PUBLIC RECORDS DUPLICATION COST ESTIMATE FORM -- A determination of the cost of providing the requested information should be made as quickly as possible. This shall be conveyed to the requestor of information. The requestor of information shall be given a form estimating the cost of compliance with the information requested. **The requestor shall pay for the cost of records in advance.**

Paper copies –	
Number of copies 9 pages x **$.05** per page =	$ 0.45
Paper copies – (dept)	
Number of copies ___ x **$.05** per page =	$_____
Paper copies – (dept)	
Number of copies ___ x **$.05** per page =	$_____
Electronic information retrieval	
Labor as quoted by ____ ***(dept)***	$_____
Number of copies ___ x $.05 per page =	$_____
Video VHS, CD-R ($.20 ea), DVD ($.35 ea)	
(Actual replacement cost as of Dec. 2009)	
Audio cassettes	
Actual cassette tape cost	$_____
County maps	
Determined by size, black and white or color	$_____
Extensive office/clerical labor costs	
Extensive labor #1 (time _____@ $10.00 per hour)	$_____
Extensive labor #2 (time _____@ $_____ per hour)	$_____
Extensive labor #3 (time _____@ $_____ per hour)	$_____
POSTAGE to mail materials	$_____
EMAIL SEARCH – PER QUOTE ATTACHED	$_____
Total due from requestor of information	$ 0.45

PRR-050213: VolusiaExposed (re: final letters)

_____	_____	_____
Payment Amt	***Ck. Number (Or Cash Amt.)***	***Date Received***

Received by _____

Public Records Volusia County Fee Schedule

"The charge is limited to actual cost of duplication of the record. The phrase 'actual cost of duplication' is defined in Florida Statutes to mean the cost of the materials and supplies used to duplicate the record, but it does not include the labor costs and overhead costs of such duplication. An exception, however, exists for copies of County maps or aerial photographs supplied by County constitutional officers which may include a reasonable charge for the labor and overhead associated with their duplication." -- *Florida Government-In-The-Sunshine Manual.*

Volusia County's public records duplication fee policy

Paper copies -- The cost to duplicate paper records is 5 cents per page.

If the nature or volume of public records to be copied requires the extensive use of information technology resources or extensive clerical or supervisory assistance, or both, a reasonable service charge based on the cost actually incurred should be charged on a case by case basis. Extensive use of resources is defined as more than 15 minutes. This should be the direct hourly labor rate calculated for the Activity where the records are requested. (Please see formula below or consult Management and Budget for assistance).

Video cassettes -- Actual video tape cost and, if any, extensive clerical labor (see calculation sheet)

Audio cassettes -- Actual cassette tape cost and, if any, extensive clerical labor (see calculation sheet)

Electronic information retrieval -- Paper copy cost and, if any, Microcomputer Services extensive labor (see calculation sheet)

Formula for determining public records extensive labor costs based on one person or more than one person in your area:

1. Determine the person's annual direct labor hours (40 hr week x 52 weeks).
2. Total person's annual current budgeted salary (current salary, plus FICA, plus insurance, plus retirement).
3. Divide line 2 by the number of direct labor hours in line 1. The result is the direct hourly labor rate.
4. If more than one person is involved, multiply each person's direct hourly labor rate by the number of hours that person was involved in the project. Add together.

Volusia County
FLORIDA
Department of Public Protection

May 08, 2013

Volusia Exposed

Dear Volusia Exposed:

Re: PRR- 202013 (Re: Ofc.West, Benjamin, & Ofc. Schneider, Nathan)

In response to your request received in our office, I am enclosing the copy of the file for the above-referenced request. Per F.S. 119.071(4) (d) all exempt information has been redacted. The fee for coping these documents plus the fee for the labor is **$0.45**. Please make the check payable to the County of Volusia – Division of Corrections and mail to:

County of Volusia – Division of Corrections
1300 Red John Drive
Daytona Beach Fl.
32124

When issuing your check, please note on it that it is for photocopying fees regarding the above-referenced request.

Should you have any questions, please do not hesitate to contact me at the number listed below.

Sincerely,

Lieutenant Scott Mason
Volusia County Division of Corrections
(386) 258-4044

Volusia County
FLORIDA

INTER-OFFICE MEMORANDUM
Department of Public Protection
125 West New York Ave., Suite 183
DeLand, FL. 32720
386-740-5120 – FAX 386-740-5283

TO: Sergeant Benjamin West
Division of Corrections – Correctional Facility

DATE: April 15, 2013

FROM: George Recktenwald, Director
Department of Public Protection

FILE NO: DPP13-040

SUBJECT: **Notice of Dismissal**

REFERENCE: NOID-DPP13-030

Purpose: The purpose of this memorandum is to provide you with notice of dismissal from employment with the County of Volusia. This action is the result of your violation of Policy and Procedures during an Internal Affairs investigation from November, 2012-February, 2013. This action will be effective on Monday, April 15, 2013.

Background: You received my notice of intent to suspend on March 21, 2013. A meeting was requested by you via an email from your attorney, Erin Thompson, on March 25, 2013. A meeting to discuss the notice of intent to dismiss was scheduled in the Department of Public Protection Conference Room on March 28, 2013 at 1:30 and you and I met along Deputy Director Terry Sanders, Division Director Marilyn Chandler Ford, Captain David Vanis, County Attorney Nancye Jones and your legal representative, Erin Thompson, Esquire. I have considered the information provided by you at our meeting.

In our meeting you did show remorse over your actions, however, I am troubled that your decision to change your story and call Captain Vanis was a self serving attempt to protect your career. You were already upset about being "passed over" for a promotion and felt your statement against Captain Hunter would lead to your being "passed over" again. Your actions have interfered in another ongoing investigation and this illustrates the importance of giving accurate and truthful reports all of the time. I am therefore proceeding with the intended action to dismiss you.

Information: An Internal Affairs investigation was initiated based on a complaint filed by Officer Charles Cella (IA-2012-11-312) on Friday, November 9, 2012. You received notice of your being called as a witness in that investigation on November 13, 2012. During that investigation, you were interviewed under oath on two occasions and provided testimony, which you subsequently recanted in a telephone conversation on February 1, 2013. Based on the gravity of your retraction of statements made under oath, an Internal Affairs investigation was opened with you as the subject officer on February 1, 2013 (IA-213-02-315).

On November 20, 2012 Captain D. Vanis of the Department of Public Protection, Internal Affairs Unit, conducted a sworn witness interview with you in regards to a complaint filed against Captain Nina Hunter (IA case number 2012-11-312). During that interview, you testified that while you were in the shift commander's office at the Branch Jail on August 4, 2012, that, "I think she licked the back of his head." Later in that same interview, you stated, "[S]o I know when she licked his head I know it really made him mad…and I know he tensed up and his back was also hurting." These statements referenced your witnessing Captain Nina Hunter licking the back of Officer Charles Cella's head on August 4, 2012.

(continued)

During this interview you also stated you verbally reported the incident to your supervisor, Lieutenant S. McBride as you departed work for the hospital on August 4, 2012. You explained, "But it wasn't like I was report like you know this and that I was just like you know Cella's hurt she was kinda messing with him and you know how he is about germs and stuff and she licked him and he is really pissed. Something to that effect." Lt. McBride, in her sworn testimony contradicted you, stating you did not advise her of the incident, but only asked about employee injury-related paperwork. You did not prepare a written report of the unusual incident before departing duty on August 4, 2012 or at any subsequent time.

On January 23, 2013 you were re-interviewed by Captain Vanis in regards to the same complaint. Your statements during this interview were also made under oath. This second interview was made to address allegations brought up by Captain Hunter during her subject interview. At the end of this second interview you were asked by Captain Vanis to relate what you witnessed on August 4, 2012 in the shift commander's officer at the Branch Jail. You stated, "I guess we were looking for it or whatever ahm is when I saw her…saw her lick his head or something like that and I was like man, what are you doing?" When asked by Captain Vanis to relate exactly what you did see, you responded, "I saw her lick I saw her lick the back of his head." To confirm what you said you witnessed, Captain Vanis asked, "Ok. And you're certain you saw her lick his head?" You responded, "Yeah." These statements again referenced your witnessing Captain Nina Hunter lick the back of Officer Charles Cella's head on August 4, 2012.

On February 1, 2013, at 1:02 p.m. you contacted Captain Vanis by telephone. You told the captain that you wanted to clear up things because you did not remember what you had testified to eight days earlier (Internal Affairs re-interview, January 23, 2013). You told Captain Vanis that you never witnessed Captain Hunter lick Officer Charles Cella on August 4, 2012, but that you did witness Captain Hunter give Officer Cella a "wet willie."

Later in the afternoon of February 1, 2013 Captain Vanis came to your residence and served you notice that an Internal Affairs investigation had been opened with you as the subject officer for contradictory statements you had provided in the Hunter-Cella investigation (IA-213-02-315). Captain Vanis reports he spoke with you for approximately five minutes and that you did not appear to be under the influence of alcohol or any narcotic. Your speech was very clear and you showed no other signs of impairment. You made an unsolicited statement to Captain Vanis, reporting that you wanted to be clear that you did **not** see Captain Hunter lick Officer Cella, which clearly contradicted your prior two sworn statements.

On February 15, 2013 you were interviewed by Captain Vanis about your retraction of statements made previously under oath. You were the subject officer; this was a sworn interview and you were represented by counsel (IA-213-02-315). In this interview, you reported that, on August 4, 2012, while you were getting paperwork in order in the shift commander's office at the Branch Jail, you witnessed Captain Hunter lick the back of Officer Charles Cella's head, but that you did not witness Captain Hunter give Officer Cella a "wet willie." When questioned as to the discrepancy between these statements and the ones made twice to Captain Vanis on February 1, 2013, you cited the fact you had been out of work since January 26, 2013 and had been "popping pain meds." You also claimed to have an unclear recollection of your telephone conversation with Captain Vanis. You stated that you did not recall telling Captain Vanis over the telephone that Captain Hunter did **not** lick Officer Cella or any statements like that. Your recollection was that you had expressed that you "had doubt" about witnessing Captain Hunter lick Officer Cella's head. You stated that you said this to Captain Vanis because you felt like you would be retaliated against since Hunter outranked you (captain versus sergeant). You stated you were confused because of the medications you were taking.

(continued)

You provided two prescription bottles; both were prescribed to you and filled on January 26, 2013. One prescription was for 500 mg Naproxen tablets and the other was for Cyclobenzaprine. The appropriate dose for the Naproxen was "1 tablet twice daily as needed," and for the Cyclobenzaprine, the dose was "1 tablet at bedtime." Naproxen is a non-steroidal anti-inflammatory drug (NSAID). It is also available in smaller dosages over-the-counter, and better known by its name brand, Aleve. Side effects include constipation, diarrhea, gas, sores in the mouth, excessive thirst, and drowsiness. Confusion is listed as a sign of overdose. Cyclobenzaprine is a prescription muscle relaxant. It is the generic form of Amrix and Flexeril. Possible side effects include drowsiness, dry mouth, dizziness, and upset stomach.

There are other discrepant statements made by you to your supervisors about your absence from work during this period. Specifically, the Division of Corrections "Supervisor's Documentation of Employee Call Outs" from January 27, 2013, completed by Lt. Luciano, shows you called out from your scheduled duty on Monday, January 28, 2013 saying that you hurt your back and that you had "a doctor's appointment and may also be out on January 29, 2013." (You were absent on January 29, 2013.) However, the physician's note provided by your attorney is dated on Thursday, January 31, 2013 and states, "No work 1/28-2/5. Seen in office today;" it was signed by S. Pradet, PA. It appears you did not go to the physician until 2-3 days after you had called out from duty, and not as you advised Lt. Luciano on January 27, 2013.

While your physician's note stated no work 1/28-2/5/13, you reported for duty on February 5, 2013. This was your regular day off, but you had been scheduled for a day of training. You attended the 8-hour training, which included both classroom and range (physically active) activities. The class covered use of the pepper ball launcher and quelling a simulated situation on the rec yard.

Also, on the day of your doctor's visit, Thursday, January 31, 2013, you called out to the Staff Scheduling Supervisor, Lt. Smith. Lt. Smith reports you called him stating you would not be in to work your regular shift for February 1, February 2, and February 3, 2013, and that it was unrelated to your previous leave earlier that same week (Monday and Tuesday, January 28 and January 29).

Lt. Smith reports he also advised you to pick up the FMLA paperwork and bring the necessary paperwork back on your next scheduled work day. Your FMLA paperwork submittal was not timely and its dates were inconsistent with the physician's excuse provided by your attorney relating to your absence from duty. In addition, your call out to Lt. Smith is problematic, because sworn staff have been instructed to contact the Shift Commander when calling about an absence from duty.

Your actions during the two Internal Affairs investigations, coupled with discrepant statements and evidence relating to your absence from duty and the failure to follow supervisory instructions violate the following County and Division of Corrections rules, policies and procedures:

Volusia County Merit Rules 86-453 (12): *Knowingly giving false statements to his supervisor, other officials or the public.*

Volusia County Merit Rules 86-453 (8): *Criminal, dishonest, or other conduct which interferes with effective job performance or has an adverse effect on the efficiency of county service.*

This also violates:

1. **Volusia County Division of Corrections Policy and Procedure: 102.09 (C):** *All staff shall make*

(continued)

or cause to be made accurate, complete and truthful reports and official records.

1. *No staff member shall knowingly make or cause to be made any false report or falsify any official record.*
2. *No staff member shall make or cause to be made any inaccurate, misleading, contradictory, or improper record/official record.*

2. **Volusia County Division of Corrections General Post Orders #3:** *Enforce all rules, regulations and policies of the Division. It is the responsibility of all employees to report a violation of institutional rules as specified in Division Policies and Procedures, Administrative Directives, and Post Orders.*

3. **Volusia County Division of Corrections General Post Orders #29:** *Notify their supervisor and make a complete written report of all unusual incidents that occur during a tour of duty or when off duty unusual incidents that pertain to the safety or security of the institution and its staff or inmates.*

4. **Volusia County Division of Corrections General Post Orders #42:** *Promptly comply with and execute direct orders or instructions given by a superior officer, and shall not refuse to comply or execute such orders or instructions when the orders or instructions are lawful and proper.*

A review of your personnel file reveals the following past corrective and disciplinary actions:

02/07/02	**Record of Counseling – *Late for work***
03/07/02	**Record of Counseling – *Absenteeism***
01/28/03	**Record of Counseling – *Absenteeism***
03/24/03	**Letter of Reprimand – *Absenteeism***
02/23/05	**Record of Counseling – *Absenteeism***
03/17/06	**Letter of Reprimand – *Absenteeism***
08/03/09	**Letter of Reprimand – *Use of force (not justified under Division policy)***

Your prior disciplinary history is relevant as it informs how you meet job performance expectations. Overall, your performance record is less than exemplary. As an officer with 14 years tenure you have the knowledge and experience to perform your duties. And as a supervisor yourself (sergeant), you should be well aware of, and follow, all Division policies, procedures, and instructions. Your failure to document the Hunter-Cella incident is disturbing. Your reliability in even reporting to your immediate supervisor is in question, as she clearly remembers conversation about injury-related paperwork and not the very unusual conduct you say you relayed – which is more memorable in its oddity.

Most importantly, however, are your contradictory statements. The discrepancies in your statements during the Internal Affairs investigations which were given under oath and/or to a sworn law enforcement officer have led to a loss of your credibility. Your discrepant statements and actions about your absence from work during this time period further underscore an issue of credibility. Veracity is a serious matter -- indeed critical -- in the justice arena. Corrections Officers may be called into court to testify about events, people, and situations. The accuracy of an officer's word/testimony must be beyond reproach. Not only is it imperative in court proceedings, it is imperative as a public servant. The public demands – and they deserve – to have ethical, trustworthy, and reliable employees.

(continued)

Based on the seriousness of your actions as described herein, and consistent with the recommendations of those within your chain of command, it is my intent to dismiss you. This action will be effective on Monday, April 15, 2013.

Action: In accordance with section 86-485 of the Merit System Rules and Regulations you have ten (10) working days from receipt of this notification (or effective date of the dismissal) to appeal this action through the County Personnel Board. Should you decide to exercise your right to appeal, submit your written request to the County Human Resources Office, 230 N. Woodland Blvd., Suite 262, DeLand, FL. 32720.

Dismissals that are appealed are considered non-final administrative action. If you file a notice of appeal, you will be placed in a leave of absence without pay, pending the final decision of the County Manager at the conclusion of the appeal process.

If you do not file your appeal by the time indicated, it will be assumed that you have waived this right.

Pursuant to Merit Rule 86-455, the Legal Department and the Human Resources Director have reviewed this notice and concur with the proposed action.

GR/tb

cc: ___ Terry A. Sanders, Deputy Director, Public Protection
___ Marilyn Chandler Ford, Director of Corrections
___ Nancye Jones, Assistant County Attorney
___ Tom Motes, Human Resources Director
___ Tammy King, EEO Coordinator

I certify that I have read this notification and acknowledge receipt of the original copy.

Refused
Employee Signature (Or Witness, if Employee Refuses to Sign)

4-15-13
(Date of Signature)

Smith 665
Mason 404 - 04-15-2013

Volusia County
FLORIDA

INTER-OFFICE MEMORANDUM
Department of Public Protection
125 West New York Ave., Suite 183
DeLand, FL. 32720
386-740-5120 – FAX 386-740-5283

TO: Senior Officer Nathan Schneider
Division of Corrections – Branch Jail

DATE: April 15, 2013

FROM: George Recktenwald, Director
Department of Public Protection

FILE NO: DPP13-041

SUBJECT: **Notice of Dismissal**

REFERENCE: NOID- DPP13-032

Purpose: The purpose of this memorandum is to provide you with notice of dismissal from employment with the County of Volusia. This action is the result of your violation of Policy and Procedures during an Internal Affairs investigation from November, 2012-February, 2013. This action will be effective on Monday, April 15, 2013.

Background: You received my notice of intent to suspend on March 21, 2013. A meeting was requested by you via an email from your attorney, Erin Thompson, on March 22, 2013. A meeting to discuss the notice of intent to dismiss was scheduled in the Department of Public Protection Conference Room on March 28, 2013 at 11:00 and you and I met along Deputy Director Terry Sanders, Division Director Marilyn Chandler Ford, Captain David Vanis, County Attorney Nancye Jones and your legal representative, Erin Thompson, Esquire. I have considered the information provided by you in our meeting. While I recognize you were remorseful in that meeting, you also displayed difficulty in providing accurate and consistent answers when questioned. Progressive discipline is intended to change the behavior of an employee that has shown poor performance or has broken rules or procedures. Your actions, when we met, provide me with no confidence that you will change your behavior when faced with other stressful situations that commonly occur in this profession. I am therefore proceeding with the intended action to dismiss you.

Information: An Internal Affairs investigation was initiated based on a complaint filed by Officer Charles Cella (IA-2012-11-312) on Friday, November 9, 2012. You received notice of your being called as a witness in that investigation on November 14, 2012. During that investigation, you were interviewed under oath on two occasions and provided contradictory testimony. Based on the gravity of your discrepant statements made under oath, an Internal Affairs investigation was opened with you as the subject officer (IA-213-01-314) on January 9, 2013.

On November 20, 2012 at 9:46 a.m., Captain D. Vanis of the Department of Public Protection, Internal Affairs Unit, conducted a sworn witness interview with you in regards to a complaint filed against Captain Nina Hunter (IA case number 2012-11-312). During that interview, when questioned about what you had witnessed during an encounter between Capt. Hunter and Officer Cella, you responded you couldn't remember any specifics or that you couldn't recall. When you were asked specifically, "Did you see Captain Hunter lick Officer Cella's neck and head?" you responded, "No!" Captain Vanis read you part of the original complaint filed by Officer Cella, verbatim, to which you responded, "I don't remember her licking him…ah I really don't remember specifically that she flatuated on him. I mean that's…you know. I've seen her do it before. Not lick anybody ok (laughs) before but…but yeah."
Thirty-three (33) minutes after the interview concluded on November 20, 2012, you contacted Ms. B.

(continued)

McClough, secretary in the Internal Affairs Unit, and indicated you had remembered something from your interview and would like to clarify your statement. Ms. McClough subsequently contacted Captain Vanis and he returned to the jail to speak with you. During this sworn interview, which occurred at approximately 11:00 a.m. that same day, you remembered Captain Hunter "saying something about him tasting salty and spitting it out so I'm pretty sure I do remember her licking him now." Captain Vanis asked for clarification whether you witnessed Captain Hunter lick Officer Cella, and you stated, "That I don't rem -- I think I did. I think he was sitting in the chair. I don't remember her licking his neck, though. I remember her licking like his head." This statement, given under oath, contradicted your sworn testimony from the earlier interview on November 20, 2012.

Although you were present during the encounter when the incident complained of by Officer Cella allegedly occurred, you did not verbally report this incident to a supervisor in your chain of commander, nor did you prepare a written report of the unusual incident before departing duty on August 4, 2012 or at any subsequent time.

On January 9, 2013, Captain Vanis served you notice that an Internal Affairs investigation had been opened with you as the subject officer for giving false statements in the Hunter-Cella investigation (IA-2013-01-314).

On January 18, 2013, you were interviewed by Captain Vanis regarding your false statements. This was a sworn interview and you were represented by counsel. Captain Vanis asked you to relate what you witnessed on August 4, 2012 in the shift commander's officer at the Branch Jail. You stated you saw Captain Hunter attempt to give Officer Cella a "wet-willie" or stick her finger in his ear. You also stated, "I did hear ah Captain Hunter say that Officer Cella tasted salty I did see and hear her spit into the trash can…"

Captain Vanis then asked you whether you saw Captain Hunter lick Cella's head or neck. You replied, "I did not physically see her lick him or her tongue touch his head or neck…no." This statement directly contradicted your 11:00 a.m. interview of November 20, 2012. You attempted to explain this by relating that when Captain Vanis read you a portion of Cella's complaint that you "[C]onnected a dot in my own mind because that was all that made sense with her standing behind him and her stating that he tasted salty and her spitting into the trash can that like I said in my head the only thing that made sense was that she must have licked him…"

Captain Vanis asked you whether you thought your statement during the second interview on November 20, 2012 that, "I don't remember her licking his neck, though. I remember her licking like his head" was truthful. You eventually responded, "I'm going to have to say then 'No', but it was based upon an assumption and me putting together the dots." At the end of this interview, Captain Vanis asked you again whether your statement "I remember her licking like his head," was a truthful statement. You were very reluctant to answer this question. Captain Vanis eventually had to order you to provide a direct answer to the question. You then responded, "No" (that it was not a truthful statement).

In summary, on November 20, 2012 at 9:46 a.m. you denied witnessing Captain Hunter lick Officer Cella's head or neck. At 11:00 a.m. on the same day you stated that you had specifically observed Captain Hunter lick Officer Cella's head, but not his neck. You reported remembering Captain Hunter saying something about Cella tasting salty and spitting it out. You also definitively stated you saw Captain Hunter attempt to give Officer Cella a "wet-willie" or stick her finger in his ear. On January 18, 2013 you altered your testimony, reporting you heard Captain Hunter state, "Tasted salty," and saw her spit into a trash can, but you did not witness her lick Cella's head or neck.

(continued)

Your actions during the Internal Affairs investigation violate the following County and Division of Corrections rules, policies and procedures:

Volusia County Merit Rules 86-453 (12): *Knowingly giving false statements to his supervisor, other officials or the public.*

Volusia County Merit Rules 86-453 (8): *Criminal, dishonest, or other conduct which interferes with effective job performance or has an adverse effect on the efficiency of county service.*

This also violates:

1. **Volusia County Division of Corrections Policy and Procedure: 102.09 (C):** *All staff shall make or cause to be made accurate, complete and truthful reports and official records.*
   1. *No staff member shall knowingly make or cause to be made any false report or falsify any official record.*
   2. *No staff member shall make or cause to be made any inaccurate, misleading, contradictory, or improper record/official record.*

2. **Volusia County Division of Corrections General Post Orders #3:** *Enforce all rules, regulations and policies of the Division. It is the responsibility of all employees to report a violation of institutional rules as specified in Division Policies and Procedures, Administrative Directives, and Post Orders.*

3. **Volusia County Division of Corrections General Post Orders #29:** *Notify their supervisor and make a complete written report of all unusual incidents that occur during a tour of duty or when off duty unusual incidents that pertain to the safety or security of the institution and its staff or inmates.*

A review of your personnel file reveals the following past corrective and disciplinary actions:

10/14/02	**Oral Reprimand – *Absenteeism***
10/15/02	**Oral Reprimand – *Dress & Appearance***
11/04/04	**Letter of Reprimand – *Insubordination: refused to report to the Branch Jail after hospital duty was cancelled.***
06/10/05	**Letter of Reprimand – *Use of force: avoid one-on-one confrontations***
01/16/07	**Letter of Reprimand – *Insubordination – refused an order***
02/28/07	**Negative EPN – *Took county-issued keys home***
08/27/09	**Negative EPN – *Failure to provide proper documentation on a lockdown***

For an officer with 10½ years tenure your past performance record is less than exemplary. Your false testimony in an Internal Affairs investigation is disturbing. Veracity is a serious matter -- indeed critical -- in the justice arena. Corrections Officers may be called into court to testify about events, people, and situations. The accuracy of an officer's word/testimony must be beyond reproach. Not only is it imperative in court proceedings, it is imperative as a public servant. The public demands – and they deserve – to have ethical, trustworthy, and reliable employees.

(continued)

Based on the seriousness of your actions as described herein, and consistent with the recommendations of those within your chain of command, it is my intent to dismiss you. This action will be effective on Monday, April 15, 2013.

Action: In accordance with section 86-485 of the Merit System Rules and Regulations you have ten (10) working days from receipt of this notification (or effective date of the dismissal) to appeal this action through the County Personnel Board. Should you decide to exercise your right to appeal, submit your written request to the County Human Resources Office, 230 N. Woodland Blvd., Suite 262, DeLand, FL. 32720.

Dismissals that are appealed are considered non-final administrative action. If you file a notice of appeal, you will be placed in a leave of absence without pay, pending the final decision of the County Manager at the conclusion of the appeal process.

If you do not file your appeal by the time indicated, it will be assumed that you have waived this right.

Pursuant to Merit Rule 86-455, the Legal Department and the Human Resources Director have reviewed this notice and concur with the proposed action.

GR/tb

cc: ___ Terry A. Sanders, Deputy Director, Public Protection
___ Marilyn Chandler Ford, Director of Corrections
___ Nancye Jones, Assistant County Attorney
___ Tom Motes, Human Resources Director
___ Tammy King, EEO Coordinator

I certify that I have read this notification and acknowledge receipt of the original copy.

Employee Signature (Or Witness, if Employee Refuses to Sign)

4-15-13
(Date of Signature)