

**DEPARTMENT OF PUBLIC PROTECTION  
INTERNAL AFFAIRS**

**Elizabeth Paige Winters, Witness Interview  
IA 2011-09-297**

September 23, 2011

Present:

Elizabeth Paige Winters, Beach Safety Officer  
Nikki A. Dofflemyer, Captain

Bonita McClough, Transcribing Secretary

Dofflemyer: This is Captain Nikki Dofflemyer with the Department of Public Protection's Internal Affairs Unit. Today's date is the 23<sup>rd</sup> of September 2011. The time is 1452 hours. We're conducting this interview with Beach Safety Law Enforcement Officer Elizabeth Paige Winters. We're at the Volusia County Beach Safety Headquarters. This is a taped interview statement with Officer Winters. Officer Winters was given written notice of intent to interview and appeared today and provide a sworn statement. She is not the subject of this investigation. She is currently on duty and has been released from service to participate in this interview. Officer Winters was also provided a copy of the Officer Bill of Rights and a copy of her Advisement of Garrity. Can you identify yourself for the record, please?

Winters: Elizabeth Paige Winters.

Dofflemyer: And do you have a contact phone number?

Winters: Yes, I do.

Dofflemyer: Can you provide that please?

Winters:

Dofflemyer: And you're currently employed by Volusia County Beach Safety?

Winters: Yes, I am.

Dofflemyer: Ok and what position do you hold with Beach Safety?

Winters: Senior Lifeguard.

Dofflemyer: Ok. You are a sworn law enforcement officer?

Winters: Yes, I am.

Dofflemyer: Ok. You were provided a copy of ah your Garrity advisement prior to this interview?

Winters: Yes I was.

Dofflemyer: Ok you also understand this is a taped interview statement?

Winters: Yes, I do.

Dofflemyer: Ok and that you'll be fi providing your statement while under oath?

Winters: Yes I do.

Dofflemyer: In accordance with Merit Rules and Regulations and the Officer Bill of Rights you do have a right to have representation present during this interview. Do you elect to have representation at this time?

Winters: Not at this time.

Dofflemyer: Ok. (Papers) Be advised that any time during this interview that you wish to get representation please advise; the interview will cease so that you have an opportunity to seek a representative.

Winters: Ok

Dofflemyer: Ok. Will you to raise your right hand for me? Do you solemnly swear or affirm the statement you're about to give is the truth, the whole truth and nothing but the truth, so help you God?

Winters: I do

Dofflemyer: You do understand that you're participating in an official proceeding?

Winters: Yes I do

Dofflemyer: Also you do understand that the Internal Affairs investigation is currently open you cannot discuss any part of this questioning any

of the line of questioning or the subject officer's name with anybody outside of this office till the case comes to closure.

Winters: Yes

Dofflemyer: Ok. Paige, when did you start employment with Volusia County?

Winters: May of 2009?

Dofflemyer: Ok

Winters: I went through that recruitment class in the spring.

Dofflemyer: Ok and that the recruit class you're talking about is the ah Basic Law Enforcement training academy?

Winters: No, Lifeguard.

Dofflemyer: Lifeguard ok. When did you become a certified ah police officer?

Winters: We were sworn in...I don't have the exact date...July?

Dofflemyer: Ok

Winters: The beginning of July?

Dofflemyer: 2009?

Winters: Ah no I'm sorry, 2011. Just recently.

Dofflemyer: Ok so from May 2009 to approximately July you worked as ah a lifeguard?

Winters: Right.

Dofflemyer: Ok were you fulltime or parttime?

Winters: I was parttime.

Dofflemyer: Ok. Do you know Captain Rich Gardner?

Winters: Yes, I do

Dofflemyer: How long have you known him?

Winters: I met him briefly through ah back in '09

Dofflemyer: And how did you...how did you come to know him?

Winters: Just him walking around, being around (laughs)

Dofflemyer: Ok

Winters: I didn't know him personally, just knew of him and...

Dofflemyer: Ah describe for me your your relationship your current relationship with Captain Gardner.

Winters: Strictly professional.

Dofflemyer: Ok prior to...have you associated with Captain Gardner outside the workplace?

Winters: Yes

Dofflemyer: How often did that take place?

Winters: (pause) I it's hard you you're...it's an open...do you want it from - I just started seeing him...is that the question

Dofflemyer: I are you in a current are you currently in a relationship an intimate relationship with Captain Gardner?

Winters: No, I am not.

Dofflemyer: Have you ever been in a intimate relationship with Captain Gardner?

Winters: Yes I have.

Dofflemyer: Ok. During that time, did you see Captain Gardner outside the workplace?

Winters: Yes

Dofflemyer: Ok. When did that re let's go back. When did the relationship begin between you and Captain Gardner?

Winters: Ahm...the latter part of ah the week the 8<sup>th</sup> of August that - somewhere in that week.

Dofflemyer: And that's August of 2011?

Winters: Yes

Dofflemyer: Ok and how long did the relationship - is the relationship still currently going on?

Winters: No.

Dofflemyer: When did the relationship end?

Winters: A couple weeks ago, maybe the end of September probably at the beginning of September

Dofflemyer: Ok and did you associate with Captain Gardner outside the workplace during that time?

Winters: During August and September?

Dofflemyer: Yes Ma'am

Winters: Outside work, yes

Dofflemyer: Ok prior to that, did you associate with him as a romantic relationship or dating outside of the workplace?

Winters: No

Dofflemyer: Ok. Has Captain Gardner ever contacted you during your employment from a County issued cell phone for a personal reason?

Winters: No

Dofflemyer: And that's going back to 2009 till present?

Winters: Right

Dofflemyer: So your romantic and or intimate relationship with Captain Gardner took place between August 2011 and September 2011?

Winters: Yes

Dofflemyer: Ok. Prior to your employment with Volusia County, were you involved in any type of romantic or intimate relationship with Captain Gardner?

Winters: No

Dofflemyer: Does Captain Gardner currently contact you while you're on duty for personal reasons?

Winters: Has he for personal reasons

Dofflemyer: Does he currently do it?

Winters: No

Dofflemyer: Ok. In the past has he contacted you while you were on duty for personal reasons? For other than County business?

Winters: Ahm...yeah I think he's made some phone calls, but -

Dofflemyer: How how often?

Winters: Not often at all cause I was working during training and I couldn't answer the phone so I didn't have my phone turned on.

Dofflemyer: Does Captain Gardner currently contact you while you are off duty?

Winters: No

Dofflemyer: Ok...how many times do you think Captain Gardner called you while you were on duty for a personal reason?

Winters: (whispers) I don't know...cause FTO training was so stressful and I don't...I had a hard time keeping days straight. Ah not often...

Dofflemyer: Ok

Winters: Ah not often at all...

Dofflemyer: Have you

Winters: cause he knew I was working, so he didn't want to bother me, so

Dofflemyer: Ok have you ever contacted him while he was on duty and you were off duty for a personal reason?

Winters: I...don't think so...

Dofflemyer: Have you ever done it using a County issued cell phone?

Winters: No, no I don't have a County issued cell phone.

Dofflemyer: Have you ever called him on his County issued cell phone for a personal reason?

Winters: No

Dofflemyer: Have you engaged in any inappropriate contact with Captain Gardner while on duty?

Winters: No

Dofflemyer: Specifically have you have you kissed Captain Gardner while on duty?

Winters: No

Dofflemyer: Had any sexual relationships with Captain duty Captain Gardner while on duty?

Winters: No

Dofflemyer: Have you ever been in a compromising position with Captain Gardner while on duty?

Winters: No

Dofflemyer: Have you ever been in a position with Captain Gardner which would be a compromising position while on duty which ah and another employee became aware of it?

Winters: No

Dofflemyer: Do you have a Facebook?

Winters: No

Dofflemyer: Any type of social network account?

Winters: No

Dofflemyer: Have you ever participated or engaged in a sexual relationship on duty with Captain Gardner?

Winters: No

Dofflemyer: Have you ever engaged in any inappropriate or intimate contact with Captain Gardner while on County property?

Winters: No

Dofflemyer: Have you ever engaged in any activity while on duty that if discovered would shed a de a negative light on County government or the Division of Beach Safety?

Winters: No

Dofflemyer: Have you received or been given any special assignments, duties or shifts by Captain Gardner due to having a personal or intimate relationship with him?

Winters: No

Dofflemyer: Have you received any special treatment from Captain Gardner due to a special relationship with him?

Winters: No

Dofflemyer: During your career, has Captain Gardner been your direct supervisor?

Winters: No

Dofflemyer: At any time from 2009 till present?

Winters: No

Dofflemyer: Ok. Were you contacted by Captain Gardner today prior to this interview?

Winters: Nnnn...he did not contact me, no.

Dofflemyer: Ok anybody contact you and...for Captain Gardner?

Winters: No

Dofflemyer: Ok...did anybody instruct you to not provide the truth while under oath?

Winters: I'm sorry can you...?

Dofflemyer: Did anybody ask you to lie?



Winters: No

Dofflemyer: About your relationship

Winters: No

Dofflemyer: Prior to this interview

Winters: No

Dofflemyer: At any time have you been contacted by Captain Gardner or any one of his friends during your employment and instructed to lie about your current or past relationship with Captain Gardner?

Winters: No

Dofflemyer: Have you been truthful with me during this interview?

Winters: Yes

Dofflemyer: Any idea who brought this information forward about your relationship with Captain Gardner?

Winters: Yes

Dofflemyer: Could you tell me who you believe that was? I'm directing you to tell me. Who?

Winters: Cara Gittner.

Dofflemyer: Ok. Is there a reason you believe Ms. Gittner brought this information forward?

Winters: (pause) Jealousy

Dofflemyer: Ok. Does anybody else know about your past relationship with Captain Gardner?

Winters: I believe there's people that have an idea.

Dofflemyer: Ok do you have any idea how they know? Have you ever been seen in public with ahm Captain Gardner when it was just you and Captain Gardner?

Winters: No we've been out with a group.

Dofflemyer: Ok ahm...

Winters: Socializing

Dofflemyer: At any time during those those events when you were socializing did it appear as if the two of you were a couple?

Winters: Possibly.

Dofflemyer: Ok

Winters: There was no...

Dofflemyer: Was any of the

Winters: obvious PDA, no, but...

Dofflemyer: Ok

Winters: I think some people got an idea that we were flirting.

Dofflemyer: Ok has any of the flirting, intimate relations, anything been conducted while on duty?

Winters: No

Dofflemyer: You used no personal equipment, no County issued equipment during or for the relationship?

Winters: No

Dofflemyer: as a part of the relationship?

Winters: No

Dofflemyer: At any time when you talked to Captain Gardner while you were on duty did it distract you from performing your official duties as a police officer?

Winters: No

Dofflemyer: Have you been approached by anybody else to discuss this...

Winters: No

Dofflemyer: relationship?

Winters: No (laughs) this is the first I've heard of it.

Dofflemyer: Have you been given any special shift by...

Winters: Absolutely not. (Laughs)

Dofflemyer: Captain Gardner?

Winters: I'm on the late shift every day.

Dofflemyer: Have you been given any special assignments since you've been a police officer

Winters: Don't know

Dofflemyer: Assigned by Captain Gardner?

Winters: No

Dofflemyer: All right Paige, I don't have any other questions. Is there anything that you would like to add prior to ending this interview?

Winters: Ahm... yes. I think that Captain Gardner has handled himself very professionally. He's always been professional and he's always put his work first. I've never felt in an uncomfortable position with him at work even outside of work he handles himself very well and very professionally and appropriately. Ahm can't speak that of somebody else and I believe that's the person who's ahm had sent in the the anonymous letter. They have not been professional or appropriate.

Dofflemyer: Ahm one more thing. Ah the relationship that you had with Captain Gardner. At anytime did you feel that you were forced to be part of that relationship?

Winters: Not at all.

Dofflemyer: Did you feel that you were forced to be part of that relationship ahm in order to maintain employment?

Winters: Not at all.

Dofflemyer: And at any time did any of the actions take place while on duty?

Winters: Not at all.

Dofflemyer: Ok all right we're gonna end the interview then. It is still ah nine ah the twenty third of September. We are still at Beach Safety and the time is 1504 hours and we're going to go off the record.

(Recording devices off)