loved to cause humiliation, embarrassment. When it came to there's so many incidents. Nice tits, nice ass, can we get together, he told me about an attorney he was sleeping with and he had talked to her about me and trying to arrange to get me to hook up with them like it was just never ending. The day, a couple days before I got married approached me in the hallway right outside briefing to let me know that he would be marrying me himself if it wasn't for all my children and just it's just never ending. Incidents of talking about the incident in the vehicle as if it was a joke with coworkers. With Yates in particular in one incident... In this incident I don't know the dates. I don't know the dates. It would be, we had several rookie officers Bentley was one of them at the time. Bentley was I'm sure in there. However my own memory on that again was called into question in that investigation over who the other two were so I'm just going to say I don't recall who the other two were. They had several rookie officers paint, doing some painting. We had a new city manager. I think that's when we went from Forte to McCrosky. Sadly they're back to Forte... That was about to do a tour of the PD and they were doing some painting some touching up some sprucing up for someone so there's painting going on. I had walked into the EOC I don't believe I went through*



*the fax room. I don't remember which way I entered the, either way I entered the EOC. Miller and Yates were already in there, were coming through perhaps from the back end from where the well I don't know what it is now but it used to be the evidence room and the CSU SRT whatever you wanna call it area back there. It's I believe they were coming from back there or vice versa. But they were laughing and joking and talking about fellatio related things that was being expressed in a way that made me very sure at the time that it was about me. I became very angry about this and addressed it with them, confronted them I guess you could say. Because they were talking about it in the EOC and I remember starkly the humiliation because there were people from here to there and an open doorway as they're laughing and talking about this and this."* ██████ said that former Chief Miller was a corporal at this time and that both he and Captain Yates contributed to the public embarrassment.

On another incident where ██████ felt targeted and humiliated, she said, *"I'd been at Holly Land Park working on reports smoking a cigarette you know whatever. I'd been across the street at Holly Land Park. He pulled up. I had gone through several trainings I was trying to get myself ready for promotion and things like that I don't recall the particulars of why I was upset on that day about the efforts and not feeling like I was getting anywhere but either way I trusted Yates at the time. So I'd asked him you know I'm doing these things I don't feel like I'm getting anywhere with it what do I need to do to get promoted like I was very very animated like usual. But he was starting to talk to me he was starting to say something, Miller was in the passenger seat and he pipes up and tells me I'm not getting promoted because I don't and then did the hand movement with the tongue in the mouth for give blow jobs. And at that point I told him he was a fuckin idiot like what the fuck's wrong with you I was just very I was very upset like I was just kind of over his shit and Yates was like ok time to go and you know drove off. Later that same day Yates came to me visibly upset and concerned and he's like nothing I said bothers you right? Like nothing I personally said to you like nothing that happened today like I didn't offend you right? And I just kind of no it's that piece of shit like he's a fuckin asshole like I can't fuckin take his shit anymore."* ██████ said that regardless of Captain Yates' attempt to check on her well-being, he failed in his moral duty to report incidents of this nature and did not protect any of the employees from the abuse he witnessed from Chief Miller. ██████ was clear to state that the two main issues from Holly Hill were former Chief Miller and Captain Yates, as those two were the primary harassers and abusers.

██████ was asked about any harassment-type incident that involved Sergeant Fountain and Sergeant Bentley. ██████ then described an incident she was involved in with Sergeant Bentley. ██████ explained, *"We had a mutual crush thing going on... By the end of that year 2012 I believe it was the end of that year, could have been the beginning of the following year. I had been out with some friends, Rockin Ranch wooo! Left there for the night, realized crap I should not be driving, I am, this is bad. I contacted Bentley I knew he was on duty. He told me to park behind the Walmart at Flomich and Nova and that he'd be up... a strip of road that ended in a cul de sac there was nothing built on either side it was just a place to go and hide and do paperwork or do whatever...So I drove down there, parked my car and got out we were bullshitting back and forth we were both smokers or we were at the time anyways. Having a cigarette bullshitting and he all of a sudden kissed me. And that got deeper and then his hand ended up down my pants and you know how that goes. Like it was not unwanted, it was not, it was not invited but then it was not unwanted either. Like it was it was while he was on duty."*

█████ went on to describe that the incident involved two consenting adults who were engaging in sexual activity. And that while Sergeant Bentley was on-duty working in the capacity of a law enforcement officer and in uniform, he digitally penetrated her vagina with his fingers.

█████ then discussed the culture at the department and how people are treated. █████ said at the time she worked there, if you valued your job at the department, you did not make any complaints about former Chief Miller, or you would be terminated. █████ then went forward and discussed some other issues with the city of Holly Hill that bled over to the police department. █████ said, *"With all the city managers there's a big problem with looking the other way with issues in the police department. Forte was never any different. It's better for problems just not to rise to the top. Specific incidents of why I feel that way I don't recall."* According to █████ there were several people, both within Human Resources and elsewhere, who knew of former Chief Miller's nefarious deeds. █████ expounded, *"I don't know of many people that weren't aware of Miller's behavior honestly. Diane Cole [former Human Resource Director] was a fucking monster I don't know who they have now. Diane Cole was certainly aware of everything that transpired there. I don't know who they have now. There was another one, there was Diane Cole, they have a history of hiring back old people. There was Diane Cole then some other lady then Diane Cole again. There's no way they didn't know. They actually, HR and Aldridge together are the ones."*

█████ closed the interview by stating her pure frustration with the entire incident by adding, *"If I was almighty god and I could just, those people would never be in control of another female human being as long as they lived."*

### **Interview with Corporal Brandon Fiveash**

On March 28, 2024, at approximately 0831 hours, Lieutenant Gordon conducted a sworn recorded interview with Corporal Brandon Fiveash of the Flagler County Sheriff's Office. Lieutenant Gordon conducted the interview at the Flagler County Sheriff's Office District 2 substation located at 14 Palm Harbor Village Way, Palm Coast. Sergeant Hachenberger was present for the interview.

Corporal Fiveash stated he has been employed with the Flagler County Sheriff's Office for approximately 19 years and remembered attending a training class at the Daytona State College Advanced Technology Center on September 19, 2022. Corporal Fiveash also confirmed he knows Sergeant Fountain, stating, *"We were, grew up together went to high school just through childhood and then working in law enforcement together."*

Corporal Fiveash did not recall any conversations with Officer █████ about penises and explained, *"I know there was conversation between her indicating that Shannon was her supervisor. So there was conversation. I don't recall anything about penises."*

### **Interview with Mandy Broderick**

On March 28, 2024, at approximately 1410 hours, Lieutenant Gordon conducted a sworn recorded interview with former Holly Hill Police Victim Advocate Mandy Broderick. Lieutenant Gordon conducted the interview at the Sheriff's Office Administrative Building at 123 W. Indiana Avenue, Deland. Present for the interview was Sergeant Hachenberger.

Broderick began the interview by explaining the Holly Hill Police Department employed her as the agency's victim advocate coordinator from June 2021 until January 2024. When asked if she had observed anything that she would classify as workplace harassment, sexual harassment, or anything she thought was uncomfortable, Broderick stated, *"I mean definitely a few things that were uncomfortable"* and *"You know so now like looking back I think there were definitely things that were inappropriate."* Broderick continued stating *"You know a lot of it was done in like a joking manner so you know at the time looking at it I thought it was just you know the guys not to sound bad guys being guys they were just joking around."*

Broderick was asked if she recalled any instances involving someone making comments about someone's appearance when she advised *"Yes. Especially with Officer [REDACTED] I do remember you know before she came in for her interview that day they had up her social media and were looking at her pictures and asking if you know we thought she had work done."* Broderick further explained *"Yeah they had made comments about her breasts. You know and I think her lips. It's hard it was a few years ago now."* Broderick stated Investigator Ballentine had pulled Officer [REDACTED]'s social media accounts as part of the preemployment process and when she was asked who was present for the conversations she advised *"... I mean I'm pretty sure it happened back in CID and a lot of times when we're back there it's I mean at the time I don't even know if Investigator Barrett was there so I don't think he was a part of it. I think Captain Yates was there and Sergeant Bentley. Just because we, we were the ones interviewing. Captain Yates, Sergeant Bentley and I."* Broderick stated she believed Investigator Ballentine made the majority of the comments; however, Captain Yates nor Sergeant Bentley made any attempt to stop his behavior and *"Yeah they were just kind of laughing about it..."*

When explaining that she was on the panel for Officer [REDACTED]'s employment interview, Broderick stated *"And you know when I was a part of that process you know Officer [REDACTED] came in she was very professional during her interview you know she answered the questions you know I thought very well and I rated her really highly and then afterward there were comments made about why I rated her so high and you know I just rated her that high because we're both female. And then*

*making comments about how she didn't look anything like her profile picture. Cuz I mean a lot of us do it we use the filters. And they had made a comment about that with her."*

Broderick mentioned she believed members of the police department would occasionally "test" her to see if she would be ok with conversations. When asked for examples of this, Broderick stated, *"So like they were looking at, well Investigator Ballentine we would eat lunch together all of us and like he would look at like videos of girls on his phone and stuff. It would be like, like the Instagram reels and stuff. And there'd be like really muscular girls working out and Ballentine would talk about how he found those types of women attractive and like Mandy do you think she's pretty like things like that."*

Broderick also recalled several incidents involving Captain Yates which she stated made her feel uncomfortable *"And then you know there was things really they didn't make me feel that uncomfortable until there was a point where Captain Yates made me feel a little bit uncomfortable and I hate to say it cuz I was really, I was really close with the guys you know but I got pregnant and I was starting to feel like a little uncomfortable about my weight and stuff. And you know he would always make comments on like you know why don't you show off you know like your pregnant belly more like why do you wear such loose fitting clothing like and he made a comment about how he thought pregnant women were so sexy and how when his wife got pregnant you know he just thought she was so attractive and there's just something about pregnant women. You know so that did make me feel like a little awkward and uncomfortable and when I would wear stuff that was a little more form fitting like he would always make a point to point it out and ask why I felt awkward about it because you know I should be proud of that because pregnant women you know are attractive. So that made me feel a little bit uncomfortable. And at one point it was said in front of Sergeant Bentley and you know nothing was really said about it I just kind of felt awkward and kind of removed myself from it and just yeah. But I mean I think that's the main thing that I can think of that made me feel uncomfortable and I mean a lot of it was just jokes and and stuff and I think like some people could take things one way and some people could take it another and I really didn't get offended by you know anything up until I mean it did, the Officer [REDACTED] situation did make me feel uncomfortable."*

Broderick was asked if there were any other instances that made her feel uncomfortable and she began speaking about the conditions of the offices within the police department *"No but just the conditions of the building and I'm not sure if you guys have been talked to about that like it was really really bad there and we had like there was a point where they were pulling like dead rats out of the ceiling and you know I was pregnant at the time so I went to Sergeant Bentley and I'm like I don't, I don't know that it's like healthy that I'm working in this office because they had found the nest in my office and it was like urine soaked I guess all up there? Yeah, yeah it was really bad. And like I had asked if there was like somewhere else I could work so I was, the only option I was given was to work back in CID so I wasn't actually in the office but yeah I worked back there for it was a few days and they had said that maintenance was gonna fix it, they never*



*fixed it. I guess they pulled like several dead rats out since then. It was nasty. And I had even put it in my exit interview like just the, the building conditions were, were really really bad."*

#### **Interview with Officer Zachary Deap**

On April 1, 2024, at approximately 0937 hours, Lieutenant Gordon conducted a sworn recorded interview with Officer Zachary Deap of the Holly Hill Police Department. Lieutenant Gordon conducted the interview at the Holly Hill Police Department located at 1065 Ridgewood Avenue, Holly Hill. Sergeant Hachenberger was present for the interview.

Officer Deap explained that the Holly Hill Police Department has employed him for approximately a year and a half and that he is currently assigned to the agency's traffic unit. Prior to being assigned to the traffic unit, he was assigned to Sergeant Fountain's patrol shift, and Officer [REDACTED] was his zone partner.

During the interview, Officer Deap was asked if he recalled a statement made by Sergeant Fountain that Officer [REDACTED] said he was present for. During her interview, Officer [REDACTED] reported that Sergeant Fountain said, *"that I seem miserable all the time and that I should be happy due to all the new wiener I was getting..."* referring to her relationship with Investigator [REDACTED]. Officer Deap explained he did not recall the statement.

#### **Interview with [REDACTED]**

On April 04, 2024, at approximately 1352 hours, Lieutenant Gordon conducted a sworn recorded interview with former Holly Hill Police Officer [REDACTED]. Lieutenant Gordon conducted the interview at the Sheriff's Office Administrative Building at 123 W. Indiana Avenue, Deland. Present for the interview was Sergeant Hachenberger.

[REDACTED] explained she was employed by the Holly Hill Police Department between 2006 and 2011 as a police officer, then again from August 2023 until January 2024 as a records clerk. After explaining the nature of the investigation, [REDACTED] stated, *"Well I think the same things she went through happened to me too so, same thing."* [REDACTED] further explained, *"Well the the only, the gist of Sergeant Fountain, Instagram he would send me messages on Instagram inappropriately. But it was the what do you call, the vanish mode? It vanishes. So when you like you can regular message someone or you can vanish mode message which I was not aware of. So he would just send me inappropriate things on that."*

When asked what inappropriate things she would receive from Sergeant Fountain, [REDACTED] advised, *"Just, what was I wearing what am I gonna wear to work. He had sent me messages of him in the police office in the bathroom in the male bathroom of his private part, but just the area and his duty pants unzipped but you couldn't see anything but that's what it was. I guess insinuating something. But they vanish so when you I guess drop down the screen everything goes away so all I have is what I remember from last year."* [REDACTED] explained Sergeant Fountain did not expose his genitalia in the photograph and *"Yeah it was just when I got the message from what I remember it was just I could see his uniform pants and it was unzipped but nothing, I couldn't see anything else."*

[REDACTED] was then asked if Sergeant Fountain had included any comments with the photograph he sent, to which she responded, *"There could have been I don't remember. Like I said it all vanishes and I would even ask him I'm like, or cuz he would get upset with me that I wasn't responding to him sometimes. Like I would see him the next day at work and he'd be like you can't respond to my and I'm like I didn't know that it vanishes I don't know that kind of you know I don't really know social media like that so. But I don't know what it would have been but and then asking me like I said what I was wearing. And I used to camp a lot last year and he would ask the campsite number and if I was gonna be alone and it was a lot of that."*

When asked if she had observed any behavior she believed to be sexual harassment or to create a hostile work environment, [REDACTED] stated *"The only think I can remember Chris doing was asking if I had only fans. He would ask if I had only fans and then when I would go camping they would ask what campsite number so that they could I guess fly drones over to see cuz they were asking me if I was clothed if I was naked while I was out there...."*

After being asked if Captain Yate's comments made her feel uncomfortable, [REDACTED] advised *"I definitely didn't like it and then when I first started he asked me I guess there was an incident that I had been involved in that I don't remember that I got an officer fired for something like that? And then Chris asked me he was like I've been wanting to ask you for years did that really happen? Were you telling the truth? And I was like woah really? And then after that it just felt weird and I knew I had made a mistake going back there and then when they would be all eating lunch and stuff they'd be like you're not the same, you're not the same [REDACTED] you're not fun anymore you don't hang out with us and I'm like yeah there's a reason."* [REDACTED] expounded upon her statement: *"When I was working with them previously back in the day when I was an officer we used to hang out. Me and Chris to my knowledge were best friends and then it didn't really feel that way this time, a lot had changed. But I never had anything, nothing inappropriate with Jeff that I, that I remember."*

While continuing to speak about the lunches at the police department, [REDACTED] was asked if anything inappropriate or sexual was mentioned. [REDACTED] stated *"I feel like it could have gone that way. It was probably something they shouldn't have been doing. A lot of people could take, the victim's*

*advocate her name was Amanda Broderick she would always say that she didn't feel comfortable being back there with them cuz they treat us like we're one of the guys and we were just not, we just didn't like it but it's just what happens so."*

█████ advised that during her tenure at the police department, she had not witnessed anyone inappropriately touching other employees.

Towards the end of her interview, █████ was asked if she had any additional information relevant to the investigation when she stated, *"Not that I can think of. It's just good that Jeff and Chris are not in charge anymore..."* █████ provided additional context, explaining, *"They're just like I said best friends they shouldn't be in a position of power like that. It's just it's not safe for a lot of people, the community, employees, everyone it's just my opinion it's why I wasn't mad about leaving."* When asked what she meant by unsafe, █████ advised *"Like I said just how close they were and there was nothing that you could, there was nothing that you could do or say to... No you were you were just on your own, really on your own you're on your own island with that those three [referring to former Chief Miller, Captain Yates, and Sergeant Bentley] and you could tell. So it was just not a comfortable place to work. So it's good that they're not there right now."*

#### **Interview with █████**

On April 8, 2024, at approximately 1145 hours, Lieutenant Gordon conducted a sworn recorded interview with former Holly Hill Police Records Clerk █████. Lieutenant Gordon conducted the interview at the Sheriff's Office Administrative Building at 123 W. Indiana Avenue, Deland. Present for the interview was Special Agent Chris Shephard of the Florida Department of Law Enforcement.

█████ stated she was employed by the Holly Hill Police Department as a records clerk from December 2005 until May 2018. During her tenure, former Chief Miller was a captain at the agency and her supervisor.

When asked if she had observed any behavior that she would deem as sexual or workplace harassment, █████ said, *"It would be sexual harassment."* █████ then began describing an incident she was involved in between *"July 2017 to maybe January 2018."* █████ stated, *"I went I needed to go and get a record, one of the police records, out of what we called the dungeon... I went to the record, the dungeon which is our records storage with all our old records. It's basically called storage. I needed to pull a record out. I went into the dungeon, unlocked the door, went into the dungeon. In behind me came Miller and closed the door. And I told him several times to open the door, open the door I'm cuz I'm claustrophobic. He refused to*

*open the door and he came down the isle that I was in and he kept telling me let me see your boobs, let me see your boobs, let me see your boobs. And um, this is so embarrassing. Unfortunately I did lift up my shirt and my bra and I showed him my boobs and he remarked wow they're really big. And then he just turned around and left."* Later in the interview, [REDACTED] described the aisle she was in as "...very small" and she "... couldn't go through him." [REDACTED] was asked if she felt she could have walked out of the door when she said, "I couldn't. I had to get by him. He, I was way down on the end."

[REDACTED] noted this was the only incident she was involved in and did not report it because former Chief Miller was the "...direct supervisor over me. And because of the embarrassment of doing what I did because I shouldn't have but my problem is with him if you don't do what he wants, do what he says you more or less end up with a target on your back and they make you so miserable and they go out of their way to find things that you've done wrong. So either you leave on your own or you get fired. I'm a single mom." [REDACTED] was asked to clarify who she meant when she said "they" when she responded, "The little, the little group." When questioned about who made up "...the little group" [REDACTED] expanded upon it and explained, "Meaning Miller, Yates, Miller and Yates more than anything. I, I mean it comes a surprise to me that Bentley would do anything like anything because I just I'm just surprised at that. But it was normally Miller and Yates were their little group and some of the officers that they had you know that, that they would pal around with. And it just like I said it would make you if you didn't do what they wanted... ..they would make you very uncomfortable." [REDACTED] followed up, stating, "Yeah exactly because it was either their way or the highway."

[REDACTED] was asked if she knew of other incidents involving other employees when she responded, "[REDACTED]" [REDACTED] provided more detail, explaining, "Because she would go into the office and the door would close and it was the grab thing. She told me that they would shut the lights off, go in her office where there's no windows close the door and grab her boobs grab her ass." When asked who was involved, [REDACTED] stated, "The only ones that I knew that would be in there would be Miller and Yates. But I mean I can't, I can't speak for Yates I just you know." [REDACTED] explained that [REDACTED] had told her of the incidents while she was still employed at the police department before her retirement.

While continuing to speak about former Chief Miller and Captain Yates, [REDACTED] described the two as "They were, they were twosomes. They were together all the time. All the time they were together." [REDACTED] then mentioned another incident, stating, "Yeah and I know Chris would I don't know how but he would walk up behind her and twist her bra to make her bra the you know the back where it latches? Make that come off and I've seen Chris do that. Because he was pretty proud that he could do it in one shot." When asked how often that occurred, [REDACTED] said, "Maybe just a few times. Maybe two three times that I saw. I know they were doing it to her more than that but from what I witnessed myself it was only maybe two or three times." [REDACTED] continued describing the incidents, saying [REDACTED] would yell at Captain Yates afterward, telling



him, *"Just stop doing that."* [REDACTED] asked what Captain Yates would do after unclipping [REDACTED] bra. [REDACTED] explained, *"...he would just giggle you know laugh about it because he thought he was cool because he could do that."*

[REDACTED] continued describing her employment at the Holly Hill Police Department, stating, *"This incident is what had me retire earlier than I had planned. I wanted to get away from there. I couldn't stand it. I needed to get away I hated what they did to some of the officers and like I said they ran off such good officers. Because those officers wouldn't do what they wanted but then you have people like Bentley, Fountain, Ballentine that was in their little clique that did what they wanted to and they got treated properly."*

#### Interview with [REDACTED]

On May 2, 2024, at approximately 1421 hours, Lieutenant Gordon conducted a sworn recorded interview with [REDACTED]. Lieutenant Gordon conducted the interview with [REDACTED] over the phone. Present for the interview was Sergeant Hachenberger.

During the beginning of the interview, [REDACTED] explained she had been employed by the Holly Hill Police Department as a records clerk and police staff assistant from June 2016 until September 2018. [REDACTED] explained during her employment with the police department former Chief Miller, who was the agency's Deputy Chief at the time, was her direct supervisor.

[REDACTED] then began explaining that *"the inappropriate subject matter the inappropriate conversation topics was pretty pervasive. It was throughout my entire tenure there."* [REDACTED] further explained, *"Well I would say that you kind of, it's you know you work for a law enforcement agency it's kind of a family type atmosphere everybody's kind of, there's a comradery there. But I think that there's probably sometimes a more relaxed atmosphere. I would say coming, I had not worked in law enforcement before so coming into that I was more corporate or I was used to a more structured environment so the subjects that were discussed were often sexual in nature. Not necessarily directed towards anyone all the time but there was you know there were just conversation topics that typically you don't see in the workplace. But it was I would say it was consistent. It was probably not anything that should be said to people about their body parts or who they might be having relations with and things like that so I don't know how specific you want me to be or how..."*

When asked specifically if members of the police department would speak about female's breasts and buttocks, [REDACTED] stated, *"Yes. Yes."* [REDACTED] continued explaining, *"They would talk about the officers that were there and it wasn't just officers it was [REDACTED] was the Chief's admin they discussed her anatomy frequently."* [REDACTED] was asked what was said about [REDACTED],

and she responded, *"Just admiring talking about you know her body and her looks and they would say things about pretty much everybody. People that came in off the street, citizen's that came in. There was kind of just a you know there wasn't a whole lot of filter."* After being asked if she felt they were objectifying women through the comments that were being made, [REDACTED] stated, *"I would say in hindsight yes. I mean we had one after [REDACTED] who was kind of she was there the senior records department employee when I was there and she trained me. When she retired in I think it was May of 2018 we had another person come in, she was going to be taking my place when I left in September her name was Darcy. Comments were made about her. She had tattoos they commented about how they liked her tattoos and what they liked about her as a person, it really was just straight across the board they would talk about [REDACTED]'s backside they would talk about Lauren Broomfield she was a sergeant when I was there. They would talk about you know certain things about her. They just it was kind of just pervasive for lack of a better word."*

[REDACTED] was questioned about who was making the comments she had mentioned, and she noted, *"I would say Jeff, Jeff Miller did it quite a bit. He was very big on, but he didn't do it around everybody, he was really big on the circle of trust. I don't know what that even was or how you got into the circle or I don't even know that I ever did. I guess because they said things in front of me and did things in front of me I probably at some point did enter the circle of trust. But that started pretty early on when I started there. He would start asking, he would ask Yates and Ballentine and some other people if we should if they should let me into the circle of trust. I don't even really know what that is but that was big on his, his..."* [REDACTED] further explained *"I don't, I don't, it wasn't I didn't see him interact on that level with Bentley really much at all. He would say it to Chris Yates. They kind of, I would have said they kind of traveled in a herd. They never really went anywhere without the other. It was always Jeff followed by Chris Yates followed by Ballentine, by Ballentine and then Bentley was there. Bentley came off patrol and into CID while I was there and then I would see Bentley more often but when I first started working there Bentley was patrol sergeant so I didn't, I didn't see that interaction."*

While continuing to speak about members of the police department making inappropriate comments, [REDACTED] was asked if Captain Yates would make similar comments. [REDACTED] responded, *"Yes but I would say to a lesser extent. He was more I think reserved in that but yeah comments were made."* [REDACTED] was then questioned about Sergeant Bentley's participation, after which she stated, *"I never heard Bentley. I never heard Tom say anything that I, that I would have deemed inappropriate."* After being asked if Investigator Ballentine participated in making inappropriate comments, [REDACTED] said, *"Yes but to a much less extent."* [REDACTED] later clarified that *"...Ballentine was mostly I would say present for stuff but not not a contributor. He was not inappropriate. I never saw him speak inappropriately to or about the women in the office."* [REDACTED] expanded on her statements, explaining, *"I just, I would, I would say this if I could. I would say they were present during the conversation they didn't always participate."*

When asked if she was present when [REDACTED] had received a hickey on her neck, [REDACTED] recalled the incident and stated, *"Oh, yes I worked there during that time. She actually and I without betraying her confidences at the time the last year that I was there in 2018 it was that March I think it was Jeff Miller got married to his current wife and the weeks leading up to his wedding she was talking to me and she was pretty upset because he was consistently asking her if she would sleep with him before he got married because he wanted to have one last hurrah and she was quote unquote like a drug to him etcetera etcetera and then at some point I was in the front area where our records department is and [REDACTED] was down on the (unintelligible) and she sent me a text a picture of a bite mark. He [former Chief Miller] left a bite mark on her neck. And she was really upset about it."* [REDACTED] advised she did not physically see the incident before beginning to recall a separate incident. [REDACTED] explained, *"...I didn't not actually witness him biting her I was just a, I did witness one time we were all we have a like a training room in the back of the PD area and a lot of us would sit in there and have lunch, we'd take our break in there. And we were coming back down the hallway and I was a little bit further ahead and I, [REDACTED] [REDACTED] was coming, [REDACTED] and I had had lunch we were walking back up and I think it was Miller, Yates and possibly at this time Bentley was the CID sergeant so it may, Bentley may have been down the hall as well. I was coming down the hall and I had walked a little bit further ahead of [REDACTED] who was, and I heard her cry out and when I turned around she goes did you see that? And I said no and they [former Chief Miller, Captain Yates, and Sergeant Bentley] had they had groped her I don't know who did I don't know who did the touching I just know that something happened at that point. I did not physically witness it but I did hear her holler out like she wanted like something was happening that she didn't want to happen and I turned around and I said are you ok? And she's like did you see that and I said no I didn't see that and they were just standing down around the hallway grouped around her but I did not see anybody touching her but I, by what I did see and hear I believe that she was you know they were doing something inappropriate to her at that time."*

After being asked if members of the police department had sexually harassed her, [REDACTED] initially responded "No..." before describing an encounter she had with former Chief Miller. [REDACTED] stated *"...The only thing that ever that Jeff ever did that I felt was out of bounds was after [REDACTED] had retired and that May I had I was basically working alone we were having a hard time finding staff to do it so I was basically kind of running the records department on my own at that time from May until right before I left in September. So I was up in the records department alone and there's a closet if you come in the records department from the public door and you take a right towards the administration hallway there's a closet on the, first door on the right is a closet. I was in there coordinating and kind of reorganizing some files that we had in there and Jeff came down the hallway, shut off the closet light and closed himself in the closet with me and I was like no, no, no we're not we're not this isn't funny and I opened the door and very aggressively and came out the door. But he didn't touch any part of me at that time because I literally got out of that closet as quick as I could so."* [REDACTED] believed the incident had occurred sometime between May and September 2018 *"because that's when I was,*

*I, I was alone in the records department we had no other staff member working in the records department at that time it was just me."*

██████ was asked to describe the working environment of the police department during her tenure, and she recounted, *"I would say the ladies that I interacted with the most would be ██████ ██████ and ██████. Nobody said oh you just have to put up with it it was basically just they were very I would say they were I would say that they were very calculated in what they did to the ladies. They were kind of not kind of they actually were I would say they would diminish ██████ and talk about her in a derogatory way. They didn't really speak of ██████ in a derogatory way. They did have some derogatory remarks about ██████ but they did that about most of the people there. They would talk, they would have derogatory statements about ██████ and just..."* ██████ then clarified her statement, saying, *"...they would talk about their anatomy pretty, pretty openly but they would also they were just if they weren't speaking about them in a sexual way or making a comment about them in a sexual way they were very they would kind of pick at them if that makes sense. They would kind of talk about things about their either their performance or their personalities that were it was just very unkind..."*

██████ continued explaining, *"It was almost like if they weren't happy with you, we all, we called I called it the Palm Coast mafia [referring to former Chief Miller, Captain Yates, and Sergeant Bentley] and if you weren't in the Palm Coast mafia you kind of got picked to pieces. If you weren't, if they weren't and it was whether if they were happy with you one day that was great but if they were unhappy with you about anything then you were kind of targeted by them and they would kind of just nit pick and pick to death and make unkind comments about personal things about you like they knew personal things about you and then they would kind of pick on the ladies about that. Like ██████ was dating someone that they didn't like and they just you know really annihilated her about him or ██████ was having some personal issues and they acted like she was difficult to get along with which was not the truth at all it was just kind of how they targeted if they weren't happy with you at the moment that's kind of how they kind of you know just picked you just really literally targeted you with you know snark and and smart comments and sarcasm and it was, it was really just a not a good dynamic if you weren't in their, in their you know On their good side."*

When asked what was specifically said about Sergeant ██████ ██████ stated, *"Just that she was never happy that she, like if, if they were really if she was, she introduced Jeff Miller to his now wife so there for a while she was on the good side of Jeff but then she did you know if she did anything that they didn't like then all of a sudden you know they would say things like you know she's she's never happy she wants this she wants that she you know she just wants to do CRA she doesn't want to do anything else which is not true but you know they literally just would just make, and I felt as an administrator of the Deputy Chief he was really bad about talking about other employees' performance to other employees which I felt was completely*



*unprofessional and unacceptable. He did it with officers on patrol you know it was kind of like a big joke you don't want to get called into Miller's office because he was gonna ream ya."*

██████ ended the interview detailing, *"...As I stated before it's really was kind of the culture there that you know you were gonna hear some conversations you probably shouldn't be hearing and you were gonna get told some things you probably didn't need to be told."*

### **Interview with Officer Ryan Herstein**

On May 3, 2024, at approximately 0932 hours, Lieutenant Gordon conducted a sworn recorded interview with Officer Ryan Herstein of the Port Orange Police Department. Lieutenant Gordon conducted the interview with Officer Ryan Herstein over the phone. Present for the interview was Sergeant Hachenberger.

Officer Herstein began the interview by confirming he had contacted the VSO Communications Center and explaining he potentially had relevant information about the investigation. He noted he was previously employed as a police officer by the Holly Hill Police Department from March 2022 until August 2022. Officer Herstein said he and Officer ██████ were assigned to Sergeant Fountain's shift during his tenure at the Holly Hill Police Department.

During the interview, Officer Herstein stated, *"So long story short after completing FTO and being put on that shift, a very short time into being placed on that shift I noticed a trend starting where Fountain and ██████ were unreachable for long periods of time. Hours on end. And it didn't matter what call came out, for the most part I was on my own. I couldn't find them AVL most of the time. I couldn't reach them by phone or radio and that just, because I was so new I didn't want to cause alarm or put my job at risk or cause issues in general. I just figured maybe this is normal here and whatever. So until they started a swing shift with Officer Ali which works for Edgewater now. He started on my shift he'd come in at midnight and right after that he's like what is going on here man why can't we reach sarge? And I told him that's common and before you know it he opened his mouth to somebody in command staff whoever that may be I don't know. But the evening or morning that he did resulted in the following morning Chief and Captain Yates pulled me in and essentially said if I have evidence that they are having any type of intercourse on duty I need to let them know. And I said I have probably implied that that's a possibility but I have no evidence. So long story short they abundantly made it clear that if I'm gonna give issues to this agency then they're gonna, they're gonna terminate me, my employment. And I, I that's why my time there was so short I just if the Chief's gonna threaten me over I guess a rumor then I didn't feel like I had a safe comfortable job so I put in my two weeks and left."*

When asked to describe his meeting with former Chief Miller and Captain Yates, Officer Herstein replied, *"No from the, no from get go they were extremely agitated. I don't recall there*

*being specific yelling but very you could tell very aggressive, and I mean it almost started with hey just so you know your job's on the line and I I'm very calm for the most part and I know that being around your command staff you need to, you need to really mind your P's and Q's. And even, even with him I became very agitated also towards the end where I specifically said if you have to fire me then fire me. Because I knew that that was, they just kept threatening my job and after a while you're like wow. Why do I even want to work here if I've done nothing wrong and they're just gonna continuously threaten my employment. I mean I didn't have any write ups I've never been talked, I mean I did four days of FTO and they put me out on my own. That agency is ridiculous."*

Officer Herstein was asked about Sergeant Fountain's and Officer [REDACTED]'s relationship and described the two as "Inseparable" before going into greater detail: "That would be my if I had to use one word that would be it. Didn't matter what the call was, didn't matter if there was a call. They were together 24/7 without a doubt no questions asked."

While describing his relationship with Officer [REDACTED] Officer Herstein mentioned that she "... made it abundantly clear she hates me..." after he met with former Chief Miller and Captain Yates. Officer Herstein further stated that before the meeting, his relationship with Officer [REDACTED] was "...business professional..." and "show up to your call do your job, if they [Officer [REDACTED] and Sergeant Fountain] showed up they showed up as a pair and that was the end of it. It was quite annoying experience working there."

### **Interview with Detective Jeff Traylor**

On May 6, 2024, at approximately 0909 hours, Lieutenant Gordon conducted a sworn recorded interview with Detective Jeff Traylor of the Bunnell Police Department. Lieutenant Gordon conducted the interview at the Bunnell Police Department at 1769 East Moody Boulevard, Bunnell. Present for the interview was Sergeant Hachenberger.

Detective Traylor is currently employed by the Bunnell Police Department and was previously employed by the Holly Hill Police Department from January 1997 until November 2021. Detective Traylor was apprised of the nature of the complaints involving the Holly Hill Police Department and asked if he had any information that may be relevant to the investigation, to which he responded, "I wasn't privy to any of the physical involvement but I can confirm that there was a lot of language that was spoken by command staff that was inappropriate." Detective Traylor explained the involved parties included Captain Christopher Yates and Sergeant Thomas Bentley, but that "...mostly it was Miller. And I've known Miller since we started you know so he just that was just, that was his thing. He, he yeah well he I guess he developed some type of a rapport. I mean he was not one of my best friends. I mean I worked for him I respected him as a supervisor but a lot of things that he said and some things he'd done were, I didn't, I didn't think were acceptable."

Detective Traylor was asked to provide an example *"Well I knew that what kind of, kind of upset me a lot is you know I had dated a couple girls and he was always wanting to see what they look like and he always (inaudible) to see you know put it nicely he wanted to see their breasts. If I had them in my phone."* Detective Traylor continued stating *"...and most recently would be my, my current fiancé. We started dating right probably about a month before I retired. And he I guess he found out I was dating her you know he wanted to see her, her breasts and I told him no."*

Detective Traylor explained this behavior began while he was a detective and Miller was the agency's Deputy Chief. Detective Traylor advised the behavior continued after Miller was promoted to the Chief of Police.

When asked how former Chief Miller's request made him feel, Detective Traylor stated *"Uncomfortable. You know and you know obviously you work there and you just try to (unintelligible) you don't want to be haunted by these later or make a complaint. I was you know I was never asked for an exit interview but if I was asked for an exit interview I would have definitely mentioned it."* Detective Traylor continued explaining *"And I as far as myself I did not get myself involved you know I was kind of a, I wouldn't say a loner but I didn't agree with a lot of the things they did so I just kept to myself. And you know eventually I just you know I knew I wanted to get my DROP done and as soon as I had the opportunity I left."*

Detective Traylor was asked if it was understandable for female employees of the Holly Hill Police Department to have felt it was a hostile work environment and he responded *"Absolutely."* Detective Traylor further explained *"Yeah I mean I you know I had heard things. And again it wasn't enough where you know I had enough to make a complaint because it's just hearsay but I in my opinion I think it would have been very uncomfortable..."*

Detective Traylor stated he did not report the behavior he observed and heard about due to a fear of retaliation and *"If you didn't do what they wanted you to do it was, it could come back and bite you."*

When asked if he had seen any inappropriate behavior from either Captain Yates or Sergeant Bentley, Detective Traylor advised *"I, I don't believe so. I mean I think the only thing that I would say is they allowed Miller to act the way he did without saying anything. And of course I'm a I'm a low guy on the totem pole and you know I obviously have concern in my future and get through it and you know maybe I should have said something but I didn't."*

#### **Interview with Sergeant Shannon Fountain**

On April 18, 2024, at approximately 1308 hours, Lieutenant Gordon conducted a sworn recorded interview with Sergeant Shannon Fountain of the Holly Hill Police Department. Lieutenant Gordon conducted the interview at the Sheriff's Office Administrative Building at 123 W. Indiana Avenue, Deland. Present for the interview was Sergeant Hachenberger and Attorney Greg Forhan.

Before conducting the interview, Sergeant Fountain had the opportunity to review all relevant material obtained during the investigation. Sergeant Fountain signed a copy of his Garrity Warning, acknowledging his understanding of the document in the presence of the previously mentioned parties. Lieutenant Gordon read Sergeant Fountain a Volusia Sheriff's Office Administration of Oath / Perjury Warning. Sergeant Fountain and Lieutenant Gordon signed the document in the presence of the same previously mentioned parties.

Sergeant Fountain began the interview by explaining that he started his employment with the Holly Hill Police Department in 2011, after which he left the agency briefly before returning in late 2014 or 2015. Sergeant Fountain stated he was promoted to sergeant approximately three years earlier and is currently a patrol sergeant, and his responsibilities include *"Just to manage the day-to-day officers. Make sure that they're handling calls that they're you know doing what they need to that they're not obviously you know violating anyone's rights make sure that everything's getting handled promptly and courteously, that they're not violating any policies and just kind of maintain order."*

During the beginning of the interview, Sergeant Fountain stated he had an understanding of the definitions of sexual harassment and hostile work environment; however, when asked if he had undergone any training covering the topics since promoting to sergeant, he said, *"Definitely not since I've been a sergeant I don't recall the last, I don't, any sexual harassment training I don't really recall."* Sergeant Fountain further explained *"I don't, there's definitely not like a once a year or anything like that you know what I mean I don't, I don't recall anything like that."*

Sergeant Fountain then began being questioned about Officer [REDACTED]'s previous interest in the agency's traffic unit, specifically about the required THI class. Sergeant Fountain stated, *"M hm, if you go to traffic you have to be a THI"* before being asked if he knew anything about that incident. Sergeant Fountain then continued explaining *"I mean just basic rumor I mean I'm not in privy to making those decisions but I believe that because we have been such a I don't know what the word like a turning wheel of people they wanted to change it to where if we sent these people to these higher cost classes that you would need to sign a commitment to stay with the department for I don't even know what the timeframe was so that when she went to motors or traffic they said you know you're gonna have to sign a commitment when we send you to THI to stay and at that time she declined saying that she didn't want to commit to be at the agency for, for that long."* When asked if Officer [REDACTED] had received any type of punitive repercussions or was denied other training opportunities based upon her decision, Sergeant Fountain responded,

*"I mean again that stuff happens higher than me. I do know she was upset she did feel like that because she didn't accept that they just weren't gonna send her to anything. But that all happens, I mean I get training requests from all my guys and I just sign them and you know what I mean I don't even read them hardly because it doesn't... Yeah there's no you know what I mean it's just that I'm the initial guy but I mean whether they wanna take time off or you know whether they're gonna, that all comes from above me so I don't, yeah."*

When asked if he had any information concerning Officer [REDACTED] potentially being denied classes because of not signing the required commitment, Sergeant Fountain noted, *"Oh I don't think there was any of that I think that they were just, there was I think a lot of trimming down of what, who was getting sent to what because we're very very new and they were tired of sending people to you know six seven classes a year and then having people you know leave in the next year, yeah and it's just you know you've got a new officer that's been in class more than they've been on the road and then they're going to another agency."* Sergeant Fountain recalled the classes Officer [REDACTED] had requested to attend and was asked if they were basic or advanced law enforcement classes; he explained, *"No a lot like there were more like interviews and interrogations, hostage negotiations and stuff that I don't think you would normally send a first year or second year officer to. I still signed off on them because again I don't have a, you know what I mean the more training we can get an officer it's cool with me but yeah I mean they were typically stuff that I don't think you would send a first year officer to."* Sergeant Fountain also stated he was unsure if Officer [REDACTED] was being denied more classes than other department members, stating, *"I don't have a clue I wouldn't know."*

During the interview, Sergeant Fountain was asked about the incidents where Officer [REDACTED] had utilized pink handcuffs while placing an individual under arrest, a traffic stop involving an elderly female, and an incident where she was chewing gum at an agency awards ceremony. Sergeant Fountain recalled the three incidents and explained *"None of those counseling's came from me."*

While continuing to speak about the pink handcuff incident, Sergeant Fountain clarified his statement by saying, *"I believe, I actually, I don't wanna speak out of turn I don't know who it came from but I know I was told by the Chief and Captain Yates that it was unacceptable. I don't know if it was more of just because of uniform presence, you know they wanted everybody to have the same thing. I know she felt like that it was just you know that she was being picked on for something."* Sergeant Fountain was asked if he knew why Officer [REDACTED] felt she was being picked on, to which he responded, *"I honestly don't know. I just I, that's what she felt that's what she had expressed to me that it was just something that they were getting to her about. But yeah I don't think there's a policy on it or anything that I know of, but."*

Sergeant Fountain then began being questioned further about the traffic stop involving the elderly female. Sergeant Fountain confirmed he was present with Captain Yates while he



counseled Officer [REDACTED] Sergeant Fountain recounted the counseling session, explaining, "Sure. Yeah so he had called me in to be there just as a witness while he did the counseling. It didn't happen on my shift but I was the sergeant when he did the counseling so he had called me in there to be a witness. We watched the video. He kind of explained to her, there was a point where I, I don't wanna say she got snappy but it was very you could tell that I don't, I feel like she didn't take it as seriously or that she was just getting kind of frustrated that you know this was happening to her. So there was like a little bit of an exchange between the two of them you know I don't wanna say hostile by any means but it was where he had his you know like what is, what is going on here like if you wanna pop an attitude or be disrespectful about this we can make it a bigger deal you know what I mean we can make it more of a formal punishment I'm just trying to talk to you person to person." Sergeant Fountain believed Officer [REDACTED] was not receptive to the counseling from Captain Yates and stated, "Yeah that would be a good way to put it. Yeah I don't think she felt like she was in the wrong at all. And you know and I tried to explain to her like you know if this was my mom or your mom like I'd be in here... Yeah, yeah, yeah I'd be in here raising (unintelligible) you know what I mean cuz it's just not the way you talk to people but I don't, I don't believe she received it that way." Sergeant Fountain did not believe the counseling was inappropriate nor unprofessional and noted, "I wouldn't say inappropriate I think he was just trying to make her understand that this like this could be more than what it is like we're cutting you you know what I mean she's filing you know lawsuits and complaints and we're just trying to talk to you peacefully about this and you're not taking it the way I guess he felt that she should be taking it. You know that we could make it, we can make it a further issue if it needs to go that way. I don't think he was being necessarily overly aggressive or mean I think he was just trying to make her understand." Sergeant Fountain was later asked if this particular counseling session was warranted and justified, and he explained, "Yeah she, I think she was wrong in the way she handled it."

Sergeant Fountain was asked if he had experienced other similar incidents involving counseling sessions where he responded "No yeah that's I, pretty rare there. I mean they're, they try to kind of I don't wanna like not fly under the radar but they're pretty peaceful with the you know what I mean if you mess up they really give you the benefit of the doubt they try and keep everything..."

After being asked if he was familiar with the incident involving Officer [REDACTED] chewing gum during an awards ceremony Sergeant Fountain said "I've heard about it on the back end but I didn't. Not a clue."

During the interview, Sergeant Fountain was asked if he recalled agency members making comments about Officer [REDACTED]'s physical characteristics prior to her employment at the police department. Sergeant Fountain answered, "There was, the comments that were made after she was hired. I don't, I mean I remember hearing grumblings before she hired that she was attractive and stuff but I don't remember who those came from or anything I just, they came down the hallway." Sergeant Fountain also confirmed that members of the police department

were looking at Officer [REDACTED]'s social media accounts by stating, *"There was some of that yes sir."* When asked who was making the comments and who was sharing Officer [REDACTED]'s social media accounts, Sergeant Fountain advised, *"I don't recall but I do know I mean I remember people showing me pictures but I think it was multiple I don't recall who though."* Sergeant Fountain was specifically asked if he had participated in commenting on Officer [REDACTED]'s physical characteristics, and he responded, *"I don't, I don't think so that I had anything to do initially when she, we didn't I think even after she got hired we didn't talk for a while I try to lay pretty low at the department. But no I don't, I don't believe I did."*

Sergeant Fountain was then asked when Officer [REDACTED] had been assigned to his shift. Sergeant Fountain was unable to provide an exact date; however, he explained, *"I was, uh, it might not have been Charlie shift then. I was filling in for a sergeant. And then I think I got put on a like a more permanent shift. So I think I was like I went to work for her supervisor and then she requested next shift bid to come work for me."* When asked for an approximate time frame, Sergeant Fountain responded, *"I don't. Yeah. Two years ago give or take maybe? Right when she first started maybe a couple months after. We do shift bidding usually in August so."*

While speaking about the relationship between himself and Officer [REDACTED] which he confirmed was never a dating or sexual relationship, Sergeant Fountain noted, *"Yeah. I don't, I mean as of now it's not we don't talk at all but I mean she started again like I kept very quiet and kept my distance just because you know that's how I try to be. Then we started working together, we became friendly, Snapchatting here and there we had chats we talked we would meet and you know BS during our shifts. There was never any issues and then she requested to come work for my shift that first year. She you know said that she really liked me, I wanted the best for her. She had potential or has potential to be a very good officer. She's kind of a go getter she wants to make the big drug arrests and do stuff which is what I like, I'm not one of those sergeants that likes to just sit for a whole shift. Yeah so we just hit it off and everything was good. Even just as of this last August she bid to come work for my shift again so I, this was all very out of the blue for me. I thought we had a very good relationship I thought we were friends. I don't, everything was mutual as far as my understanding."*

After summarizing their relationship, Sergeant Fountain was asked about an incident that Officer [REDACTED] had mentioned that occurred at Halftime's bar. Sergeant Fountain was provided the details and told that Officer [REDACTED] alleged he had grabbed her and pulled her into his groin area. Sergeant Fountain responded, *"Yeah absolutely not"* before providing additional context, *"I mean it's a very tiny bar we were in the back playing darts. There are parts where you I mean you kind of have to squeeze your way through to get to the dart board. I may have inadvertently brushed her by, but I never, ever inappropriately..."* While continuing to speak on the possibility of him inadvertently brushing up against Officer [REDACTED] Sergeant Fountain said, *"And I don't even think I would have done it. Normally typically when I'm in a situation to do that I kind of turn it back so*

*we're back to back. And I'm not saying you know what I mean I don't, but I would have never done that no, no sir."*

Sergeant Fountain was then questioned about the text message screenshots between him and Officer [REDACTED] that Officer [REDACTED] had provided during her interview. Prior to speaking about the messages, Sergeant Fountain was asked if the messages provided by Officer [REDACTED] were from conversations between them, to which he responded, *"I assume so. Yeah, yeah I mean I don't see anything that stands out..."*

While discussing the messages, Sergeant Fountain said, *"There's a lot of missing stuff in here, yeah."* Sergeant Fountain further explained he no longer had text message conversations, noting, *"I just delete all my text messages from everybody all the time. The only ones I keep are my mom, dad, and my fiancé."* Although he believed several messages were missing in the text exchanges due to missing context, Sergeant Fountain stated his messages were inappropriate for a supervisor to be sending to a subordinate, explaining, *"But again looking back now and knowing what I know now obviously it was inappropriate."* Sergeant Fountain further explained that he initially did not recognize the inappropriateness, stating, *"I mean I didn't, I do now but like again there's no training for that we don't get we're so small. You know what I mean everybody is friends you know like you guys have 40 other sergeants you can talk to and hang to, I don't have that. So you know we, we create that bond there and since I've been there that's just been kind of the culture. There is, there's not a separation between ranks you know what I mean you can be the captain and the sergeant and have fun. You can be a sergeant and an officer. When I was an officer me and my sergeant would go out and get drinks. Like it's never, it was never an issue so I didn't take it as a, there was nothing there to set me apart to say this is not..."*

After speaking about the text messages between him and Officer [REDACTED] Sergeant Fountain was asked about a conversation he had made Officer [REDACTED] aware of involving Captain Yates, Sergeant Bentley, and himself. Officer [REDACTED] reported during her interview that it was rumored she was traveling to Charleston for breast enhancement surgery. Sergeant Fountain remembered the conversation, stating, *"I do. I mean I remember hearing the conversation and I did relay it to her that it was said. She never you know said she wanted to file any kind of a complaint or anything at that time."* When asked who started the conversation, Sergeant Fountain advised, *"I don't remember specifically who said what. I know that it was just the three of us in there and it wasn't me obviously because I..."* and *"it wasn't, I know that they cuz I they had asked about all the time off that she was taking and that was what she was going up... And if that if she was going up there to do that. You know, so but I don't remember exactly who said what."*

Sergeant Fountain was then asked about the incident where Officer [REDACTED] had been battered by an individual in the presence of Master Patrolman Rosabella. During Officer [REDACTED]'s interview, she reported that she and Master Patrolman Rosabella had been telling Sergeant Fountain about the

incident. Master Patrolman Rosabella mentioned Officer [REDACTED] *"took it like a champ"* after which Sergeant Fountain reportedly said, *"that's what her boyfriend says"* inferring a sexual reference. Sergeant Fountain stated, *"I'm not gonna say I didn't say it it's possible"* and *"I don't remember the exact words or how I said it."*

Another incident Officer [REDACTED] reported during her interview included Sergeant Fountain asking her if she was suffering from morning sickness after she mentioned she was not feeling well. Sergeant Fountain noted, *"Yeah no it's I probably I mean I have a very bad sense of humor I guess unfortunately. But yeah I mean if you ask anybody I I just I joke I'm sarcastic that's what I do so. I'm sure, I'm sure I did say it but I yeah it's, wasn't meant out of harm or ill will it was just a joke."*

Additionally, Sergeant Fountain was asked if he recalled telling Officer [REDACTED] to *"get laid or take the tampon out of her ass"* after she had been requested to conduct a female search. Sergeant Fountain responded, *"Yeah I don't recall ever saying that. I do recall that incident and I do recall telling her that she needed to you know get it together because and it's the unfortunate side of being a female you get called for everybody's pat downs. So Daytona abused her a lot. I mean I know when, you know when he called her that day to come she didn't wanna do it, she didn't want to have any part of it you know so I know we did talk afterwards you know that this is part of the job. Like like it or not you've got to do this and I know it sucks but I don't recall... I mean I don't recall saying that."*

Sergeant Fountain was asked if he recalled sending a photograph via the social media platform Snapchat of himself naked with a cloth covering his genitals. Sergeant Fountain stated *"I don't. I'm not saying it didn't happen. I mean I do drink and I have you know I mean things happen but I, I don't recall doing that. But it's it's... It's possible."*

Sergeant Fountain was then asked if he remembered sending another message via Snapchat where he asked Officer [REDACTED] if she *"got any good dick this weekend"* so she would *"stop being a pain in the ass."* Sergeant Fountain responded, *"It's possible for sure. Yeah I and that's just you know a joking..."*

Next, Sergeant Fountain was asked about an incident where he allegedly told Officer [REDACTED] to *"put her lips to good use."* Sergeant Fountain responded by stating, *"I have no idea what that's in reference to"* before being told he had also reportedly said it was because he alleged Officer [REDACTED] had *"had been kissing dirty boys and had dirty dicks in her mouth."* Sergeant Fountain explained, *"I don't recall the dick part. The dirty boys I say that to I mean I say that to my six year old when he gets sick from kissing dirty girls so I'm sure I did say that. I don't recall about the part about the dirty dicks in the mouth I don't know if I would say that in you know an office full of people."*

An additional incident reported by Officer [REDACTED] during her interview mentioned Sergeant Fountain telling her that she appeared miserable all the time and that she should be happy because of *"all the new wiener she was getting."* Sergeant Fountain was asked if he recalled making the statement to which he stated *"I don't remember it but it again it's highly possible that I said that."*

After being questioned about these incidents, Sergeant Fountain was asked if the comments he was reported to have made were appropriate for his role as a supervisor. Sergeant Fountain responded, *"It's just, it's it it's the culture you know what I mean? You, you become kind of what you're brought up in in law enforcement you know what I mean? So I came from older sergeants I've been you know Yates and Chief and all them have always been my command staff and it's just this is the way that we've always done things. It's always you know there's no separation between ranks there you know everybody's friends everybody you know what I mean. If, if you know the sergeant and the captain you know hang out after work or go on vacations together that's no big deal, if sergeants hang out with their other officers you know I mean I know of other sergeants who go out and have dinner and drinks with their officers and. So it's just never been a thing so when I got promoted I, I never knew that there needed to be you know that separation. You know it's we were all just close we were all friends so it's but you know I harped on them from the time that I got promoted you know that we needed an FTO program like you guys, we needed something where these guys aren't just getting thrown out on the road cuz I got thrown to the wolves. You know I had bad officer after bad officer but at some point that looks like you're the bad leadership you know what I mean? And it's like I need, give me help please send me to you know the FDLE Leadership Academy or send me to, and there's just there's no resources there's no training there's no, there's no help you know what I mean. I asked you know when she bid for my to come on my shift just this August she bid to come back to work for me you know what I mean while all this is supposedly going on she still bid to come for me but you know when this stuff started really going down hill it's it's you know she's getting in trouble for the cuffs or whatever and you know it's not necessarily by me but again it's happening on my watch. Like I asked like remove, take her to a different shift put her with someone else and it was just you know well you need to learn how to work with you know difficult officers you're gonna have difficult officers you need to learn how to deal with that. And I get that to a degree but that's not fair to a new you know to a new sergeant just to hammer them with new guy bad guy new guy bad guy. There you know if there's an issue you can sort it out very quickly by just putting them on another shift and you know if you have the same issue over there then it's obviously it's not me. You know what I mean, but there was no I mean I talked to them about stepping back down and coming back to just being an MPO because of the stress and just there's no help."*

Sergeant Fountain was asked what the agency's command staff thought of him voluntarily demoting, and he stated, *"You know what, I mean I didn't, it's my fault cuz I didn't formally request it. But it was you know just you're doing fine you're doing great don't worry about it"*



*we'll you know you'll get through this and obviously it's it's a you know loss of pay too if I step back down... you know what I mean so I don't want to you know so I stayed but you know here we are. And not that this isn't my you know my fault but it's it's just the, that's how we were you know what I mean it's all I knew and it's, I didn't know."*

When asked about the promotion and promotion training processes, Sergeant Fountain explained, *"They send an email out you know saying that the position is open. I think they were changing that process I don't know what it is now, there's a test and all sorts of stuff. But before when I did it it was just an email went out anybody who was interested put in. you put in you go in for an oral interview in front of you know other sergeants and admin. And then they kind of score you and then that's it you know and whoever did the best gets the job and it's here you go."* Sergeant Fountain was asked if the agency had a sergeant FTO or similar training program, to which he responded, *"Nothing. You're required to take Line Supervision within I think it's, I don't even wanna quote it like three or six months. Somewhere in, six months I think was the top but yeah I think within six months of being appointed you take Line Supervision. So yeah it was like well after I think I became sergeant I went to Line Supervision and I even told them when I came back from that like I need more like that's not enough like and it doesn't help and, and I don't remember in Line Supervision really them covering any of this stuff you know what I mean. It's more of protecting the agency and protecting you know from outside looking in you know what I mean."* Then, while speaking about sexual harassment or hostile work environment training for supervisors, Sergeant Fountain advised, *"Any, yeah not at all. Yeah I mean I think they talked about that a little bit. But yeah I don't remember there being any sexual harassment or you know separation in the ranks and not you know associating with other officers and stuff like that and you know I told them like I need, there needs to be more than this cuz it's not fair you know what I mean that's not right. But it's just. We're small you know what I mean..."*

Sergeant Fountain then began being questioned about reported incidents involving [REDACTED] [REDACTED] Sergeant Fountain was asked if there was ever a romantic relationship between he and [REDACTED] and he said *"No romance but we definitely flirted and sent some pictures. She sent you know pictures to me or I sent pictures to her. I don't recall there ever being anything like nude or naked or anything but we definitely chatted and were friends."*

When asked if he recalled sending [REDACTED] a photograph of his pants unzipped, which did not reveal his genitalia, Sergeant Fountain reported, *"I mean I don't recall the context of the picture I mean I'm sure yeah probably. But I don't remember sending her like actually any physical penis pictures or anything like that."* Sergeant Fountain was asked about the pictures he mentioned [REDACTED] had sent him when he stated, *"Sure, absolutely yes sir. Like her camping in her bikini in her bathing suit or her like with her cleavage out like while she was camping. Like we chatted she tried to get me to come hang out and get drinks with her a couple times, we never did. But yeah it was definitely a two way street."* When questioned about whether these photograph

exchanges were appropriate, Sergeant Fountain mentioned, *"No I don't think any, you know what I mean looking back work needs to stay work obviously you know what I mean."*

Sergeant Fountain then began being questioned about possible sexual or workplace harassment amongst other agency members. Sergeant Fountain explained he had no information in reference to the other allegations; however, he stated, *"Yeah I tried to stay private and away from that stuff. I don't you know I mean I guess it's you know looking outside in after all of this like there's a lot of things that seem probably not correct and I don't mean that as in like I've seen a lot of... But you know what I mean like you know dating the command staff's son or you know going on vacations with them or putting a fifty dollar gift card in someone's stocking. Like I would have never just in my scope of things that's not even something that I would normally even care about. But yeah looking back now that's probably..."*

When specifically asked if he had observed inappropriate or sexual joking from the agency's command staff, Sergeant Fountain explained, *"There was I mean and evidently I'm just as guilty of it too but I it it you know was always between the boys I never saw it like in the presence I don't think of any girls or females or anything. It was just kind of the boys and locker room..."*

Sergeant Fountain was asked if he may have previously thought his behavior was acceptable based on his command staff's behavior. Sergeant Fountain responded, *"I mean I think that's what yeah I was trying to explain in the in the beginning like that's just the culture that you know what I mean I didn't... Yeah you work there for eight ten years and it's just that's kind of you know you grow up with that you know what I mean it's, I don't know what the word I'm looking for. There's a you know it's you learn from above or whatever but you know what I mean that's just... It's become what makes you you know what I mean and that's just where we were and I mean... I mean I don't wanna say I gravitated there I try to be you know super cordial and polite and I would think that 90 other you know 99 percent of the other people you talk to would tell you that I'm super polite and nice and you know a thoughtful person but I don't you know I mean I guess you never know what other, what somebody else is really thinking... and it's just not there's never been somebody to say like look when you become in this position you can't do this."*

Prior to the conclusion of the interview, Sergeant Fountain was asked if he would do anything differently looking back. Sergeant Fountain explained, *"All of it. I mean yeah I mean if there would have been some training or something to tell me or somebody yeah I would have never done any of this. As soon as I became a sergeant you know all of that stuff would have ceased you know it's. It was very easy to cut ties you know what I mean if you know that you need to cut ties I don't have a problem with doing that. And I even tried to do that in the last you know year or year and a half when I got I still don't have Snapchat I don't have a Facebook I'm not friends with all these people. I don't you know I don't have a problem separating work and you know... ...religion or whatever you wanna call it but I, I yeah all of it I mean I..."* Sergeant Fountain was

then asked if there was any form of mentorship within the Holly Hill Police Department when he responded, "No... Nothing, yeah." Sergeant Fountain expanded on his response, explaining, *"And there's I mean even I think (unintelligible) talked to them about outsourcing somewhat to you guys for FTO, like sergeant FTO training let us go you know and I'm sure would have been an eye open, you know something there's got to be something and there's just not. It's just alright you know yesterday you're an officer today you're a sergeant nothing change, you know other than this. And you know when someone gets in trouble now it's your fault but there's no yeah there's no training at all to be prepared for what's to come."*

At the end of the interview, Attorney Greg Forhan asked Sergeant Fountain if it he thought he was talking to Officer [REDACTED] as if she was "one of the guys?" Sergeant Fountain responded, *"Yeah yes sir I mean I yeah I that's where I You know what I mean that's how it felt, she made jokes back I made jokes the way I felt that they were appropriate like she was just Not that it was appropriate but yes, yes sir."*

In closing, Sergeant Fountain was asked if he violated the following Holly Hill Police Department General Orders. His responses are detailed below:

223 Harassment	Yes
223 Sexual Harassment	Yes
214.25 Contact with Other Department Members	Yes

After responding to the previously mentioned General Orders, Sergeant Fountain stated *"...I apologize I'm sorry you know what I mean, looking back now I it obviously is wrong but I just I wish I had guidance or training or someone there to help to you know that leadership aspect of it the change but yeah, no I apologize, I'm sorry."*

#### **Interview with Sergeant Thomas Bentley**

On April 24, 2024, at approximately 1103 hours, Lieutenant Gordon conducted a sworn recorded interview with Sergeant Thomas Bentley of the Holly Hill Police Department. Lieutenant Gordon conducted the interview at the Sheriff's Office Administrative Building at 123 W. Indiana Avenue, Deland. Present for the interview was Sergeant Hachenberger and Attorney Greg Forhan.

Before conducting the interview, Sergeant Bentley had the opportunity to review all relevant material obtained during the investigation. Sergeant Bentley signed a copy of his Garrity Warning, acknowledging his understanding of the document in the presence of the previously

mentioned parties. Lieutenant Gordon read Sergeant Bentley a Volusia Sheriff's Office Administration of Oath / Perjury Warning. Sergeant Bentley and Lieutenant Gordon signed the document in the presence of the same previously mentioned parties.

At the beginning of the interview, Sergeant Bentley explained he has been a law enforcement officer for the Holly Hill Police Department since February 2011 and was promoted to the rank of sergeant in October 2015. Sergeant Bentley further stated he is currently a criminal investigations sergeant for the police department, and the responsibilities for his position include *"...Major case, property crimes, evidence, narcotics, drones, BWC's, victim services, explorers. I think that's, maybe cover all of them."*

After being asked to describe his relationship with Officer [REDACTED] Sergeant Bentley said, *"I didn't have any relationship"* and that his interactions with her have been *"Very minimal."* Sergeant Bentley recalled being a panel member during Officer [REDACTED]'s oral interview during her pre-employment process; however, he was unsure who else was on the panel. When asked if he recalled any conversations concerning Officer [REDACTED]'s physical characteristics or the way she was dressed prior to her employment, Sergeant Bentley said, *"I do not recall what she was wearing or anything. I, I had no, I don't remember anything about when she came in it was just she was there. She came in for an interview. I was already in the back room. They walked, the training officer met with her first. She had, they had to do like a spelling test, they have to do why they want to be a cop all that kind of stuff and then, then they get brought into us. As soon as the interview's over with I, myself, Captain or another sergeant will email Ballentine and then he would come down the hallway and get them. And then they usually they'll get with us say hey are they going to the next step? Yes yeah we make our decision we do our tally's we put it together, hey she can move on or he or she can move onto the next step. And then that's when they go for the PAT test and all that kind of stuff."*

Sergeant Bentley was then asked about a conversation Robert Milne had alleged he overheard between Sergeant Bentley and Captain Yates. During the conversation, the two had allegedly spoken about Officer [REDACTED]'s breasts and lips. Sergeant Bentley stated he did not recall the conversation, noting, *"That never happened."* Sergeant Bentley expanded on his response, stating, *"I can tell you the only time before my time of meeting her they were telling who she was and I'm like I don't know who she is. So I pulled her up on Facebook and I was like is that her? And they said yeah and I said oh ok. At least I know who it is now who's coming in the interview. That is the only thing that I've ever, there was never a comment about it there was nothing, is that her, yes, ok, move forward."* Sergeant Bentley further explained, *"I showed it to the Captain [Captain Yates] and Milne. And I said is that her and they said yes."* Sergeant Bentley mentioned that no comments had been made about her physical characteristics.

During the interview, Sergeant Bentley was asked if he was familiar with officers being denied specialized training requests to which he responded, *"The only time you would get denied for any*

training is if there's not enough coverage on the road and you can't find somebody to cover the position or it's just they can't do it at that time. That's the only time." Sergeant Bentley later explained, "I know for Master Officer they have to have a certain amount of time before they can make Master Patrol Officer and they have to have certain type of classes but you can't go on, I mean they're gonna allow it if you wanna get Master Patrol Officer eventually but they're gonna make sure you get your Master Patrol one first before you try to get Master Patrol two." When asked if he was familiar with any instances of Officer [REDACTED] being denied training classes, Sergeant Bentley said, "Not that I'm aware of. I mean I, I'm not involved in that."

Sergeant Bentley was asked if he was aware of the incident where Officer [REDACTED] elected not to sign a two-year commitment with the agency, which prevented her from attending THI school. Sergeant Bentley answered, "I was aware of that yes" and described the incident, saying, "So she put in for criminal investigations and traffic. She was not selected for criminal investigations. She was selected for traffic. One of those things that the city has in play, their traffic guys will be THI operators. She was told that in order for her to go to the traffic homicide school she would have to sign a two-year agreement. That's policy, that's city. That's, city's invested all this money in it that's them. And the last I heard is she denied it." When asked if there were any repercussions after Officer [REDACTED] declined the two-year commitment, Sergeant Bentley explained, "The only, so Officer Deap also put in for traffic. So they were sending both of them to traffic school, traffic homicide school at the same time. Officer Deap accepted it, she did not. So they put him in traffic. Since she denied traffic." Sergeant Bentley was asked if Officer [REDACTED] was the subject of any potential retaliation due to her unwillingness to commit to the police department for two years, and he responded, "Not that I'm aware of. I don't get involved in the training side of it so I could not tell you that." Sergeant Bentley also stated he did not observe any sort of fallout between the police department and Officer [REDACTED] afterward.

Sergeant Bentley was then asked why Officer [REDACTED] was not selected for the CID position he had mentioned earlier. Sergeant Bentley noted, "I chose a nine year employee [Investigator Bionelli] versus a year and a half employee. Who had numerous years of knowing the street level crimes and stuff like that so that was based off my decision." Sergeant Bentley confirmed that selecting Investigator Bionelli for the position was his decision and that he consulted with former Chief Miller and Captain Yates "Yes I went to them explained to them I made my selection and they asked me if I stood by that and I said yes. And they said we support whatever decision, that's your unit that's your team we support you." Sergeant Bentley was also asked if the topic of Officer [REDACTED]'s boyfriend, Investigator [REDACTED] being a member of the agency's criminal investigation division, was ever discussed with her. Sergeant Bentley confirmed it was discussed with Officer [REDACTED] and stated, "She asked me about it. She asked me if that would stop her and I told her no. It wouldn't stop her. I, there's nothing that's gonna stop you it's just it's based how, based on the... How the process happens." Sergeant Bentley mentioned their relationship was not a factor in his selection for the CID position, and before providing additional details, "So she came, Investigator [REDACTED] called me and said hey I need to let you know something before this



gets out as my direct supervisor myself and [REDACTED] are in a relationship. I said good for you guys I mean I hope everything works out well. Thanks for letting me know. There's nothing I mean what am I gonna say they're two different divisions. It's not interfering with jobs... ... it's not anything like that. When I walked, so I was coming down the hallway I was going into my office. Officer [REDACTED] was coming the opposite direction she said hey Sergeant Bentley can I talk to you for a second? I said absolutely. I stopped in my doorway she stopped here. She said hey me and, now that you know me and Andy is in a, [REDACTED] is in a relationship is this gonna stop me and I said no that's how the conversation, no nothing's gonna stop that. I mean just based on how everything pans out performance and all that kind of stuff... ...in the ultimate decision. It's not like I made a quick decision like that... ...it was, it was something I slept on for several several weeks. You know and finally made my decision."

Later in the interview, Sergeant Bentley was asked a similar question about a comment he made, according to Officer [REDACTED]. During her interview, Officer [REDACTED] alleged Sergeant Bentley had asked her if she was going to break up with Investigator [REDACTED] in order to get the CID position. Sergeant Bentley responded, "But I didn't have that conversation with her" and "...I never said that to her."

As the interview continued, Sergeant Bentley was asked if he was familiar with two incidents Officer [REDACTED] had mentioned during her interview. The first was an incident where she placed an individual under arrest utilizing pink handcuffs, and the incident involved an elderly female during a traffic stop where the female did not initially stop. Sergeant Bentley responded, "So the only thing I can tell you about those two cases, I handle the body cams. If I get a request for those body cams I supply the body cams. That is it. That is the only time that I ever knew about the case. Anything of that nature. The body cam is James Madison Audits. They requested the one with Chad Driggers. I supplied that to him and sent it to him. Same thing with the LPGA one that one came in it was a request, I fulfilled it, sent it out. That is the only time I... Only involvement with it." Sergeant Bentley continued explaining that he was not part of any potential discipline or meetings concerning the incidents and stated, "That would be done by training and the Captain. If it's remedial training if they need (unintelligible) training will get involved as well."

Sergeant Bentley was asked if he recalled having a conversation with Master Patrolman Rosabella in August 2023, where he allegedly told him that Officer [REDACTED] came to the agency with a bad attitude and zero experience. Sergeant Bentley responded, "Conversation never took place" and "Never had that conversation." Sergeant Bentley continued explaining "And I can, I can go further on why I believe that is."

Sergeant Bentley then began to recount an unrelated incident that occurred during the same timeframe involving Investigator [REDACTED]. "Ok so August, August 10th, I can tell you that, back up a little bit. So you get a kind of full story... Alright so August 10th Sergeant Hutchison called

me. I was already home it was probably around, I would say probably around 5, 5:15 in the afternoon. I get off at 4 every day. They called me 4:03 because guaranteed 4:03 I'm walking out the door. So Sergeant Hutchison called me said hey we got an overdose death at Charleston House relating to a deceased person a woman has overdosed. He said we're gonna need a detective. I said ok not a problem let me find out who's on call I'll send out the on call detective which was Investigator Barrett. As I'm about to end that conversation Investigator or Sergeant Hutch says Investigator [REDACTED]'s here. I said ok well he's there he can look to see what's going on he can update me what's going on until I get a unit there. So I hang up the phone and I can tell you it was August 10th like I said my kids have open house at a Christian school, I go in, as I'm walking in I hang up the phone with Sergeant Hutchison within 30-45 seconds my phone rings it's Investigator [REDACTED]. So I said hey man what's going on? Exactly how he said it, who the fuck are you sending? I was caught off guard I was like excuse me? And he says you heard me who the fuck are you sending? So I said bro I don't know who you're talking to like that bro like and I thought he was joking at first. So then I said well what do you, what do you mean? He goes what part didn't you understand? And I'm like why are you there? So now I'm getting a little defensive about it cuz I'm like well why are you there? And he goes what do you mean why, why would you ask that question why am I here? Again why are you there? I didn't call you. He says well there's an overdose so I was in the area so I shot over there. Ok. So why are you, what is your job title? So he said what kind of question is that? So I said what is your job title? He said I'm an investigator. I said who does what? Narcotics. I said ok again what is your job title he said investigator in narcotics. So why are we having this conversation if you, if it's dealing in narcotics you're an investigator why are we talking about this why are you talking to me this way right now. So I said you know what you can leave the scene I didn't call you there, Investigator Barrett's on the way. And he was like I don't understand why you're getting all hostile about this. I said Andy with all due respect you could have called me and said hey Sergeant Hutchison seen I was here, he says you have somebody coming out but hey what do you want me to do I got this going on we may need another major case unit out here. It could have been a different avenue. But the way he did it set it off completely."

Sergeant Bentley continued explaining, "So then he says to me I'll be at your office at 9:00 tomorrow morning. I said by all means be at my office tomorrow morning we'll talk about it we'll get everything handled. So he said, we got to talking a little bit I said what do you have da, da, da, da, da. So he tells me what's going on I said ok Investigator Barrett's on his way there da, da, da, da, da. He was still kind of a little argumentative in there a little bit. So then he said listen I'm sorry I just, the way Sergeant Hutchison told me this he was telling me like tag you're it. And I said well if you would have called me I would have told you differently. You have two people that's overdosed one is deceased there's narcotics involved. Obviously our GO says that if we're gonna deal with overdose deaths, phones and all that kind of stuff we're gonna try to work to see if we can get that thing worked out. And he said yeah you're right, you're right he's like let me guess you're gonna tell the Chief and the Captain about this. And I said no this is between me and you. If we're able to solve this because he said can we talk as [REDACTED] and Tom?

*Absolutely we can talk like that. If we're over the phone lets get this squashed I don't like having I'm at my kids' school like I don't need to be arguing on the phone about something that makes no sense. So he was like yeah you're right you're right so I said, he said you gonna tell the Chief and the Captain? I said no. This is, it's water under the bridge for me I'm over it. If we can move forward lets go forward. I was still kind of upset about the conversation how it happened. But I wasn't gonna let it define who, how this, everything was gonna end."*

While continuing to recount the incident, Sergeant Bentley stated, "So Investigator Barrett went down they wound up leading to where they wound up tracking the phone they wound up getting arrests (unintelligible) ramming cars and stuff like that so they called me to update and I said ok good job appreciate it you know at least they got somewhere we can find out who this dealer was who sold the fentanyl. Ok no problem. So I said again this is between me and you Andy it's over with I'm not gonna go to anybody else it is what it is. And he's like are you sure? I'm telling you I'm sure. So I even sent him a text message that said hey it's water under the bridge I don't kiss and tell, LOL at the end of it pretty much letting him know that conversation is over with. We can move forward, we work good as a unit (unintelligible) it is what it is. Since that day Andy has never been in the office. He never comes in the office I have to text him say hey man you've got a subpoena here. Alright I'll stop by and get it and he'll never, he'll show up later in the evening to come get it. I don't ever see him unless I call him and say hey listen I need you to be here for a meeting dealing with narcotics with the Chief. That's when he comes in."

Sergeant Bentley then began to explain, "So what I was getting to... ..so during that time my that happened August 10th so we get, found out my mother in law had brain cancer end of August. So from September to January 27th when she passed my wife was flying up to Connecticut every week. She was only home for two days and then flying back again. Usually she'd come home on a Friday evening and leave out Sunday morning. So my day involved work, my mom picked my kids up, I shot home at 4:00, was with my kids at 4:30, school or homework... ..food, bathe, bed (unintelligible) everyday Monday through Friday that's how my life was. I didn't have time to do anything else. So that comment about her being in the parking lot that never happened. I would never be in the parking lot because I'm too busy doing my normal day to day stuff during the day and I would never be after to where I would be on patrol side parking lot. I never leave, I'm always on CID side." Sergeant Bentley mentioned the alleged conversation with Master Patrolman Rosabella could not have happened because of the other events taking place in his life during the same period.

As the interview continued, Sergeant Bentley was questioned if he had told Investigator [REDACTED] that he was not allowed to be at Officer [REDACTED]'s home and Officer [REDACTED] was not to be at his home during working hours. Sergeant Bentley then said, "It never happened. Never said that to him" before expanding further, stating "I never would have had that conversation because it was never something that, that had to be addressed."

Sergeant Bentley was then asked about an incident where he had allegedly told Investigator [REDACTED] that Officer [REDACTED] *"needed to get fucked down."* After being asked if he had made the statement, Sergeant Bentley stated, *"Absolutely not. I, I would, first of all I would never approach even if, if it did happen in 2023 and it's a typo [referring to Officer [REDACTED]'s complaint] I would never approach another man and speak to his girl about that. That would never happen, that's not part of me. I would never do that."*

The next incident Sergeant Bentley was questioned on involved another statement he had made to Investigator [REDACTED]. During this incident, Sergeant Bentley was alleged to have told Investigator [REDACTED] he would have to show him pictures of Officer [REDACTED] if they were to break up. While making the statement, Sergeant Bentley was allegedly insinuating explicit photographs. Sergeant Bentley denied making the statement, explaining, *"Absolutely not it did not happen."*

After being asked if he ever referred to Officer [REDACTED] as Investigator [REDACTED]'s future ex-wife, Sergeant Bentley responded, *"future ex-wife that never happened."*

Sergeant Bentley then began being questioned about the incident where Officer [REDACTED] responded to the police department while off duty with her patrol rifle. Officer [REDACTED] mentioned during her interview that Sergeant Bentley had made inappropriate comments about her outfit. Sergeant Bentley answered, *"Never happened. If, if she would have came in off duty to qualify with her rifle they immediately go to Ballentine and they leave from Ballentine they immediately leave to go qualify because they're off duty they're not going to spend money they don't have to. So I wouldn't even I wouldn't see that. I don't recall that day so I can't tell you if, it never happened. I would fully remember that."*

Sergeant Bentley was asked if members of the agency would play inappropriate shows or movies on the television within the breakroom during lunch. Sergeant Bentley stated, *"They watch movies but there was no inappropriate movies"* before further explaining, *"It was typically Sandlot. If somebody had on like for instance Milne when he was on night shift you could tell what shift worked because when you'd come in the next day NCIS would be on and we'd be like oh that's Milne or that's Weiss or and you kind of knew who was working because during their lunch time they'd be back there eating in watching TV."*

After being asked if the business he and Captain Yates had previously owned together may have led to any preferential treatment or favoritism, Sergeant Bentley explained, *"So that no that never that never, business was totally separate from our employment."* Sergeant Bentley then continued, stating, *"Absolutely not, no. It was Tom and Chris when we were out there. We pretty much used the money to buy lawnmower whatever we wanted, if we wanted to get something that, a tool or whatever like oh yeah we're gonna need this for (unintelligible) and that's you*

*know we bought it it was kind of just two guys just having fun it wasn't nothing ill intent behind it nothing like that."*

Sergeant Bentley then began being questioned about former Holly Hill Police Officer [REDACTED]. Sergeant Bentley was asked if he recalled an incident that [REDACTED] had mentioned during her interview, where she stated the two met while she was off duty, and she was intoxicated, unable to drive herself home. Sergeant Bentley stated, *"So yes I do. I know exactly what incident you're talking about"* before beginning to provide his account. Sergeant Bentley then began explaining, *"So I was working she was leaving the Rockin Ranch. She text me and she said hey where you at? And I'm like I'm on Flomich. So she said I'll meet you over on Prima Court. I get there, as soon as she gets out the car she like throws herself at me and like tries to kiss on my neck I'm like whoa. So I can tell you she before I got hired here she needed a place to live, she was married to this guy I cannot tell you his name, she needed a place to live. My mom is a property manager. So I said well if you need a house here's my mom information, you can call her directly she can find or just I was in I was in the same thing I was in real estate. So she I got introduced to her by Ivan, Ivan Robinson who's now a trooper. He said hey she's looking for a place to live can you guys help her out? Not a problem I was friends with Ivan absolutely we can help her out. This is before I come to work here. So whenever she, we showed her a couple places she wound up choosing a house in Seminole Woods. Every month she was late on her rent. Every single month. So my job she's not paying her rent, my mom would say hey Tommy could you go out and get the, get the rent money. She called me said they got the rent money today I'll go by and pick it up. So my mom always she come and when I come to work here she told, she went in and paid my mom the rent and she was like oh I really wish that your son would date me and stuff like that. My mom says honey Tommy's got a lot of stuff on his plate he's new in his career he is not focused on that. Please just go on about your business. So she continued trying to do her thing but I had to tell her I'm not interested at all. You, I think she had four or five kids and I'm a single guy with no kids and I'm like no that's not for me. And it, we did, at that point it was just strictly... professional yeah. I didn't have any conversation with her. Once I was on my own I was on my own. And I didn't see her I mean she worked on squad with me with her and Toby Wall, Toby Wall was our supervisor."*

Sergeant Bentley was asked to expound on the initial portion of the incident when the two met in the cul-de-sac. Sergeant Bentley advised, *"She jumped like she lunged at me. And I was like hey you gotta get off of me (unintelligible) I was caught off guard about it you know like what the hell is going on. But then it was like I'm sorry I'm sorry I'm sorry I've just been drinking da, da, da, da, da I said hey it's all good."* Sergeant Bentley explained he left the cul-de-sac shortly thereafter while [REDACTED] got a ride home from someone else, leaving her car. When asked if he had digitally penetrated [REDACTED]'s vagina, as she alleged, Sergeant Bentley stated, *"Absolutely not, absolutely not."* Sergeant Bentley was asked why [REDACTED] would say he had, and he responded, *"I could tell you she used to send me pictures to me text messages all the time saying hey can you send a picture and I said absolutely not... Graphic pictures."*



After being asked about the circle of trust that was mentioned in several other interviews, Sergeant Bentley noted, *"So I could tell you there is no circle of trust or anything like, there was no inner circle. You did have your people that the Chief and the Captain would go to for different things that needed to be done. He knew that if he came to me I would get something done. But there was no tight knit circle or anything like that. There was no so called circle of trust there was no inner circle either. It was just if you they needed something done they knew who they could fall on. But there was never a point that I or anybody who got ousted out or booted off an island from inner trust circle thing. I could not tell you cuz there was never one so if there is one I wasn't on that island. Cuz I could tell you I never heard about that so."*

During the interview, Sergeant Bentley was told of the numerous allegations and accounts provided by current and former employees of the police department detailing inappropriate comments or conversations. Many of the accounts mentioned Sergeant Bentley being present for the conversations and comments; however, he denied having any knowledge of any inappropriate conversations among members of the police department. The only incident Sergeant Bentley recalled involved Investigator Ballentine. Sergeant Bentley explained the incident, noting, *"So Ballentine loved Tik Tok. He loves looking at Tik Tok so he would see like a picture and he'd be like hey do you think those are real? I'm like I don't know it's a picture I don't, I don't know it's a video I don't give a shit you know. There was one incident (unintelligible) explained to him that [REDACTED] came in and they said is those, are those real and showed a picture and she's like I couldn't tell you they look like it but I couldn't tell you. But immediately I got up and I said woop, I grabbed my cup of coffee and went back to my desk. And then they laughed about it like Bentley where you going, where you going? They know I do not have time for that."*

In closing, Sergeant Bentley was asked if he violated the following Holly Hill Police Department General Orders. His responses are detailed below:

223 Harassment	No
223 Sexual Harassment	No
100.3 Code of Law Enforcement Ethics	No
214.25 Contact with Other Department Members	Yes

#### **Interview with former Police Chief Jeffrey Miller**

On May 16, 2024, Lieutenant Gordon emailed Attorney Michael Lambert to schedule an interview with former Chief Miller regarding the investigation. As of the completion date of this

report, neither Attorney Mike Lambert nor former Chief Miller has responded to the email to set up an interview date.

Despite the lack of correspondence with the Volusia Sheriff's Office, the Florida Department of Law Enforcement (FDLE) interviewed former Chief Miller regarding their criminal investigation into the allegations made by both [REDACTED] and Sergeant [REDACTED]. It should be noted that due to FDLE focusing on the aspects of the incidents that were criminal in nature, the below summary will miss some of the alleged incidents of misconduct. Below is a summary of the interview conducted with former Chief Miller and the FDLE, which took place on May 08, 2024, at approximately 1519 hours at the Law Office of Michael Lambert in Daytona Beach.

Former Chief Miller began the interview by explaining that this all started because of a complaint made by Officer [REDACTED] and the Volusia Sheriff's Office was asked to conduct an internal investigation into the matter. The complaint involved several members of the department, including Captain Yates, Sergeant Bentley, and Sergeant Fountain. Former Chief Miller said that due to Captain Yates being a subject of the complaint that, he had an obligation to recuse himself and explained that Captain Yates was the best man at his wedding.

According to former Chief Miller, he was unaware of what was going on with the investigation and was later contacted by City Manager Joe Forte on Thursday, March 14, 2024. Former Chief Miller said, *"Thursday I get called up at 4:30 and Joe Forte gives me very limited information and you know I said Joe do you want my resignation? And he goes it will be easier. And I go you have it."* Former Chief Miller continued to describe his account of the day, *"we go upstairs. Brian Walker, the City Planner Assistant City Manager is there. We go up, they direct Tom to the HR office, Chris and I to Joe's office. Joe sat down and he said the Sheriff's Office and FDLE are on the way. They're here to both serve you with an IA and they may toll it. And I'm paraphrasing on this, I go over what? And he goes well you've both been accused of sexual harassment and, but there's a criminal side to it or something of that sort and like Chris, I'm like what the hell? And I go I'm, I'm not doing this again. What, what is going on? And he said something about a chair and he looked at me. And I go well ain't nothing on that chair cuz ain't nothing happened and I'm paraphrasing on, you know anything like that because when you start pulling pieces of property on things like that and you mention FDLE I've been in this business a long time. Some serious accusations have been made and I don't to this day I don't even know what they are but I know that it wasn't good and I knew sooner or later I would talk to you guys and I would, I would tell you guys what's up. And I'm not going through this again. I, I was quite frankly eight months ago I was looking for a job and I was, this is it is very hard to be a Police Chief at that city. And it's, it's not that Joe Forte was a bad guy or any, it's just we don't have the money, we don't, I had one, Captain Yates was about to retire. My right-hand person [REDACTED] just left for more money and I, I was, I was burned. I didn't even wanna be the Police Chief of Holly Hill. I wanted to be the Police Chief somewhere else because I grew up with these people as far as in my career. I've partied with these people, I've gotten drunk with, with these*

people that are still around and I was just, I'm not going through it... I just said excuse my language because I've gotten with god, F it. I'm done. I'm done." Former Chief Miller then brought up the fact that this was the second time he had been accused of sexual harassment, and he believed it was nonsense. This was the incident referenced by [REDACTED] At that point, the conversation shifted, and former Chief Miller began to speak about [REDACTED]

While discussing [REDACTED] former Chief Miller mentioned that the two had dated briefly several years ago prior to her working at the police department. Then former Chief Miller said, *"She [REDACTED] would tell me how her dogs are doing she would tell me how she's feeling. I mean we, we were friends. We, we, we've gotten drunk together we've drank together."* Former Chief Miller then provided context for his relationship with [REDACTED] and said they spoke often via text messages and were close. Former Chief Miller was asked if he had ever touched or tickled [REDACTED] specifically within the past two years; former Chief Miller said, *"No. Absolutely not. As the Chief I didn't do that. Nope. As the Chief I didn't, I, I do not remember because I was so afraid during the, the of not getting the job during the internship and then you know after that I just, the now, and I'm gonna open it up. Prior, absolutely. We would go on your birthdays, but it was horseplay. Never grabbed her inappropriately it was during a hug and tickled like that, that never happened that I can recall and I'm trying to think as a Chief. Because I try to keep it so straight forward a little bit. It it just."* Former Chief Miller then clarified that he did but stipulated that he did not after he was promoted to Chief of Police. Former Chief Miller was then asked if he ever requested to see [REDACTED] butt or breasts, at which point he explained, *"I did not ask to see it. She brought it up one day when I was having a bad day and said do you need a picker upper of some line you know she brought in you know hey you know I, cuz we had had conversations and this is a while ago. This is, this is not as the Chief that, and she exposed her breasts. It happened probably about three or four times."* Former Chief Miller was pressed and asked again if he ever asked to see [REDACTED] breasts, to which he replied, *"I, I may have asked indirectly hey I need, a jokingly, hey I need a picker upper. I did not solicit as the Chief."*

Former Chief Miller was then asked if he ever exposed himself to her in any way, to which he said, *"no."* During a follow-up question, former Chief Miller was asked if he had ever witnessed Captain Yates ask to see her breasts, to which he responded, *"Maybe when we went out? I mean we went out a lot. You know maybe I, I don't recall on that."*

Former Chief Miller was then asked about his contact with [REDACTED]. He was specifically asked about grabbing her buttocks, hugging her inappropriately, kissing her neck, and ultimately leaving a hickey on her person. Former Chief Miller said, *"Right I've never if she thought I grabbed her on the butt maliciously when I may have picked her up or whatever then that's what she thought. The kissing on the neck never happened never did that. We kissed each other on the cheek and it was more of you know non sexual it was more friends. You know she and I talked about everything you know. My, so here's and I'm gonna even solicit this. My, my biggest problem there I tried to be everybody's friend. And, and you know and that's where I didn't*

*separate being the Chief once I got it, from the people that I that I had partied with and that I'd gone out with. I separated it with all the new people but it's not the people that I came up the ranks with that I went out to dinner with on several occasions. Been to birthday parties, done drinking together. I never separated that and you know and that's my fault. At the end of the game you know someone has to take responsibility for all of this. I'm the captain of the ship, this has all been a mess and it's this guy right here. But I didn't do anything criminally wrong. Ok. I may have made some mistakes and you know and by the way lets go back to [REDACTED] How do you self-report your friend coming to you and exposing yourself? How do you, how do you go to your boss and say you know how, how, how do you do that? You know it was done in a jovial way. It was piss poor I should have went to her at one point and said look we gotta stop this. But I didn't do that. So it's on me. It's on me."*

The conversation then changed to the allegations made by Sergeant [REDACTED] On the topic, former Chief Miller was asked if he ever requested to see her breast. Former Chief Miller responded, "no." Former Chief Miller added, "[REDACTED] and I were really good friends also. I was there at her engagement, Universal Studios. We were friends she would come in and say how tan I am over the weekend. So when, say her breasts let me clarify that. She never exposed the areola but she would pull down and show how, show how dark she got." Former Chief Miller also denied the incident described by Sergeant [REDACTED] when he allegedly exposed his male genitalia and masturbated in front of her. During the same topic, former Chief Miller was asked if he solicited to see [REDACTED]'s breasts, at which point he denied that allegation as well.

During the interview, former Chief Miller then referenced back to the original complaint about employees being requested to show their breasts to him. Former Chief Miller again shifted the blame to the women he supervised and said, "*They were, they were, they were mostly actually they were all just and I know it sounds it doesn't, it doesn't I, I it's embarrassing they were New Orleans type Mardi Gras breast shots.*" Former Chief Miller again was asked about him tickling and groping various women. He replied, "*So you know on and they were doing it too it was like mutual they may have started it. Um and then I reciprocated back. It did not happen a lot, but it did happen. And it, it, it yes it did happen so yeah it happened.*"

At the end of the interview, former Chief Miller alleged that the incident stemmed from an elaborate scheme to gain funds from the City of Holly Hill and blamed Officer [REDACTED] and her attorney for trying to gather a team to launch a complaint against him. According to former Chief Miller, the incident with Officer [REDACTED] started because allegedly Sergeant Fountain and Officer [REDACTED] were involved in a romantic relationship that was sexual in nature. Investigator [REDACTED] was supposed to have found the inappropriate text messages between Officer [REDACTED] and Sergeant Fountain, which resulted in the forthcoming complaint from Officer [REDACTED] Former Chief Miller indicated that this was only a rumor and did not have any physical evidence to support this claim; however, he believed it to be true.

During the interview, former Chief Miller explained that he had a significant amount of text messages from the women of Holly Hill Police Department that showed they come on to him and that he did not solicit to see any breasts. Despite this, former Chief Miller failed to provide any of the messages he was alleged to have had. Former Chief Miller concluded by saying, *"This is my, all of this is my fault because I didn't stop the horse playing going around."*

### **Interview with Captain Christopher Yates**

On May 23, 2024, Captain Yates responded to 123 W Indiana Ave, Deland to be interviewed as a subject in the investigation. Captain Yates was presented with the body of evidence and testimonies of several subjects which detailed several of the incidents he was both responsible for or was a witness too. After a review of the case, Captain Yates offered his resignation from the Holly Hill Department decided not to participate in the interview.

### **INVESTIGATIVE SUMMARY:**

Below is a concise summary of the evidence and witness statements collected during this investigation.

#### **Officer [REDACTED]'s Complaints:**

Regarding Officer [REDACTED]'s allegation about receiving fewer opportunities for additional training or being denied classes due to favoritism or retaliation, there is evidence that provides a different perspective. An audit of the training classes for all current officers within the Holly Hill Police Department revealed that Officer [REDACTED] attended the fourth most training classes in 2022 and logged 136 hours of training, the highest of any employee in 2023. So far this year, Officer [REDACTED] has attended the fifth most classes out of approximately 25 other sworn employees.

In the original complaint, Officer [REDACTED] mentioned that she received unfair punishment and was verbally accosted, which she felt was inappropriate. During this investigation, it was revealed Officer [REDACTED] only received verbal counseling in reference to the incident that involved an elderly female who allegedly fled from Officer [REDACTED] during a traffic stop. According to Officer [REDACTED]'s discipline history, there are no Performance Observation Reports that document any other problematic behavior. Specifically, in reference to the verbal counseling being unprofessional or excessive, there was no physical evidence to support this claim. There were only differences in perspective, which were both subjective in nature.

Another portion of Officer [REDACTED]'s complaint was that there were incidents in which she felt that she went above and beyond her obligations and responsibilities and deserved recognition. This



matter also appeared to be subjective, and due to both former Chief Miller and Captain Yates refusing to participate in an interview, this topic was never able to be concluded.

In reference to the complaints made against Sergeant Fountain, the investigation found overwhelming evidence of inappropriate messages between Sergeant Fountain and Officer [REDACTED]. Sergeant Fountain, during his interview, confirmed he sent the inappropriate messages and that his behavior was inexcusable. This is despite the fact that Sergeant Fountain mentioned that some of the context before and after the messages was either missing or deleted. Sergeant Fountain did say that he flirted with Officer [REDACTED] who was his direct subordinate, which was inappropriate given his responsibilities as a supervisor. Sergeant Fountain admitted his failures and shortcomings; however, he highlighted failure on the part of the organization of the City of Holly Hill to train, mentor, and develop proper leadership characteristics. Sergeant Fountain said he thought his behavior was ultimately acceptable due to the environment created by the command staff and leadership at the police department. This environment fostered an atmosphere of sexual innuendos, objectifying women, and sexually graphic horseplay.

Officer [REDACTED]'s complaint regarding Sergeant Bentley mostly stemmed from comments made between Sergeant Bentley and Investigator [REDACTED]. It should be noted there was no physical evidence to corroborate the offensive statements allegedly made by Sergeant Bentley. During the interview with Sergeant Bentley, he denied the allegations made by both Officer [REDACTED] and Investigator [REDACTED]. Additionally, during Sergeant Bentley's interview, he denied the allegations made by Officer [REDACTED] that his selection of criminal investigator was based on anything other than who he thought was best for the position of investigator.

There were several sworn statements made by witnesses who either saw or heard several members of the Holly Hill Police Department make comments on Officer [REDACTED]'s physical appearance that was unacceptable in the workplace. This occurred both while Officer [REDACTED] was an employee and even during her pre-employment period with the department. According to witness testimony, the comments were made by Sergeant Bentley, Captain Yates, and even Investigator Ballentine (who was not listed as a subject officer for this investigation).

[REDACTED]'s and Sergeant [REDACTED]'s complaints:

Both [REDACTED] and Sergeant [REDACTED] discussed the issues surrounding the "inner circle." The idea of the inner circle was mentioned countless times during the interview portion of the investigation by multiple department members, both past and present. It was collectively concluded the members of that group were former Chief Miller, Captain Yates, and Sergeant Bentley and that the group of individuals was responsible for intolerable acts of sexual abuse, physical abuse, and emotional exploitation and created a hostile work environment. The sheer number of incidents, detailed description of occurrences, and commonality of those events lend credibility to the claims made by several women who were interviewed. Some of those incidents were witnessed, such as Captain Yates unsnapping [REDACTED]'s bra and former Chief Miller and Captain Yates groping [REDACTED] and Sergeant [REDACTED] while the two were in the same room. Additionally, Captain Yates behavior of discussing the physical appearance of women by asking if Officer [REDACTED]'s breasts were real.

During the interview with FDLE, former Chief Miller admitted to some sexual misconduct; however, he denied the more egregious allegations made by [REDACTED] and Sergeant [REDACTED]. Former Chief Miller focused on the fact that the incidents of sexual abuse occurred prior to him becoming Chief of Police and that after he assumed that role, these incidents stopped. Additionally, former Chief Miller attempted to downplay his actions by blaming the women in this case for starting this type of behavior and was blind to his authority and how that played a major role in these incidents. Former Chief Miller confessed to groping several women in the form of tickling them and made the excuse that it was acceptable because they also reciprocated it. Additionally, former Chief Miller admitted to asking to see his subordinate's breasts. Chief Miller again attempted to excuse his behavior by saying the request was made in a joking manner.

During the interview with Sergeant Bentley, he denied recalling any incident that he thought was inappropriate, and when pressed further, Sergeant Bentley recalled only a minor incident that was never mentioned by the main complaints. Sergeant Bentley's response was concerning due to the large volume of incidents he was listed as present for by numerous witnesses. Additionally, of far greater concern, at no point in the witness testimonies did Sergeant Bentley stop the inappropriate comments, jokes, or sexual innuendos. Based on the investigation, it appears unreasonable that Sergeant Bentley was unaware of the actions of both former Chief Miller and Captain Yates. This is due to the fact that all three subjects were very close in both the professional setting and outside the professional realm. Therefore, because of this, it appears that Sergeant Bentley was complicit with the deplorable actions of those in charge.

It should be noted that when Captain Yates had a chance to review all the evidence and testimony, which included a multitude of salacious acts of a sexual nature that he either participated or condoned, he chose to resign instead of participating in an interview. This act lent credibility to the allegations made against him, suggesting that he feared facing the consequences of his actions and confirming the veracity of the complaints brought forward.

Furthermore, uncovered during this investigation, most if not all of the employees were unaware of any recent sexual harassment or hostile work environment training. Most employees referenced an online type of presentation that was completed once while involved in the hiring process. There appeared to be no standard of training received that included how to identify or report incidents of sexual harassment.

Based on the information provided, there was an imbalance of power between the complainants and the subjects of the internal investigation. After completing all the interviews, it was found that the leading department members within the organization were former Chief Miller, Captain Yates, and Sergeant Bentley. These members allowed an environment where inappropriate behavior, including sexual misconduct, occurred. The issues appeared to have started before former Chief Miller's appointment as Chief of Police, and unfortunately, they were never sufficiently addressed. Reports of misconduct, such as those indicated by former employee Robert Milne, were not acted upon effectively, contributing to an uncomfortable and hostile workplace for women.

**EXHIBITS:**

- A. Report of Investigation
- B. VSO Official Correspondence
- C. HHPD Official Correspondence
- D. Documented Evidence
- E. Transcript of Interview with [REDACTED]
- F. Transcript of Interview with Robert Milne
- G. Transcript of Interview with [REDACTED]
- H. Transcript of Interview with [REDACTED]
- I. Transcript of Interview with [REDACTED]
- J. Transcript of Interview with Logan Cronk
- K. Transcript of Interview with Prudenciano Ibarra
- L. Transcript of Interview with Michael Rosabella
- M. Transcript of Interview with Laura Depass
- N. Transcript of Interview with Nicole Kloetz
- O. Transcript of Interview with Daisy Guerrero
- P. Transcript of Interview with Tamara Szabo-Spuzzillo
- Q. Transcript of Interview with Terry Hyde
- R. Transcript of Interview with Jared Bionelli
- S. Transcript of Interview with Andrew Barrett
- T. Transcript of Interview with [REDACTED]
- U. Transcript of Interview with Michael Shaffer
- V. Transcript of Interview with Jose Abin
- W. Transcript of Interview with Esmerelda Soto
- X. Transcript of Interview with Mike Ballentine
- Y. Transcript of Interview with Nicholas Dimini
- Z. Transcript of Interview with Carmine Celico
- AA. Transcript of Interview with Jason Weiss
- BB. Transcript of Interview with Nikolas Stacy
- CC. Transcript of Interview with Kirstin McCorkle
- DD. Transcript of Interview with Justic King
- EE. Transcript of Interview with [REDACTED]
- FF. Transcript of Interview with Brandon Fiveash
- GG. Transcript of Interview with Robert Hutchison
- HH. Transcript of Interview with Jared Shaheen
- II. Transcript of Interview with Mandy Broderick
- JJ. Transcript of Interview with Anthony Bernal
- KK. Transcript of Interview with Zachary Deap

LL. Transcript of Interview with [REDACTED]  
MM. Transcript of Interview with [REDACTED]  
NN. Transcript of Interview with Shannon Fountain  
OO. Transcript of Interview with Thomas Bentley  
PP. Transcript of Interview with Jeff Traylor  
QQ. Digital Evidence

**WITNESSES:**

**Holly Hill Police Department**  
1065 Ridgewood Avenue  
Holly Hill, FL 32117

Officer [REDACTED]	Sergeant [REDACTED]
Master Patrol Officer Michael Rosabella	Sergeant Michael Shaffer
Officer Esmerelda Soto	Sergeant Jason Weiss
Officer Kirstin McCorkle	Sergeant Thomas Bentley
Officer Zachary Deap	Sergeant Robert Hutchison
Officer Terry Hyde	Sergeant Shannon Fountain
Officer Logan Cronk	Captain Christopher Yates
Officer Prudenciano Ibarra	Detective [REDACTED]
Officer Nicholas Dimini	Detective Jared Bionelli
Officer Nikolas Stacy	Detective Mike Ballentine
Officer Anthony Bernal	Detective Andrew Barrett
Master Patrol Officer Jose Abin	Master Patrol Officer Jared Shaheen
Evidence Technician [REDACTED]	Records Clerk Nicole Kloetz
Victim Advocate Daisy Gonzalez	Records Clerk Laura Depass
Records Clerk Tamara Szabo	

**Flagler County Sheriff's Office**

61 Sheriff EW Johnston Drive  
Bunnell, FL 32110

Corporal Carmine Celico  
Corporal Brandon Fiveash

**Bunnell Police Department**

1769 East Moody Boulevard  
Building #14  
Bunnell, FL 32110

Detective Jeff Traylor

**Civilian Witnesses**

Former HHPD Officer Robert Milne  
Former HHPD Chief Jeffrey Miller  
Former HHPD Officer Justice King  
Former HHPD Officer [REDACTED]  
Former HHPD Office Manager [REDACTED]  
Former HHPD Officer [REDACTED]  
Former HHPD Victim Advocate Mandy Broderick  
Former HHPD Records Clerk [REDACTED]

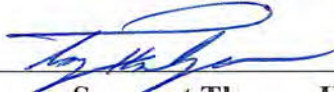


Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true to the best of my knowledge and belief.

AND

I, the undersigned, do hereby swear, under the 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 suspect of the investigation of any rights contained in ss. 112.532 and 112.533, Florida Statutes.

SERGEANT: \_\_\_\_\_

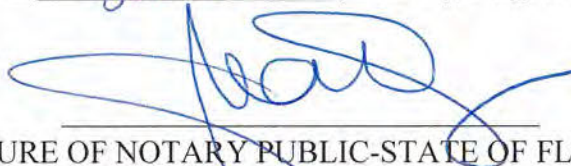


**Sergeant Thomas Hachenberger**  
**Internal Affairs Sergeant**

DATE: 06/05/24

**STATE OF FLORIDA**  
**COUNTY OF VOLUSIA**

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online  
Notarization this 5th day of June, 2024 by Sergeant Thomas Hachenberger.



SIGNATURE OF NOTARY PUBLIC-STATE OF FLORIDA



PRINT, TYPE, OR STAMP COMMISSIONED NAME OF NOTARY PUBLIC

☒ PERSONALLY KNOWN OR ☐ PRODUCED IDENTIFICATION

\_\_\_\_\_  
TYPE OF IDENTIFICATION PRODUCED

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true to the best of my knowledge and belief.

AND

I, the undersigned, do hereby swear, under the 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 suspect of the investigation of any rights contained in ss. 112.532 and 112.533, Florida Statutes.

LIEUTENANT:

7744

DATE:

6/5/24

**Lieutenant Ben Gordon**  
**Internal Affairs Lieutenant**

**STATE OF FLORIDA**  
**COUNTY OF VOLUSIA**

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online  
Notarization this 5th day of June, 2024 by Lieutenant Ben Gordon.

SIGNATURE OF NOTARY PUBLIC-STATE OF FLORIDA



PRINT, TYPE, OR STAMP COMMISSIONED NAME OF NOTARY PUBLIC

☒ PERSONALLY KNOWN OR ☐ PRODUCED IDENTIFICATION

TYPE OF IDENTIFICATION PRODUCED

APPROVED BY:

Brian Henderson

DATE: 06/05/2024

**CHIEF DEPUTY BRIAN HENDERSON**  
**VOLUSIA COUNTY, FLORIDA**