



**Department of Public Protection  
Internal Affairs**

TO: Cindy Clifford, Director  
Corrections Division

FROM: Kenneth J. Modzelewski, Captain  
Nikki Dofflemyer, Captain  
Department of Public Protection  
Internal Affairs

DATE: October 10, 2007

SUBJECT: Case # IA- 2007-07-228 Prevatt, Albert

On July 10, 2007, the Department of Public Protection, Internal Affairs Unit received a copy of a complaint filed against Officer Albert Prevatt. The complaint, filed by Inmate Ronald Williams booking # 677458, and supported by ten witnessing inmates, alleged that Officer Prevatt made racial comments that were directed towards him.

On July 19, 2007, Officer Prevatt was issued a directive to report to the Internal Affairs Unit on July 26, 2007 in order to provide an official sworn statement addressing the allegations filed against him. That written directive was delivered to Officer Prevatt by Captain Prince on July 20, 2007.

On July 26, 2007, Officer Prevatt failed to report to his scheduled interview and made no effort to contact the Internal Affairs Unit to provide an explanation for his absence.

On August 14, 2007, Officer Prevatt was issued a second directive to report to the Internal Affairs Unit on August 20, 2007, for the purpose of providing a sworn statement addressing the allegations filed against him. That written directive was delivered to Officer Prevatt by Lieutenant Morris on August 15, 2007.



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On August 20, 2007, Officer Prevatt failed to report to his scheduled interview and made no effort to contact the Internal Affairs unit to provide an explanation for his absence.

On August 23, Officer Prevatt was cited for two counts of insubordination by Captain Modzelewski for his failure to follow a direct order, which is directly supported by the Volusia County Division of Corrections Policies and Procedures and the Volusia County Merit System Sections 86-453 (1), (5), (13), and (21).

On September 04, 2007, Internal Affairs case #2007-07-228 was reassigned to Captain Dofflemyer.

At the request of Officer Prevatt an interview to address the allegation presented in the opened Internal Affairs case was scheduled for September 04, 2007.

On September 04, 2007, Officer Prevatt reported to the Internal Affairs Unit to provide his sworn statement addressing the allegation presented in the complaint file against him.

Officer Prevatt denied the allegation that he made racial comments that were directed towards inmates. He then produced a witness letter that was written by an inmate who was housed in the same area where the violation allegedly occurred. He advised that the letter was submitted to him by Inmate Anthony Pletcher, Booking Number #677166. Officer Prevatt advised that this letter he retained in his possession was unsolicited and voluntarily given to him by Inmate Pletcher. The content of the letter exonerated him of the allegation filed in the complaint. He advised that he did not give the letter to his supervisor as required by Division policy. Officer Prevatt could not explain why in this case he varied from established policy and kept the letter in his possession.

Officer Prevatt offered no other witness that could support his position during the interview process. Officer Prevatt reported he did make the statement "Call the pope and grab a rope" however; he did not make any racial statements.

On September 05, 2007, an interview was conducted with former inmate Anthony Pletcher at his home in Pierson. Mr. Pletcher reported that Officer Prevatt approached him and gave him a piece of lined paper (not standard) and asked him to fabricate a report stating that the officer did not make racial



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comments. He told the inmate that he was under investigation for making the statements and he could lose his job over the incident.

Mr. Pletcher stated that the officer did make racial statement "I'll hang you from a rope nigger" and everybody in the unit heard him. He advised that Officer Prevatt asked another inmate named Shawn Jones to write a statement that indicated that the officer never made racial comments but, did not know if the statement was ever given to Officer Prevatt.

On September 06, 2007, Inmate Shawn Jones, Booking Number # 675625, was interviewed and reported he knew Officer Prevatt. The inmate stated he never had a problem with Officer Prevatt, but observed the officer making antagonizing statements, but thought they were in a joking manner.

The inmate stated that he was never approached by Officer Prevatt and asked to fabricate any statement and had nothing derogatory to report about the officer.

On September 11, 2007, Volusia County Correctional personnel reported that Officer Prevatt arrived at the Correctional Facility when he was off duty, in full duty uniform, and requested to speak to Inmate Jones. Officer Prevatt knowing the exact location of the inmate went to the he housing wing. He then requested the assigned officer to remove the inmate from the cell block and surrender the inmate to him. Officer Prevatt then led the inmate away from the housing block to a remote location. He then engaged into a conversation with him which was overheard by Officer Stormer. The conversation focused on an open internal affair's investigation in which Officer Prevatt was the subject officer.

Once it was determined that Officer Prevatt was engaged in a conversation that did result in a violation of Florida State Statute 112.533 (4), the on-duty supervisor was notified and Officer Prevatt was escorted from the building.

On September 20, 2007, a second interview was conducted with Inmate Shawn Jones to determine the extent of the conversation that occurred on September 11, 2007 between him and Officer Prevatt. Inmate Jones was reluctant to discuss the situation out of fear of retaliation by Officer Prevatt. He was concerned that Officer Prevatt would come to his wing, have him removed from the block, and again engage him in a privileged conversation associated with an internal investigation.



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After comforting the inmate he reported that the conversation between Officer Prevatt and him was directly associated with the pending internal investigation.

The inmate indicated that he was intimidated by the presence of Officer Prevatt and was fearful and upset. He felt the officer's presence was inappropriate. The inmate was assured that this situation would not occur again. However, the inmate was still resistant to discussing the most recent encounter with Officer Prevatt.

On October 08, 2007, Officer Prevatt was issued a directive to report to the Internal Affairs Unit on October 10, 2007, in order to provide a follow up statement that was associated with the opened internal investigation. Captain Prince documented delivery of the notice on October 08, 2007.

On October 10, 2007, Officer Prevatt failed to report to his scheduled interview and made no effort to contact the Internal Affairs Unit to provide an explanation for his absence. His failure to report as directed constituted a third count of insubordination during this official investigation.

In closure, Officer Prevatt's actions during this formal Internal Affairs investigation resulted in him directly violating State Statutes 92.525 (a), (3) Verification of documents; perjury by false written declaration, 112.533 (2), (4) Receipt and Processing of complaints, 879.19 Exhibits that intimidate, 837.02 (1) Perjury in official proceedings, 837.021 (1) Perjury by contradictory statements, 837.06 False official statements, 838.21 Disclosure or use of confidential criminal justice information, 914.22 (1) (a) (f), (2) (a), and Tampering with a witness, victim, or informant, 934.43 (1) (a) (b) (attached) and must be reported to the State Attorney's Office for review and submission. Those violations will be processed by Captain Modzelewski.

In addition, Division of Corrections Policies & Procedures 102.09 C, F, L, NN 3, and RR, General Post Orders 8, 25, 26 & 37, and Volusia County Merit System Section 86-453 (1), (5), (9), (12), (13), and (21) (attached).

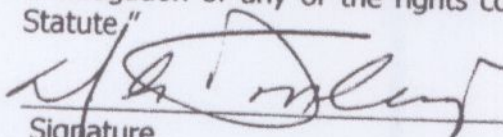
Finally, the allegation that the officer was unprofessional and used inappropriate language and racial slurs is SUSTAINED.

It should be noted that several of the violations fall within the realm of mandatory reporting to the Florida Department of Law Enforcement, Officer Discipline Section and will be forwarded to that agency as required.

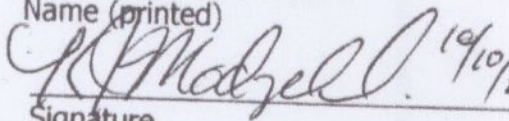
The administrative portion of this investigation is being submitted to you for review and action as deemed necessary. Other aspects of this investigation will be processed as required by law.

Your approval to close the administrative portion of this case is requested without further action from this office.

"We, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, we have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss.112.532 and 112.533, Florida Statute."

 10/10/07  
Signature

Nikki Dofflemyer, Captain  
Name (printed)

 10/10/07  
Signature

Kenneth J. Modzelewski, Captain  
Name (printed)

cc: James W. Willits, Director, Department of Public Protection  
James R. Ryan, Deputy Director, Department of Public Protection