



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

OFFICER

1. Social Security Number: _____
2. Officer's Name: Brodick James C
Last First MI
3. Officer's Last Known Address: _____
Street City State Zip Code
4. Officer's Telephone Number: _____

AGENCY

5. Agency ORI: FL 0640100 6. Agency Name: Daytona Beach Police Department
7. Agency Contact Person: Sgt. Kelsey Harris 8. Agency Contact Person's Telephone Number: (386) 671-5121
9. Agency Fax Number: (386) 671-3984

VIOLATION - ALLEGATION

10. Nature of Allegation(s): Departmental Directives: 200.6 Professional Conduct and Responsibilities (Sustained), 200.29 Department Morale (Not Sustained), 204.9 Canon of Ethics/Private Conduct (Not Sustained), 204.12 Canon of Ethics/Gifts and Favors (Unfounded),

1220.2 COMMAND/SUPERVISORY RESPONSIBILITIES (Unfounded), 1220.26 Retaliation (Not Sustained).

11. Agency Disposition: Sustained - (Violation of Section 943.13(4) or (7) or Rule 11B-27.0011, F.A.C.)
Sustained - (Violation of Agency Policy): Not Sustained: Unfounded: Exonerated:
12. Limitation Period for Disciplinary Action: Date Internal Investigation Initiated: 07/20/2017 Date Internal Investigation Completed: 11/01/2017

Exception to limitation period for disciplinary action: Place a check mark by the exceptions to limitations that apply	Days Tolerd
<input type="checkbox"/> Written waiver of limitation by officer	_____
<input type="checkbox"/> Ongoing criminal investigation or criminal prosecution	_____
<input type="checkbox"/> Officer incapacitated or unavailable	_____
<input type="checkbox"/> Multi-jurisdictional investigation	_____
<input type="checkbox"/> Emergency or natural disaster as declared by the Governor	_____

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

Summary of the Facts Internal Investigation Report Name and Address of Witness
 Witness Statement/Disposition Certified Court Documents Other Supportive Information

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

16. Agency administrator's signature *Craig A. Capri*

03/07/2018
17. Date signed

Craig A. Capri, Chief of Police
18. Agency administrator's name and title

INSTRUCTIONS FOR COMPLETING FORM CJSTC-78

The Internal Investigation Report form should be completed any time an internal investigation has been completed.

1. Use this form to report to the Commission any sustained allegations(s) of non-compliance with Section 943.13(4) or (7), F.S., or Rule 11B-27.0011, F.A.C., which does not result in the termination of the officer.
2. Submit this form within 45 days of the date the allegation has been sustained.
3. Submit this form to the Criminal Justice Professionalism Program if the circumstances meet the following criteria:
 - The officer pleads guilty, no contest, is found guilty, or is convicted of any felony or of a misdemeanor involving perjury or a false statement, regardless of withheld adjudication or suspended sentence.
 - The substantiated facts constitute a felony or enumerated misdemeanor offense, whether criminally charged or not.
4. The substantiated facts involve an act or conduct which constitutes:
 - Excessive use of force;
 - Misuse of official position (Section 112.313(6), F.S.);
 - Having an unprofessional relationship with an inmate, detainee, probationer or parolee, or community controllee;
 - Sexual harassment involving physical contact or misuse of official position;
 - Engaging in sex while on duty;
 - False statements during the employment application process;
 - Violation of standards of test administration; or
 - Conduct which subverts or attempts to subvert the Criminal Justice Standards and Training Commission, criminal justice training school, or employing agency examination process.
 - Any overt, conspicuous, or public act of a sexual or simulated sexual nature which is likely to be observed by others;
 - Willful failure of the agency head to comply with Chapter 943, F.S., as it pertains to Commission rule;
 - Intentional abuse of a Temporary Employment Authorization;
 - Testing positive for any controlled substances.

NOTE: DO NOT forward this form to the Criminal Justice Professionalism Program if the allegations have been sustained, but are violations of agency policy only, or other agency disposition has been found. If the allegations do not prove to be a violation of Section 943.13(4) or (7), F.S. or Rule 11B-27.0011, F.A.C., a copy of this form should be made a part of the investigative package and kept on file at the agency.

HOW TO COMPLETE EACH ITEM

1. **Officer's Social Security Number.** Enter the officer's nine-digit social security number as in this example: 000-00-0000.
2. **Officer's Name.** Enter the officer's legal last and first name. If the officer has middle initial, enter it above MI.
3. **Officer's Last Known Address.** Enter the officer's last known street address including the apartment number or P.O. Box number and the city. Enter the two-digit U.S. Postmaster's abbreviation of state and nine-digit zip code for the last known address on the third line. Enter the first five digits of the zip code as in this example: 32314-6554.
4. **Officer's Telephone Number.** Enter the officer's last known personal telephone number as in this example: (123) 456-7891.
5. **Agency ORI:** Enter the last seven digits of the agency's originating agency identifier number. There are nine digits in agency ORI codes. The first two have been entered, which are FL. Enter as in this example: FL0370000.
6. **Agency Name.** Enter the agency's name.
7. **Agency Contact Person.** Enter the name of person in your agency who can provide additional information to the Criminal Justice Standards and Training Commission regarding the officer's misconduct.
8. **Agency Contact Telephone Number.** Enter the telephone number of the contact person whose name you entered in item 7.
9. **Agency FAX Number.** Enter the FAX number for the agency if the agency has one.

10. **Nature of Allegation(s).** Enter a brief explanation of the officer's misconduct. Indicate in the narrative whether the elements of the misconduct constitute a felony or misdemeanor, whether criminally charged or not, or, constitutes a moral character violation.
11. **Agency Disposition.** Indicate the findings of the internal investigation by entering an X beside the appropriate box.
 - **Sustained: Violation of Section 943.13(4) or (7) F.S., - or Rule 11B-27.0011, F.A.C.** In this case, the Internal Investigation Report form should be forwarded to the Criminal Justice Professionalism Program along with supporting documentation.
 - **Sustained: Violation of Agency Policy.** This indicates a violation of agency rules and/or regulations. These violations do not need to be reported to the Criminal Justice Professionalism Program.
 - **Not Sustained:** Insufficient evidence available to prove or disprove the allegation.
 - **Unfounded:** This indicates that the allegations are false or not supported by facts.
 - **Exonerated -** This indicates that the internal investigation determined that the alleged actions occurred but were lawful and proper.
12. **Limitation Period for Disciplinary Action.** Enter the date the internal investigation was initiated and completed. If any exceptions to the limitation period for disciplinary action exist, check all that apply and indicate the number of days tolled.
13. **Criminal Charges Filed.** Enter whether or not criminal charges were filed against the officer for the sustained misconduct. If criminal charges were filed, indicate charge and disposition along with the court case number. In addition, attach copies of all available court documentation.
14. **Agency Disciplinary Action.** Enter the type of administrative disciplinary action taken, if applicable i.e.: suspension, probation, etc.
15. **Attach and Forward the Following.** If the allegations have been sustained and determined to be a violation of Section 943.13(4) or (7), F.S. or Rule 11B-27.0011, F.A.C., indicate which of the following information has been attached with this form by entering an X beside the appropriate box.
 - **Summary of the Facts.** This should be in the form of letter and/or report giving a brief synopsis of the facts.
 - **Internal Investigation Report.** This should be a copy of the internal investigation report regarding the officer's misconduct.
 - **Witness Information.** This should include names, addresses and telephone numbers of individuals who witnessed the officer's misconduct.
 - **Statements and Depositions.** This should include any and all sworn testimony from either the officer or witnesses.
 - **Certified Court Documents.** This should include any evidence, pictures, audio or video tapes, etc., or any other information that would support the sustained allegation of officer misconduct.
16. **Agency Administrator's Signature.** Agency administrator or designee's signature.
17. **Date Signed.** The date the agency administrator or designee signed this form.
18. **Agency Administrator's Name and Title.** Type or print in black ink the agency administrator or designee's name and title.

AGENCY REQUIREMENTS

Submit the completed name change form and attachments to: **Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302-1489, Attention: Professional Compliance.**

Daytona Beach Police Department
Craig A. Capri, Chief of Police

MEMORANDUM

TO: Lieutenant James Brodick

FROM: Craig A. Capri, Chief of Police *CAC*

SUBJECT: Written Reprimand: Directive 200.06 Code of Conduct/Ethics

DATE: February 28, 2018

On July 20, 2018, you were the subject of an Internal Affairs investigation in reference to allegations that had no merit. However, during the investigation a single, unprofessional text message was uncovered that was sent by you to a subordinate employee who is a personal friend. While the employee is a friend, and was adamant about not being offended, it is inappropriate for a ranking member of the Daytona Beach Police Department to send unprofessional text messages to any employee, whether the recipient is a friend or not, as this could damage the reputation of the organization.

Based upon this, I find you in violation of the following Departmental Standards Directive(s):

Departmental Standards Directive 200.06: Code of Conduct/Ethics, Professional Conduct and Responsibilities, *"Employees shall not engage in any conduct which constitutes neglect of duty or which is likely to adversely affect the discipline, good order or reputation of the Department, including, but not limited to, conduct prohibited by this directive."*

You are hereby reprimanded in writing for violation of the above listed Departmental Standards Directive.

You are further warned that future violations of this nature will result in progressively more severe disciplinary action.

Be guided accordingly.

CAC/dm
100.2018.7853

Personnel File: Lieutenant J. Brodick



DAYTONA BEACH POLICE DEPARTMENT
EMPLOYEE INCIDENT FORM

Date: February 15, 2018

Name of Employee(s):

Lieutenant James Brodick

Supervisor:

Captain Lance Blanchette

Reason(s) Be Specific:

Violation of Department Standards Directive 200.06- Professional Conduct and Responsibilities.

Narrative:

On July 20, 2018 you became the subject of an Internal Affairs investigation in reference to allegations found to have no merit. During the investigation it was learned a single, unprofessional text message was sent by you to a subordinate employee who is a personal friend. While the employee is a friend and was adamant about not being offended, it is inappropriate for a ranking member of the Daytona Beach Police Department to send unprofessional text messages to any employee, whether the recipient is a friend or not, as this action could damage the reputation of the organization.

Employee Response:

I have read the foregoing and have been counseled in regard to this matter. I understand that my signature does not signify my agreement or disagreement with the information specified herein.

2/16/18

Date

Employee Signature


I have counseled the employee concerning this matter and recommend the following:

Written Reprimand

Unit Supervisor

2/15/18

Date


BLANCHETTE
Unit Supervisor Signature

Unit Lieutenant

Action Taken: N/A

Date


Unit Lieutenant Signature

District Captain

Action Taken: I recommend a written reprimand be issued.

2/15/18

Date


BLANCHETTE
District Captain Signature

Deputy Chief of Police

Action Taken: I concur with the recommendation of a

written reprimand

02/20/18
Date


J. Young
Deputy Chief of Police Signature

Chief of Police

Action Taken: CONCUR.

2-21-18
Date


Chief of Police Signature

Daytona Beach Police Department
Jakari E. Young
Deputy Chief of Police

MEMORANDUM

TO: Sergeant Kelsey Harris, Office of Professional Standards

FROM: Jakari E. Young, Deputy Chief of Police *JY*

SUBJECT: Level One Complaint: Lieutenant James Brodick (102-IA2017-006)

DATE: January 24, 2018

On January 03, 2018 Lieutenant James Brodick was served with a notice of proposed discipline in response to an alleged Sexual Harassment complaint (102-IA2017-006) with a recommendation of a 36 hour suspension to which he had 10-days to respond.


On January 12, 2018 there was a meeting scheduled between Chief Craig Capri, Lieutenant Brodick and Fraternal Order of Police Union Steward Ted Butler. During the meeting Lieutenant Brodick expressed his concerns with how the investigation was conducted and alleged that his Police Officer's Bill of Rights was violated during the course of the investigation. At the request of Chief Craig Capri, I have reviewed the attached investigation that was completed by the Office of Professional Standards.

Based upon a review of the incident, subsequent investigation and interviews that were part of the investigation, I was able to determine that there were no violations of the Police Officer's Bill of Rights throughout this investigation. However, upon further review, I do not concur with all of the sustained findings made by the Office of Professional Standards as several of the alleged policy violations are redundant and repetitive in nature.

In summary the Office of Professional Standards investigated (10) possible department directive violations (5) of which were sustained. The remaining (5) violations were determined to either be Not Sustained or Unfounded. Of the (5) department directive violations that were sustained, they all centered around one text message that was deemed inappropriate sent by Lieutenant Brodick to Officer ██████████ to which she stated that she was not offended. I concur that Lieutenant Brodick violated 200.06 reference Professional Conduct and Responsibilities therefore, that charge is Sustained; however, the other redundant charges are dropped. Please revise the allegations accordingly.

Daytona Beach Police Department
Captain Lance C. Blanchette, Support Resources Captain

MEMORANDUM

TO: Chief Craig A. Capri
FROM: Captain Lance C. Blanchette 
SUBJECT: Level One Complaint: Lieutenant James Brodick (102-IA2017-006)
DATE: February 13, 2018

Upon further review of the Level One Internal Affairs investigation (102-IA2017-006) on Lieutenant James Brodick, I concur with the findings where a single policy violation has been identified. For the violation of Department Standards Directive 200.06-Professional Conduct and Responsibilities, I feel a Written Reprimand should be issued and this matter be closed.

Upon further review, I concur with this new recommendation of a written reprimand.

 J. Young

200.2018.528

Cc: Personnel File: Brodick, J.
Jim Sexton, Human Resource Director

Daytona Beach Police Department

Craig A. Capri, Chief of Police

MEMORANDUM

To: Lieutenant James Brodick

From: Craig A. Capri, Chief of Police *CAC*

Subject: **Notice of Proposed Discipline: Three Day (36-Hour) Suspension**

Date: December 15, 2017

I have reviewed the attached memorandum in reference to 102-IA2017-006 in regards to violations of Departmental Standards Directives that occurred on or about July 20, 2017.

Based upon the information presented, I have made a tentative decision that violations of Departmental Standards Directives 200.6, 200.7, 200.12, 200.13, and 200.030 should be sustained. I have further made the tentative decision that the appropriate penalty is a **Three Day (36-Hour) Suspension**. However, before making a final determination on this matter, I am providing you an opportunity to review and comment on the investigative material provided.

Your comments and concerns regarding the investigation, findings, and the proposed penalty, must be **in writing** and received by my office prior to **1600 hours, ten days following your receipt of this notice.**

Finally, no response from you is required. If no response is received within **ten days following your receipt of this notice** my tentative decision will become final.

CAC/dm
100.2017.7734

Attachments – Employee Incident Form
Personnel File – Lieutenant J. Brodick

DAYTONA BEACH POLICE DEPARTMENT
CRAIG A. CAPRI, CHIEF OF POLICE
ASSIGNMENT SHEET

Date: November 30, 2017

Assigned to: Sergeant Kelsey Harris

_____ Operations Bureau

_____ Criminal Investigations Division

_____ Support Bureau

XXX _____ Office of Professional Standards

_____ Other

Project No: 102-IA2017-006

Due Date: January 03, 2018

Extended to: _____

Extended to: _____

SUBJECT: Level One Complaint: Lieutenant James Brodick (102-IA2017-006)

Instructions:


Attached you will find a Level One, investigative report from the Office of Professional Standards. You are directed to review this report and make disciplinary recommendations pursuant to your findings. The investigation, in its entirety, shall then be forwarded to this office for final review and action.

Finding(s)

- _____ Unfounded
- _____ Not Sustained/Resolved
- _____ Exonerated
- 1 _____ Sustained
- _____ Other

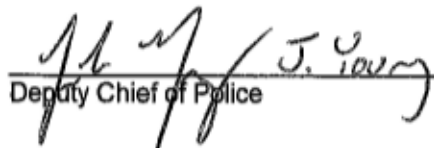
Disciplinary Recommendation(s)

- _____ No Action
- _____ Written Warning
- _____ Written Reprimand
- _____ Suspension-_____ (Work hours)
- _____ Demotion
- _____ Termination
- _____ Other (Non-Disciplinary Counseling, Training)



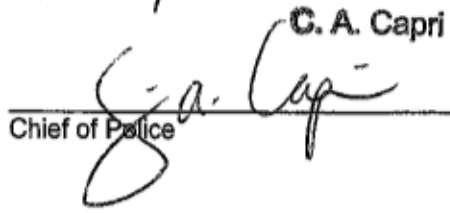
BLANCHETTE
Division/Section Assigned

Date: 12/4/17



Deputy Chief of Police

Date: 12/7/17

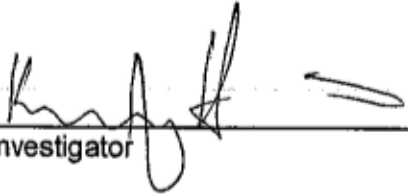


C. A. Capri
Chief of Police

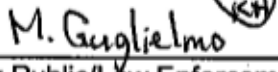
Date: 12/7/17

Level One Complaint: Lieutenant James Brodick (102-1A2017-006)

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

Sgt. 
Investigator

Sworn to and subscribed before me this 30th day of November, 20 17


Notary Public/Law Enforcement Officer

**DAYTONA BEACH POLICE DEPARTMENT
OFFICE OF PROFESSIONAL STANDARDS**



**INTERNAL INVESTIGATIVE REPORT
102-IA 2017-006**

July 20, 2017

Investigator(s)

Kelsey Harris, Sergeant, Office of Professional Standards
Michael Guglielmo, Detective, Office of Professional Standards

Handwritten signature and date: KAH 2/2/18

Employee(s)

James Brodick, Lieutenant, Support Services Division

Complainant(s)


Craig A Capri, Chief of Police

Allegation(s)

200.6 Professional Conduct and Responsibilities
200.29 Department Morale
204.9 Canon of Ethics
204.12 Canon of Ethics
1220.2 Command/Supervisory Responsibilities
1220.26 Retaliation

Daytona Beach Police Department
Captain Jennifer Krosschell, Criminal Investigation Division

MEMORANDUM

TO: Craig Capri; Chief of Police
FROM: Jennifer D Krosschell; Captain 
SUBJECT: Possible policy violation
DATE: July 20, 2017

JUL 20 17 PM 5:00

On July 19, 2017, I was advised by Sergeant Ehrenkaufner of a possible sexual harassment of a female employee and female applicant with the department by Lieutenant Brodick.

Sergeant Ehrenkaufner indicated he received this information from Officer Alex Manjasek. Sergeant Ehrenkaufner went on to explain that Officer Manjasek received a phone call from a Ms. [REDACTED] explaining how she was told by Lieutenant Brodick that he would help her get hired if she did sexual favors for him. Officer Manjasek also disclosed to Sergeant Ehrenkaufner that [REDACTED] has also stated to him that she was promised a better patrol car if she gave Lieutenant Brodick a "blow job."

I made phone contact with [REDACTED] I asked for a time line as to how events occurred with Lieutenant Brodick. [REDACTED] stated that she was a roommate of [REDACTED] for approximately six months towards the end of 2016. [REDACTED] met Lieutenant Brodick in October of 2016 when [REDACTED] was babysitting his kids. In November and December of 2016 [REDACTED] contacted Lieutenant Brodick to see if he needed his children watched because she needed to make some extra cash. At that time Lieutenant Brodick did not need babysitting assistance however suggested she could clean his house and he would pay her. Which she did two or three times. The last time she cleaned his house he came home early and she was still there. [REDACTED] indicated Lieutenant Brodick touched her neck seductively and she told him no and left.

In December 2016, [REDACTED] was denied sponsorship in the academy with the police department. [REDACTED] stated she reached out to Lieutenant Brodick to find out the reason she was denied. From that point on, at a minimum of once a week, Lieutenant Brodick would initiate some form of contact with her (phone call, text, social media). According to [REDACTED], Lieutenant Brodick would tell her that he would see what he could do to help her get hired however she needed to do something for him and refer to sexual acts. She stated he was always asking for sexual favors and she would deny him telling him that she could end up working for him one day and she didn't want to start her career like that. [REDACTED] stated Lieutenant Brodick would make her feel bad, stating he was "lonely and his wife left him." She felt so bad for him that she "hooked him up with her Aunt." [REDACTED] stated that didn't last long because he was sleeping with so many girls. [REDACTED] was then asked by Lieutenant Brodick for some sexual favors so he can compare her to her aunt. [REDACTED] stated he was constantly asking

Page two

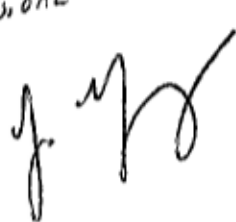
Chief Craig Capri
Possible policy violation
July 20, 2017


for sex and he would see what he could do to get her a job. Approximately two months ago she blocked him on her phone and social media because it was so bad and he wouldn't stop.

I asked [REDACTED] why everything was discussed with Officer Manjasek today. She stated that [REDACTED] called her and told her that another officer at the police department was having a problem with Lieutenant Brodick. [REDACTED] indicated she had already told the officer about what happened with her so if [REDACTED] shared her information it would also help. [REDACTED] stated that [REDACTED] and her current boyfriend [REDACTED] are the only people she had previously talked to about Lieutenant Brodick. [REDACTED] told [REDACTED] to call Officer Manjasek, she was under the impression that he is the one that was having a problem with Lieutenant Brodick. [REDACTED] called Officer Manjasek and disclosed to him the statements Lieutenant Brodick had made to her. [REDACTED] stated she does not want her reputation damaged in this and was not trying to make any formal complaint. [REDACTED] stated that she wanted to reapply to this agency in the future and did not want any problems.

I explained to [REDACTED] that I would pass her information on to others that needed to know about this. I told her that someone would be talking with [REDACTED] also. [REDACTED] stated that she did not believe [REDACTED] would say anything because she was in fear of retaliation from Lieutenant Brodick. According to [REDACTED] [REDACTED] has expressed several times that if anything was said she would drive the worse vehicle we had because Lieutenant Brodick controls that.

Received 07/20/17
I recommend that this incident
be further investigated by the
Office of Professional Standards

 J. Young

RECEIVED
OFFICE OF PROFESSIONAL STANDARDS
07/20/17
 C. A. Capri

**DAYTONA BEACH POLICE DEPARTMENT
OFFICE OF PROFESSIONAL STANDARDS**



INTERNAL INVESTIGATIVE REPORT
102-IA 2017-006

July 20, 2017

Investigator(s)

Kelsey Harris, Sergeant, Office of Professional Standards
Michael Guglielmo, Detective, Office of Professional Standards

Employee(s)

James Brodick, Lieutenant, Support Services Division

Complainant(s)

Craig A Capri, Chief of Police

Allegation(s)

200.6 Professional Conduct and Responsibilities
200.29 Department Morale
204.9 Canon of Ethics
204.12 Canon of Ethics
1220.2 Command/Supervisory Responsibilities
1220.26 Retaliation

Daytona Beach Police Department

Office of Professional Standards

MEMORANDUM

TO: Craig A. Capri, Chief of Police

FROM: Kelsey Harris, Sergeant, Office of Professional Standards
Michael Guglielmo, Detective, Office of Professional Standards

SUBJECT: **Project No: 102-IA 2017-006**

DATE: July 20, 2017

Synopsis

On July 20th, 2017, Captain Krosschell completed and forwarded a memorandum to Chief Craig Capri in reference to possible sexual harassment incident(s) involving members of the Daytona Beach Police Department. Due to the allegations brought forth, Chief Craig Capri authorized an administrative investigation to be conducted.

On July 20th, 2017 the Office of Professional Standards (OOPS) received the memorandum authored by Captain Jennifer Krosschell with the subject titled "Possible policy violation." Captain Krosschell stated in the memo that she was advised by Sergeant Timothy Ehrenkaufner of possible sexual harassment by Lieutenant James Brodick that involved a female employee and female applicant.

Captain Krosschell stated that Sergeant Ehrenkaufner received the information concerning possible sexual harassment from Officer Alexander Manjasek, who received a phone call from [REDACTED] (applicant), who explained she was told by Lieutenant Brodick that he would help her get hired for sexual favors. The memorandum also stated that Officer Manjasek told Sergeant Ehrenkaufner that [REDACTED] stated to him that Lieutenant Brodick promised her a better patrol car for a sexual favor ("blow job").

Captain Krosschell stated she made phone contact with [REDACTED] to establish a time line as to how the events occurred with Lieutenant Brodick and why [REDACTED] discussed everything with Officer Manjasek. Captain Krosschell explained to [REDACTED] that her information would be passed on to others, and someone would be talking to [REDACTED]. OOPS then began this investigation.

██████████ (Non-Cooperating Complainant)

OOPS made several telephone calls to ██████████ which were unanswered and/or not immediately returned after leaving messages. On July 24th, 2017 at approximately 1745 hours OOPS made telephone contact with DBPD applicant ██████████ and attempted to determine her involvement. ██████████ said she would call OOPS back. On August 1st, 2017 ██████████ made phone contact with OOPS and was not cooperative and indicated she did not want involvement. ██████████ was concerned that being involved with this investigation would hinder her from future employment with surrounding agencies. ██████████ was reluctant about coming in for an interview with OOPS and would not discuss the alleged allegations. ██████████ also stated that she didn't feel as if Lieutenant Brodick hindered her employment with DBPD; only her background issues played a part in that.

██████████

On September 20th, 2017 at approximately 1330 hours, ██████████ and PBA Representative Michael Scudiero responded to OOPS for the purposes of a recorded audio interview. Upon arrival, ██████████ read and signed the internal investigation pre-interview notification, stating that she understood. ██████████ was also sworn in prior to questioning.

OOPS provided ██████████ a copy of Captain Jennifer Krosschell's memo. ██████████ acknowledged that she had a chance to read the memo. OOPS advised ██████████ that this investigation was based upon Captain Krosschell's memo, after Officer Alexander Manjasek contacted Sergeant Timothy Ehrenkaufner and told him there were two possible victims of sexual harassment that included her and ██████████. ██████████ acknowledged knowing ██████████ and then positively identified her from a DAVID photo. ██████████ was asked to describe her relationship with ██████████, and ██████████ responded, "She's a friend."

OOPS asked ██████████ to provide background regarding the memo, and the communication between herself, ██████████, and Officer Manjasek, and how this came to light with Sergeant Ehrenkaufner, and Officer Manjasek's involvement that resulted in completion of the memo. ██████████ stated that she was on her cell phone talking to ██████████ while working that day and Officer Manjasek was parked next to her in his patrol car and overheard some of the phone conversation. ██████████ said she started talking to Officer Manjasek about what was going on and that ██████████ told her she had to block Lieutenant James Brodick from her phone because he was continuing to send her messages over and over asking for sexual favors. ██████████ said she never personally read the messages and all she knew was what ██████████ told her. ██████████ said when Officer Manjasek heard about what was going on he went further with it.

OOPS advised ██████ in the memo Officer Manjasek disclosed to Sergeant Ehrenkaufner that at some point Lieutenant Brodick stated to her that he was going to promise her a better patrol car if she gave him a "blow job." ██████ clarified what the memo stated and said Officer Manjasek asked her if Lieutenant Brodick ever made any inappropriate comments to her. ██████ said she responded "Yes" to Officer Manjasek, but the part about the "blow job" was something that ██████ said to Officer Manjasek on the phone. ██████ again stated she did not state that to Officer Manjasek, who asked her if Lieutenant Brodick ever made inappropriate comments to her, and she said, "Yes." ██████ said Officer Manjasek got that information from ██████ OOPS asked ██████ the date Lieutenant Brodick made this comment to her. ██████ said she thought that comment in general was specifically referring to a time when she built a wooden bed for Lieutenants Brodick's son, and was over Lieutenant Brodick's residence putting it together. ██████ said that Lieutenant Brodick was joking around, and it was a casual joke that he made a comment like that, and she and Lieutenant Brodick were joking around, and were both out of work, and it was just a joke and not serious.

OOPS asked ██████ to explain the relationship between her and Lieutenant Brodick and if they were friends. ██████ said she was friends with Lieutenant Brodick and watched his kids on several occasions and was friends with his wife, who usually did her hair. OOPS asked ██████ if she still considered Lieutenant Brodick a friend at this point, and ██████ responded "Yes." ██████ was asked how many times she actually babysat for Lieutenant Brodick, or was it something she did once in a while. ██████ responded, "Yeah, just on occasions." OOPS asked ██████ when did the incident occur when Lieutenant Brodick made the joke to her. ██████ said that it had to be back last year in September 2016, but had to look it up and did not have the exact dates. OOPS asked ██████ how Lieutenant Brodick's jokes started. ██████ said at this point she was not babysitting his kids, and she had built a bed and needed tools to put it together. ██████ said she and ██████ went over to Lieutenant Brodick's house and were in his son's bedroom putting the bed together when the joke was made. ██████ said she did not remember it exactly since it was a while ago, and it was more along the lines of "When am I going to get a take home car?" and that's how it started. ██████ said she and Lieutenant Brodick were just joking around, and it was more or less just a joke.

OOPS asked ██████ if the joke was welcomed or unwelcomed, and if she told him that she appreciated the joke, and laughed along with it like it was nothing, and understood it as a joke. ██████ said she didn't remember, but didn't take it as offensive. OOPS asked ██████ if she would say that the joke was welcomed. ██████ said she wouldn't say that "welcomed" was the correct word, but she just didn't take offense to it. OOPS asked ██████ if there has been any other occurrence with these off-color jokes of a sexual nature. ██████ said that Lieutenant Brodick has made inappropriate

comments before, "Yes," but she hasn't really taken them seriously. OOPS asked [REDACTED] what kind of comments has Lieutenant Brodick made before. [REDACTED] said she didn't remember off the top of her head. OOPS then asked [REDACTED] if they were of a sexual nature and [REDACTED] responded, "Yes." [REDACTED] said she didn't remember exactly what was said and was more along the lines of joking around. [REDACTED] then stated when she asked Lieutenant Brodick when she was going to get a take home car..., Lieutenant Brodick would respond, "Well you haven't done anything for me...". OOPS asked [REDACTED] if the inappropriate comments happened on duty or mostly off duty, and [REDACTED] responded, "Both." OOPS asked [REDACTED] if these jokes or comments ever put her under any kind of mental stress. OOPS then read [REDACTED] the last sentence in Captain Krosschell's memo that stated the following:

"According to [REDACTED], [REDACTED] has expressed several times that if anything was said she would drive the worse vehicle we had because Lieutenant Brodick controls that."

[REDACTED] stated she never said that and just didn't want to say anything because there is a lot of gossiping that goes on in the department and didn't want her name to be the one that goes around, that she was making the complaint. OOPS asked [REDACTED] if the only incident she could remember was when she was putting the bed together and Lieutenant Brodick made the joke about the car and the "blow job." [REDACTED] said that she could remember several comments that he made to her, but could not remember exactly how they were worded. [REDACTED] said if she were to repeat them, she would not be able to say it exactly.

OOPS asked [REDACTED] if they were considered more jokes, and if she always took it as a joke, or did she take it more as leverage, possibly intimidation, or something hostile or offensive. [REDACTED] stated they were in text messages, most of them and OOPS then asked if there was any type of text messages or social media she could provide to OOPS that Lieutenant Brodick sent to her. [REDACTED] said she had three messages on her phone that she showed and read to OOPS. [REDACTED] read the first text message, and said the blue text in the message was her, and that she was texting with Lieutenant Brodick about a patrol car that she had the keys for. [REDACTED] said she could not provide the date of the text message, but said the time was 10:13 pm, and she would have been off work (OOPS later determined from [REDACTED] that the date of this text message was April 11, 2017). [REDACTED] said Lieutenant Brodick needed the keys back to a spare car she used and she stated in the text message, "...I'll bring you the keys. When I end up dropping it off I'll just get another one from you. Pain in the butt" ([REDACTED] said she was texting about dropping her vehicle back off to get fixed). Lieutenant Brodick then stated in the text message, "Sure or get a spare like everyone does (three emoticons)" and [REDACTED] then stated in the text message, "That sounds horrible (two emoticons)." Lieutenant Brodick then stated in the text message, "U want special treatment? But give no

special treatment (four emoticons)." [REDACTED] then said Lieutenant Brodick stated in another text message (OOPS later determined from [REDACTED] that the date and time of this text message was June 5, 2017 at 1720 hrs.), "Next time you hit sea world let me know" and [REDACTED] stated in the text message, "We have Disney passes not sea world (one emoticon)." Lieutenant Brodick then stated in the text message, "Ugh How about drinks and great sex? Lol" and [REDACTED] then stated in the text message, "lol can't. Don't need those rumors going around the department. I'm trying to stay quiet in this department full of drama." Lieutenant Brodick then stated in the text message, "I'm the last person to say shit, and u know that but ok." [REDACTED] said another text message was about the car again (OOPS later determined from [REDACTED] that the date of this text message was April 11, 2017 at 1313 hrs.). [REDACTED] stated in the text message, "(four emoticons) I need my own take home car already lol Come on make shit happen," and Lieutenant Brodick then stated in the text message, "Right U failed to produce anything for me, like zero, lol." [REDACTED] said that those were the only text messages she really had in her phone still and didn't have anything else. OOPS advised [REDACTED] that the text messages would be copied or downloaded and [REDACTED] said she would email the text messages (OOPS later received on September 26, 2017 signed copies of the text messages, and also took photos of [REDACTED] phone screen shots of the text messages).

OOPS asked [REDACTED] if there was anything from social media / Facebook. [REDACTED] then said that there was actually one more text message sent from Lieutenant Brodick on April 12, 2017 at 1551 hrs. [REDACTED] said that Lieutenant Brodick stated in the text message, "Still holding my breath (three emoticons)" and [REDACTED] then stated in the text message on April 18, at 0955 hrs., "At the doctor call ya in a minute." [REDACTED] said that Lieutenant Brodick was referring to one of the comments he had made previous and he was blowing up her phone because she still had the keys to the patrol car. [REDACTED] said this was where Lieutenant Brodick kind of got mad and stated, "Don't bother, just bring me the keys to 5204, this is why I never do favors for friends, now I find out u didn't return them, Barbra Greene was using the car, and now u have them locked in your patrol car. I need the car for the chief and have to explain why I don't have them, thanks for taking advantage of our friendship" ([REDACTED] said Barbara Greene didn't use the car, she just took it up to the police department and back). [REDACTED] said that these were the only four (text messages involving Lieutenant Brodick) she had and would send them to OOPS and other than that her phone was not too old and those were the only ones. OOPS asked [REDACTED] if there was anything on social media / Facebook and [REDACTED] responded, "No." OOPS asked [REDACTED] if Lieutenant Brodick ever sent her pictures of himself, or if there was anything OOPS was missing, and [REDACTED] said she did not know, and never seen (sent) anything like that.

OOPS asked [REDACTED] to give some background on another officer (possibly Officer Alexander Manjasek) having a problem with Lieutenant Brodick as stated

in Captain Krosschell' s memo. ██████████ said she thought it referred to a female that was working the DBPD Front Desk who recently quit, and guessed she was having an issue with Lieutenant Brodick, who was giving her a hard time. OOPS asked ██████████ what the officer's name was. ██████████ said she did not know the officer's name, but knew she was a Special Events Officer (SEO) or an officer (OOPS later determined from ██████████ that the officers first name was "██████████"). ██████████ said the only thing she heard was that Lieutenant Brodick was texting ██████████ a lot, who didn't feel that it was welcomed. ██████████ stated that she didn't have any details about Lieutenant Broderick and ██████████'s interactions. OOPS asked ██████████ if ██████████ left because of this, and ██████████ said she didn't know. OOPS advised ██████████ that it was already established that she (██████████) didn't notify a supervisor and this incident all came to light from another officer. OOPS asked ██████████ if she ever intended to contact a supervisor about this and ██████████ said, "No." OOPS asked ██████████ if there was anything else she had that OOPS should know about. ██████████ said she didn't have anything else and what she provided were the only four text messages she had saved.

OOPS asked ██████████ when she was talking about Lieutenant Brodick making jokes toward her, if she initiated any of those jokes, or did she say something sexual first. ██████████ said she never said anything sexual first, and there were a couple of times that she responded with something that might of not been appropriate just because of the response she had, but she never began any of the inappropriate comments, it was always Lieutenant Brodick. OOPS asked ██████████ if Lieutenant Brodick's response was always sexual in nature or inappropriate. ██████████ said some of the things Lieutenant Brodick said were inappropriate, but she never took offense of it.

OOPS asked ██████████y what she said to Lieutenant Brodick, when she said that she may have said something to initiate the conversation, and never said anything sexual, and might have said some inappropriate things that would get a response out of him. ██████████ said honestly she couldn't tell, and this was over the course of six years, and she has been employed with the department for six years, and this has been multiple conversations, and she couldn't tell OOPS what she ever responded back to him with, each time. ██████████ said she never said anything along the lines (she could remember or recall at all) that appeared as if she was "leading Lieutenant Brodick on." OOPS asked ██████████y each time she had a conversation with Lieutenant Brodick if it was inappropriate. ██████████ said it was not always, and there was regular conversation too, and she was friends with Lieutenant Brodick, and when your friends with somebody you say things and didn't take offense to it, and was just in a jokingly manner. OOPS clarified to ██████████ that she was just friends with Lieutenant Brodick talking back and forth and that was their conversation.. ██████████ said "Yes, Yes, Yes", and her conversations with Lieutenant Brodick were all jokingly, and she didn't take any of it offensively. ██████████ said she was not saying it wasn't appropriate, it was inappropriate,

and in her eyes she didn't see it as anything she needed to file a complaint against.

OOPS clarified with [REDACTED] that she didn't have a complaint, and it was not her intention to make a complaint. [REDACTED] stated, "I do not have a complaint...nope, it's not my intention to make a complaint...nope I'm not making a complaint, I don't want to make a complaint." OOPS again asked [REDACTED] if her conversations with Lieutenant Brodick were between friends... [REDACTED] said, "Yes casual...absolutely." [REDACTED] said they were mostly the kind of conversations that were made, and whether or not they were when she was working or off, she could not recall all the times. [REDACTED] said it was just in a jokingly manner, and as her responses that's the way it's always been. OOPS asked [REDACTED] if OOPS subpoenaed records and "dumped" Lieutenant Brodick's phone and her phone, would there be anything degrading from her or any policy violations that she knows. [REDACTED] said it was just regular conversation, and it even said in one text message from Lieutenant Brodick that she failed to produce anything for him. [REDACTED] said she was absolutely not having sex and in any kind of intimate relationship with Lieutenant Brodick. OOPS asked [REDACTED] if her relationship with Lieutenant Brodick was business or personal. [REDACTED] said, "No, no, no, absolutely not, friends, friends". OOPS asked [REDACTED] if Lieutenant Brodick made any kind of advances toward her other than that. [REDACTED] said, "No. Messages, phone conversations, or in person, just nothing further than that".

OOPS asked [REDACTED] if [REDACTED] babysat for Lieutenant Brodick. [REDACTED] said that [REDACTED] used to clean Lieutenant Brodick's house and was not sure if [REDACTED] ever babysat for him, and did not know the whole relationship between them. OOPS asked [REDACTED] if Lieutenant Brodick and [REDACTED] ever dated. [REDACTED] said she was not aware if Lieutenant Brodick and [REDACTED] ever dated and did not know what happened between the two of them, and only knew the comments [REDACTED] made to her. OOPS asked [REDACTED] if she needed assistance from the Employee Assistance Program (EAP) concerning issues with this incident, [REDACTED] said "No." OOPS asked [REDACTED] when [REDACTED] first told her about Lieutenant Brodick. [REDACTED] said when Officer Manjasek came and reported the incident, it was a couple of days prior when she was on the phone talking to [REDACTED] who said she was blocking Lieutenant Brodick's phone number because he wouldn't stop texting her. OOPS asked [REDACTED] if she knew what Lieutenant Brodick was texting [REDACTED]. [REDACTED] said that [REDACTED] might have told her, but she did not remember what was said in the conversation completely, and just that Lieutenant Brodick was messaging her and wouldn't stop. OOPS confirmed again with [REDACTED] that she said earlier, that she did not have a complaint, and that her intentions weren't to make a complaint. [REDACTED] stated, "I don't have a complaint." OOPS asked [REDACTED] if she had any issues with Lieutenant Brodick at all. [REDACTED] said, "Nope, none."

Officer Alexander Manjasek (Complainant Officer)

On October 10, 2017 at approximately 1330 hours, Officer Alexander Manjasek responded to OOPS with PBA Representative Kevin McCarthy for the purposes of a recorded audio interview. Upon arrival, Officer Manjasek read and signed the internal investigation pre-interview notification, stating that he understood. Officer Manjasek was also sworn in prior to questioning.

OOPS provided Officer Manjasek a copy of Captain Jennifer Krosschell's memo dated July 20, 2017. Officer Manjasek acknowledged that he had a chance to read the memo. OOPS reviewed the second paragraph of the memo with Officer Manjasek that mentioned he received a phone call from ██████████ who complained how she was told by Lieutenant Brodick that he would help her get hired if she did sexual favors for him. Officer Manjasek was asked how did this incident start with the information he received from ██████████ and ██████████ that lead him to reporting it to Sergeant Ehrenkaufner leading to Captain Kroschell's memo. Officer Manjasek said initially on July 18th, 2017 the day before he spoke with Sergeant Ehrenkaufner, ██████████y told him that her friend, ██████████s, had been having issues with Lieutenant Brodick and had to block him on social media. Officer Manjasek said it sounded like he was basically stalking her, and trying to get her to do sexual favors, or have sex with him. Officer Manjasek said he told ██████████ if it was that bad she needed to encourage ██████████ to make a complaint, or make a complaint herself, but ██████████ did not want to make a complaint. Officer Manjasek said he advised ██████████ if she needed someone to talk with ██████████ or if ██████████s needed to talk to someone, to have ██████████ call him. Officer Manjasek said that ██████████ tried giving him ██████████ phone number, but told ██████████ that he was not calling ██████████ and if ██████████ needed someone to talk to she may talk to him. Officer Manjasek said that ██████████ called him the next morning while he was on his way to work and coming in on his day off to do Aviation Unit work. Officer Manjasek said he then had an approximate ten or twelve minute conversation with ██████████, who he never met, and then immediately went to Sergeant Ehrenkaufner's office and said, "Here you go, hot potato," and reported the incident.

OOPS advised Officer Manjasek that another officer involved was ██████████, and asked him to clarify what was stated in the memo, where he reported a comment Lieutenant Brodick said to ██████████. Officer Manjasek clarified the sentence that was stated in the second paragraph of the memo:

"Officer Manjasek also disclosed to Sergeant Ehrenkaufner that ██████████ has also stated to him that she was promised a better patrol car if she gave Lieutenant Brodick a blow job."

Officer Manjasek said that ██████████ did not state that to him, but ██████████ stated that to him about ██████████ and ██████████ did not tell him that.

OOPS asked Officer Manjasek to describe his relationship with each of these employees starting with [REDACTED]. Officer Manjasek said he never met [REDACTED]. OOPS asked Officer Manjasek to describe his relationship between him and [REDACTED]. Officer Manjasek said he was co-workers with [REDACTED] on the same shift. OOPS asked Officer Manjasek to describe his relationship between him and Lieutenant Brodick. Officer Manjasek said he was co-workers with Lieutenant Brodick years and years ago when he (Brodick) was his sergeant on Beachside, and hasn't worked directly for him in some time, and if they were not friends, than they were certainly friendly. OOPS asked Officer Manjasek how his relationship was now with Lieutenant Brodick, and if he had any type of "run-ins" with him or mistreatment. Officer Manjasek said since Lieutenant Brodick has been "served," Lieutenant Brodick has not directly contacted him. OOPS asked Officer Manjasek what the general relationship was between him and Lieutenant Brodick and if he considered him a friend at work or had a "falling-out" with him that changed something. Officer Manjasek said that if they were not friends they were certainly friendly and went to the same barbeques and children birthday parties. Officer Manjasek said that Lieutenant Brodick could call him for a favor, and loaned Lieutenant Brodick his truck one time to move houses and stopped by his house one time to pick up baby formula bottles when he was at the airport, and had no issue with Lieutenant Brodick until recently.

Officer Manjasek said Lieutenant Brodick made people around him aware that he was coming after him for this complaint. OOPS asked Officer Manjasek who told him that information. Officer Manjasek said Lieutenant Brodick contacted Sergeant Michael Oteri the day he (Brodick) was served with this complaint and told Sergeant Oteri to tell him that he needed to go up to "IA" (Internal Affairs) and needed to tell "IA" drop the whole thing and he was mistaken, and needed to go to Lieutenant Brodick and apologize and then maybe they would be okay. OOPS asked Officer Manjasek what did Lieutenant Brodick say he was going to do to him if he didn't do this. Officer Manjasek said that was the "gist" of it from Sergeant Oteri and he didn't press for any more details.

OOPS asked Officer Manjasek that leading up to when he received the information from [REDACTED] if there was any text or phone communication between him and Lieutenant Brodick. Officer Manjasek said, "No," and that after he spoke with [REDACTED] on the phone he immediately (approximately ten minutes later) walked into Sergeant Ehrenkaufers office and reported the information and did not reach out and talk to Lieutenant Brodick. OOPS asked Officer Manjasek what [REDACTED] said she wanted to do, and why she felt she had to report the information to him, and didn't report the information directly to OOPS, and if she seemed concerned about the incident. Officer Manjasek said that she didn't really want to go through this, but her boyfriend who was a cop elsewhere was urging her that she needed to report the incident. Officer Manjasek said he told [REDACTED] she should absolutely report the incident, because [REDACTED] described the incident as stalking / harassment and what [REDACTED] described to him sounded like a "pay for play" sexual harassment incident, and he knew there was no way he could not report

the incident once learning of it. OOPS asked Officer Manjasek to confirm that he received the information from [REDACTED] and nobody else, and Officer Manjasek replied "That's correct." OOPS asked Officer Manjasek about the initial information received from [REDACTED]. Officer Manjasek said that [REDACTED] told him the initial incident the day before, and he told [REDACTED] that if [REDACTED] needed to have someone to talk to, and if [REDACTED] was not going to report it, or encourage [REDACTED] to report it, or if [REDACTED] did not want to, [REDACTED] could talk to him.

OOPS asked Officer Manjasek if he knew anything about [REDACTED] and Lieutenant Brodick's relationship and/ or heard anything about any incident involving her concerning sexual harassment. Officer Manjasek stated, "No sir," and have spoken with her maybe twice at the front desk and hadn't seen her in a while. OOPS asked Officer Manjasek if there was any other information to assist OOPS with this case. Officer Manjasek said everything that [REDACTED] told him, he regurgitated to Sergeant Ehrenkaufner and didn't even write any notes. OOPS asked Officer Manjasek the reason why [REDACTED] didn't want to report the incident directly to OOPS. Officer Manjasek said [REDACTED] probably did not want that stigma on her record so to speak, because she was trying to be a cop...OOPS asked Officer Manjasek if [REDACTED] told him that. Officer Manjasek replied, "words to that effect, yes sir." Officer Manjasek stated [REDACTED] told him during the only time he spoke with her in the one phone call.

OOPS asked Officer Manjasek if he said Lieutenant Brodick contacted Sergeant Oteri and ordered or wanted Sergeant Oteri to relay to him to come up to OOPS during this investigation to steer it a different way or say it was a mistake. Officer Manjasek said as he understood it, this was before Lieutenant Brodick got permission from the Chief to read Captain Kroschell's memo, after he had just been served the Notice of Investigation. OOPS advised Officer Manjasek the day that Lieutenant Brodick was served the Notice of Investigation he read Captain Kroschell's memo. Officer Manjasek said it was his understanding that it was before Lieutenant Brodick read the memo. Officer Manjasek said Sergeant Oteri called him, who he has been friends with since high school, and told him that Lieutenant Brodick suggested that he come up to OOPS and drop the whole thing, and say that it was a mistake, and go apologize to Lieutenant Brodick and everything might be okay. Officer Manjasek said as he understood Lieutenant Brodick had just been served the Notice of Investigation, but before he read the memo might have thought that he was complaining about a whole different thing, which was something he wasn't even going to complain about. Officer Manjasek began to explain that he and Lieutenant Brodick had a "run-in" and did not know the day, but was last year in November that occurred in the DBPD Report Writing / Evidence room. Officer Manjasek said he and [REDACTED] were in the DBPD Report Writing / Evidence room with the door propped open, where [REDACTED] just finished taking her written test to be a Field Training Officer (FTO), and he was finishing up Daily Observation Reports (DOR) on his last trainee, and also helping [REDACTED]. Officer Manjasek said after [REDACTED] was done with the

test, they were discussing the FTO process, when at approximately 0830 hours Lieutenant Brodick walked in down the hallway past the open door and said something silly or snipe to ██████████, and Officer May said, "Hush" to Lieutenant Brodick. Officer Manjasek said that Lieutenant Brodick then said a second thing, but did not know what he said, and Officer May wouldn't tell him and didn't remember. Officer Manjasek said that ██████████ second response to Lieutenant Brodick was "Stop" and Lieutenant Brodick then said a third thing as he was going to the elevator and ██████████ third response was "Shut up." Officer Manjasek said as Lieutenant Brodick was saying the fourth thing, he got up from his desk and walked over and knocked the chair out from in front of the door that was propping it open and let the door close. Officer Manjasek said that Lieutenant Brodick took exception to that and said he was being rude or disrespectful to a lieutenant. Officer Manjasek said Lieutenant Brodick then "called him to the carpet" alone in his office and tried to "flex" and said, "Do you realize that I am a police lieutenant?" Officer Manjasek said, "If you don't mind me asking what was it you said to ██████████?" Officer Manjasek said Lieutenant Brodick told him he was just joking with her like everybody else. Officer Manjasek then said to Lieutenant Brodick, "Do you realize that you are a police lieutenant." Officer Manjasek said he was then going to do a friendly thing and said to Lieutenant Brodick, "Watch what you say, watch what you say around here, its audio and video recorded...", when Lieutenant Brodick walked out of the meeting at that point, and said he had another meeting to go to.

Officer Manjasek said Lieutenant Brodick had Sergeant Robert Ransom call him in a couple of days later, who was his sergeant on the Hostage Negotiation Team. Officer Manjasek said Lieutenant Brodick asked Sergeant Ransom to interview him and see whether he was "in or out" of the Hostage Negotiation Team, and whether or not he could work with Lieutenant Brodick on the team. Officer Manjasek told Sergeant Ransom that "he got no problem." Officer Manjasek said he really had no problem with Lieutenant Brodick then and didn't up until this investigation came to light. Officer Manjasek said he didn't see what the issue was, and he and Sergeant Ransom agreed that he would continue to be on the Hostage Negotiation Team and had no problem, and as a matter fact he was supposed to be doing a special project for Lieutenant Brodick with regard to the Hostage Negotiation Team. Officer Manjasek said his thinking was the situation with ██████████, which was a none thing or could have been something, either way he thought he was preventing it from turning into something, and Lieutenant Brodick may have thought that was what the complaint was about. OOPS asked Officer Manjasek what kind of "none thing" did he think it was, and if it was a policy violation of some sort...Officer Manjasek said based on ██████████ ██████████ body language it looked to him to be embarrassment, and her three responses he remembered very vividly: "Hush, "Stop, and "Shut-up." Officer Manjasek said to him Lieutenant Brodick just walked by and didn't even say, "Hey Alex, what's the time of day, how are you guys doing...", none of that..., and started sniping silly comments at ██████████. Officer Manjasek said he still didn't understand and couldn't quite hear what

Lieutenant Brodick said to [REDACTED] and he figured to prevent Lieutenant Brodick from getting into a possibly sexual harassment situation or something or just let him know, "James, stop."

OOPS asked Officer Manjasek if Lieutenant Brodick and [REDACTED] had a relationship that he didn't understand or that's on a different level...Officer Manjasek said, "he didn't know," and all he knew was that he read [REDACTED] body language and she seemed embarrassed. OOPS asked Officer Manjasek if he thought it was something sexual. Officer Manjasek stated, "Could be, I don't know." OOPS advised Officer Manjasek that regardless if Lieutenant Brodick read Captain Krosschell's memo or not, when he was served the Notice of Investigation, Lieutenant Brodick knew he was being served for a sexual harassment allegation as it stated on the notice. OOPS advised Officer Manjasek if Lieutenant Brodick thought it was because of that "non-incident," than it was something sexual possibly. Officer Manjasek said that would be his guess, and that again [REDACTED] to this day won't tell him what Lieutenant Brodick said or she didn't know what he said.

OOPS asked Officer Manjasek to clarify that he was friends with Lieutenant Brodick in the past and was not friends with him now. Officer Manjasek said he had not spoken to Lieutenant Brodick since he reported this to Sergeant Ehrenkaufner. OOPS asked Officer Manjasek that one month prior to reporting this, if he was friends with Lieutenant Brodick. Officer Manjasek said he was on friendly enough terms with Lieutenant Brodick. OOPS asked Officer Manjasek if he saw this as ammo to get at Lieutenant Brodick. Officer Manjasek said, "Not at all," and that the information that [REDACTED] gave to him on the phone, it could have been the President of the United States, and he would have been in Sergeant Ehrenkaufner's office just as fast. Officer Manjasek said this had nothing to do with James Brodick the person, and had to do with a lieutenant who allegedly did whatever on a female wannabe employee. Officer Manjasek said he didn't care if it was Chief Capri, he would have still reported it just as fast. Officer Manjasek had no other pertinent information to add.

Sergeant Michael Oteri (Witness Sergeant)

On October 12, 2017 at approximately 1330 hours, Sergeant Michael Oteri responded to OOPS for the purposes of a recorded audio interview. Upon arrival, Sergeant Oteri read and signed the internal investigation pre-interview notification, stating that he understood. Sergeant Oteri was also sworn in prior to questioning.

OOPS provided Sergeant Oteri a copy of Captain Jennifer Krosschell's memo dated July 20th, 2017, and Sergeant Oteri acknowledged he just read the memo. OOPS asked Sergeant Oteri the relationship between him and some of the other people involved in the case, so OOPS could have a clear picture of exactly what

his involvement was and what information he had pertaining to this investigation. OOPS advised Sergeant Oteri that this was a sexual harassment case involving Lieutenant Brodick that involved three main people: [REDACTED] (DBPD applicant), [REDACTED], and [REDACTED].

Sergeant Oteri said he never heard of [REDACTED] OOPS then asked Sergeant Oteri's about his relationship with [REDACTED]. Sergeant Oteri said he heard of the name, but never met her. OOPS asked Sergeant Oteri's about his relationship with [REDACTED] Sergeant Oteri said he knew of her as an employee at DBPD, but never worked with or supervised her. OOPS asked Sergeant Oteri's about his relationship with Officer Alexander Manjasek. Sergeant Oteri stated he obviously worked with Officer Manjasek for quite a while ever since he started, and known him since the seventh grade, and known him for a while, personally as well. OOPS asked Sergeant Oteri's about his relationship with Lieutenant Brodick. Sergeant Oteri said he has worked alongside Lieutenant Brodick going way back, occasionally in the community policing days, when Lieutenant Brodick was in District Two and he was in District One, and occasionally worked together in joint operations. Sergeant Oteri also stated that Lieutenant Brodick was his supervisor in District Two on day shift, and currently was his Lieutenant. OOPS asked Sergeant Oteri if he was on light duty and working directly for Lieutenant Brodick now...Sergeant Oteri said he would normally be assigned to that shift anyway, but he was working directly for him as well.

OOPS advised Sergeant Oteri that he is a witness in this investigation and may have relevant information to this investigation. Sergeant Oteri said he did read the memo and had no personal knowledge of anything that may have occurred between Lieutenant Brodick and [REDACTED] Sergeant Oteri said he didn't converse with [REDACTED] because she was typically on the opposite shift and never worked with or supervised her. Sergeant Oteri said he heard [REDACTED] name, but couldn't pick her out of a line up, and didn't even know what she looked like. Sergeant Oteri said there really wasn't much for him to contribute to this, because the only time he ever hung out with Lieutenant Brodick outside of work was at Greg Burns (Retired DBPD Sergeant) house when he would have a barbeque. Sergeant Oteri said when he has hung out with Officer Manjasek, Lieutenant Brodick wasn't there, so he spent time personally with Officer Manjasek doing different things, but the only time the three of them have been together was at the barbeque at Greg Burns house.

OOPS asked Sergeant Oteri if he was aware of any information reference to this case, or if anyone said anything to him about the case, including Lieutenant Brodick. Sergeant Oteri said rumors had been floating around about this case, but he didn't have any specific details as to who did or said what or anything like that. OOPS advised Sergeant Oteri that OOPS was made aware that Lieutenant Brodick might have said something to him about retaliation against Officer Manjasek, who was one of the complainants in this case. OOPS asked Sergeant Oteri if he had any idea, what Officer Manjasek was talking about. OOPS then

summarized to Sergeant Oteri part of the audio interview with Officer Manjasek on October 10, 2017 that is quoted below:

"...and had no issue with Lieutenant Brodick until recently. Officer Manjasek said Lieutenant Brodick made people around him aware that he was coming after him for this complaint. OOPS asked Officer Manjasek who told him that information. Officer Manjasek said Lieutenant Brodick contacted Sergeant Michael Oteri the day he was served with this complaint and told Sergeant Oteri to tell him that he needed to go up to "IA" (Internal Affairs), and needed to tell "IA" drop the whole thing and he was mistaken, and needed to go to Lieutenant Brodick and apologize and then maybe they would be okay. OOPS asked Officer Manjasek what did Lieutenant Brodick say he was going to do to him if he didn't do this. Officer Manjasek that was the "gist" of it from Sergeant Oteri and he didn't press for any more details."

Sergeant Oteri said two conversations occurred between himself, Officer Manjasek, and Lieutenant Brodick, and both were virtually verbatim. Sergeant Oteri stated that he worked for one of them, and hung out together and considered them both friends, and he didn't want to be any part of this case. Sergeant Oteri said he did not know what was going on and what took place, and was not getting wrapped up in the drama of it, and told Officer Manjasek and Lieutenant Brodick this on two separate occasions. Sergeant Oteri said he could not tell OOPS the exact dates that he told this to Officer Manjasek and Lieutenant Brodick. OOPS asked Sergeant Oteri if there was anything else he could add to shed some light why Officer Manjasek would say this, or maybe Officer Manjasek misunderstood him. Sergeant Oteri said he did not know why Officer Manjasek would say this, but he made it a point to stay out of the middle of this because they both were essentially his friends, and he told them both he was not picking sides. Sergeant Oteri said he also told them that he was never part of this, and the only other thing that he added and said to both of them was that [REDACTED] tends to create her own drama, and she seemed like she was the nucleus of this investigation, and therefore he certainly didn't want to be part of it.

OOPS asked Sergeant Oteri if his testimony today was that after Lieutenant Brodick was served with the Notice of Investigation that he did not go to Officer Manjasek and tell or deliver a message to him; anything that would thwart this investigation or steer this investigation to the left or to the right or away from Lieutenant Brodick. Sergeant Oteri then stated, "No," and said he even asked Officer Manjasek specifically, since he was the person who generated or brought fourth this information, not even to bring his name into this because he had nothing to do with it. Sergeant Oteri was advised about the seriousness of anyone interfering with an official investigation. Sergeant Oteri said OOPS was here for a reason and he respected that, and OOPS was going to do their job, and it wasn't his job to go sticking his nose in between especially two people he considered friends, and that's the reason why he tried to take a mutual stance

throughout this entire thing. Sergeant Oteri said the outcome of this would be the outcome, and that would be the end of it. OOPS asked Sergeant Oteri about the relationship between [REDACTED] and Lieutenant Brodick. Sergeant Oteri stated that Lieutenant Brodick told him that he had a friendly relationship with [REDACTED] r [REDACTED] y and she has given him clothes for his kids, but did not know the extent if they hung out or talked on a regular basis. Sergeant Oteri also stated, he knew that Officer Manjasek has never cared for Lieutenant Brodick, but exactly what those reasons were, he didn't really know. OOPS asked Sergeant Oteri if he, Officer Manjasek, and Lieutenant Brodick were all friends at one time. Sergeant Oteri said they all have been at social outings together and he never seen Officer Manjasek and Lieutenant Brodick "get into it," even at Greg Burns house, and acknowledged that they kept their distance.

Lieutenant James Brodick (Subject Lieutenant)

On October 20th, 2017 at approximately 1608 hours, Lieutenant James Brodick responded with FOP Representative Ted Butler to OOPS for the purposes of a recorded audio interview. Upon arrival, Lieutenant Brodick read and signed the internal investigation pre-interview notification, stating that he understood. Lieutenant Brodick was also sworn in prior to questioning.

Lieutenant Brodick described his current role at DBPD as a day shift patrol commander and that he was previously assigned to the Support Resources Division. Lieutenant Brodick said he was in charge of the spare police car program, and also received a stipend from the City of Daytona Beach for his daily cell phone usage at work. Lieutenant Brodick was advised that this interview was in reference to possible sexual harassment allegations related to incidents that occurred in 2016 through 2017.

Lieutenant Brodick described his relationship with Officer Manjasek as a "former friend" and co-worker, who he has also supervised that included Officer Manjasek's current assignment on the Hostage Negotiation Team. Lieutenant Brodick said he was social with Officer Manjasek, but had "run-ins" with him that ultimately led to this investigation. Lieutenant Brodick described Officer Manjasek as an alcoholic." Lieutenant Brodick said the first run-in occurred when he was off duty with Officer Manjasek, who was intoxicated, and dropped a loaded firearm at a barbeque where children were located and another officer found it. Lieutenant Brodick said he told Officer Manjasek that his behavior was unacceptable. Lieutenant Brodick described the second incident that occurred off duty, approximately one month later at a barbeque where Officer Manjasek was intoxicated and chased children with a hatchet. Lieutenant Brodick said he told Officer Manjasek that his behavior was unacceptable, and that he had a drinking problem and if this continues, he will bring it forward and it will become an issue. Lieutenant Brodick described a third incident that occurred on duty where Officer

█████ and Officer Manjasek were located inside the DBPD Report Writing & Evidence room. Officer Manjasek gave a complete different version of what happened. Lieutenant Brodick said after he walked in the room and joked with ██████, who he described as having a good relationship with, Officer Manjasek took offense and slammed the door in his face because he interrupted their conversation. Lieutenant Brodick said he then had a conversation with Officer Manjasek in his office reference to Officer Manjasek's hostility. Lieutenant Brodick said he then contacted Officer Manjasek's supervisor Sergeant Robert Ransom, who asked Officer Manjasek if he had a problem with Lieutenant Brodick he could leave the Hostage Negotiation Unit and inquired if he still wanted to be on the team. After this, they had normal conversations.

Lieutenant Brodick said after being served the Notice of Investigation he contacted his ex-wife, ██████, who told him she had a conversation with Officer Manjasek approximately a year and a half ago at a preschool academy, where they were both picking up their children. Lieutenant Brodick said during this conversation Officer Manjasek told ██████ that he was out to get him and looking to "fuck" him. Lieutenant Brodick said he believed Officer Manjasek has been plotting to "get him." Lieutenant Brodick said he never reported the two off duty "run-ins" with Officer Manjasek, and with the one on duty "run-in," he just wanted to know Officer Manjasek's thought process, and told him that he couldn't slam a door on a supervisors face. Lieutenant Brodick said he did tell his Captain (Lance Blanchette) about the on duty incident with Officer Manjasek. Lieutenant Brodick said that Officer Manjasek had an "axe to grind," and decided to conduct an unauthorized Level One investigation into a police lieutenant and the information he received from ██████ should have been directly forwarded to Chief Capri or OOPS. Lieutenant Brodick said that Officer Manjasek enticed ██████ to call him on the phone and he chose to ask questions. Lieutenant Brodick said after he was served the Notice of Investigation, he didn't speak with anyone reference to telling Officer Manjasek to "steer the investigation", and it "never happened."

Lieutenant Brodick said he thought he had a good relationship with ██████ who made advances toward him, but turned her down for dating and was surprised she made a complaint. Lieutenant Brodick said he met ██████ through ██████, and ██████ was ██████ roommate. Lieutenant Brodick said he was great friends with ██████ who also babysat his kids, and was trying to find him someone to date. Lieutenant Brodick said he wasn't interested in ██████, who cleaned his house for money when he was not home. Lieutenant Brodick said he never had an intimate relationship with ██████ and never asked her to have sex. Lieutenant Brodick said ██████s was promiscuous and looking for a husband, and he was not interested. Lieutenant Brodick said that ██████ was never an employee, and he didn't know she was an applicant until after they met when ██████ said she applied as a Special Event Officer, and also seeking police recruit sponsorship. Lieutenant Brodick said he had zero responsibility in training and recruiting, and only recently took an active role. Lieutenant Brodick said

█████ name was never brought to Captain Blanchette for special hiring consideration, and there was nothing involving trading sex for employment. Lieutenant Brodick questioned OOPS why he should answer this line of questioning about █████ who refused to give OOPS a statement and was not telling the truth. Lieutenant Brodick also questioned the accuracy of what █████ reported to Captain Krosschell, who completed the memo. Lieutenant Brodick said he never had inappropriate conversations with █████, who was constantly calling him on the phone about getting hired, and he stopped answering her phone calls. Lieutenant Brodick said he didn't talk to █████ for months, who then contacted and begged Training Sergeant Bernard Daven about getting rehired. Lieutenant Brodick said he refused to take photos with █████ at her police recruit graduation, and told her it was inappropriate, and he was not interested. Lieutenant Brodick said he then didn't have any issues with █████ until she introduced her Aunt to him, who he then dated, and he was "harsh" with █████ and not interested. Lieutenant Brodick said there were no inappropriate pictures or video, and there was only one photo that █████ sent him on Snap Chat app. Lieutenant Brodick said when he was dating █████ Aunt, he did not have much conversation with █████.

Lieutenant Brodick said he has been friends with █████ for approximately two years, who has been an employee twice with DBPD. Lieutenant Brodick said he was never intimate with █████, but was attracted to her. Lieutenant Brodick said at the Country 500 concert █████ told him that she was quitting DBPD because of an argument she had with Reserve Lieutenant Larry Buck. Lieutenant Brodick said █████ then introduced him to her sister, but he was not interested, and at that point he didn't think █████ was an employee and asked her out. Lieutenant Brodick said █████ refused, and he told her it was not a problem, and they continued their friendship. Lieutenant Brodick said his conversations or messaging on the phone with █████ were very basic and about their children and not inappropriate. Lieutenant Brodick said after █████ refusal, she reinitiated text messages with him.

Lieutenant Brodick said he had very good relations with █████ and their kids played together, and she also watched his kids. Lieutenant Brodick said that he hung out with █████ a couple of times, and there was nothing sexual and no sexual contact. Lieutenant Brodick said they were verbally flirtatious during their five to six year relationship, and he was one of her first friends at DBPD. Lieutenant Brodick said his ex-wife, █████ was █████'s hairdresser, and let █████ babysit their children, and that █████ was a close friend. Lieutenant Brodick said he never attempted to date █████, and didn't want to date a DBPD employee. Lieutenant Brodick said he and █████ were both flirtatious, but it was nothing he would consider inappropriate, and has been outside of work, and did not think their relationship and interaction has been inappropriate. Lieutenant Brodick said looking at the text messages in a vacuum that █████ provided OOPS, he was

uncomfortable reading the text messages, but in the heat of the moment outside of work, he didn't think they were inappropriate. Lieutenant Brodick said most of the conversations revolved around their kids, and he understood that [REDACTED] was not complaining. Lieutenant Brodick described the context of the April 11th, 2017 text [REDACTED] provided OOPS, where he stated that she "failed to produce." Lieutenant Brodick said the context of the text meant that [REDACTED] failed to help him find someone suitable to date, and the text had nothing to do with sex. Lieutenant Brodick said the context of the text also involved joking about the DBPD police vehicle fleet that he described as decrepit. Lieutenant Brodick said he followed the seniority list when assigning patrol vehicles, and [REDACTED] was given no special treatment, who already had a brand new take home patrol car from retired Reserve Lieutenant Edward Slater.

Lieutenant Brodick described the context of another text on April 11th, 2017, and said he used normal protocol, and instructed [REDACTED] to get a spare police car from the DBPD Front Desk if her assigned police vehicle was out for service. Lieutenant Brodick said the "special treatment" he stated in the text to [REDACTED] was not about sex, but "snidbits" of a long conversation and a joke reference to her "finding him a date". OOPS advised Lieutenant Brodick that [REDACTED] provided OOPS the texts as messages she found inappropriate. Lieutenant Brodick said the "special treatment" was not about "Give me sex and I'll give you a new car."

Lieutenant Brodick described the context of another text on April 12th, 2017, where he stated "Still holding my breath". Lieutenant Brodick said this text was about [REDACTED] taking advantage of their friendship, after she was allowed to borrow a police car while her assigned car was being fixed, and failed to return the car in a timely manner, and gave the keys to another officer.

Lieutenant Brodick described the context of another text on June 5th, 2017, where he stated "How about drinks and great sex?" Lieutenant Brodick said this would never happen, and he would never have an intimate relationship with a DBPD employee. Lieutenant Brodick said he did not have that type of relationship with [REDACTED], and they only had a "flirty" relationship. Lieutenant Brodick said now looking at it, he saw the issue, but at the time he did not feel they were inappropriate because they had a "flirty" friendship. Lieutenant Brodick said he had many conversations with [REDACTED] after this text, and they were both "flirtatious." Lieutenant Brodick said looking at it, they have always joked because she had a bad reputation initially dating other DBPD officers, and this was another reason why they would not cross that line. Lieutenant Brodick said neither of them wanted the drama, and he would never take on a relationship with a DBPD employee. Lieutenant Brodick said if he meant his text message as a serious question or comment he would not have used "LOL" (Laughing Out Loud) afterwards, and used "LOL" because they had a great relationship. Lieutenant Brodick said that his "flirty" talk with [REDACTED] was not common, but

they were always comfortable talking, because they knew it was going nowhere and was harmless "flirting."

Lieutenant Brodick encouraged OOPS to reach out to [REDACTED] for any possible inappropriate texts before June 5th, 2017. Lieutenant Brodick said he didn't even have [REDACTED] phone number, and they messaged each other on Messenger app, and most of the time their messages were about their kids, and he never had any inappropriate conversation or comments. Lieutenant Brodick said it was ridiculous that Officer Manjasek said he had a conversation with Sergeant Oteri and to have him tell Officer Manjasek to drop his complaint with OOPS. Lieutenant Brodick said he would never send a message through somebody else to get back at somebody else, and that conversation never took place. He added that Officer Manjasek said a lot of things took place, but never did. Lieutenant Brodick said he thought Officer Manjasek had an "axe to grind" with him, and is proven why he has an axe to grind with him and he (Brodick) had no personal ill will toward Officer Manjasek. Lieutenant Brodick said the situation was embarrassing for everyone involved, and has been extremely blown out of proportion by some young lady with issues. I'm here to answer the questions honestly and truthfully.

OOPS advised Lieutenant Brodick that [REDACTED] said some of the comments he said were inappropriate. Lieutenant Brodick said that [REDACTED] meant that looking at the texts at face value they were inappropriate, but at no point did she ever indicate the texts were inappropriate to him, and she never said they were offensive. Lieutenant Brodick said he never made a statement or had a conversation about a "blowjob for a better car" with [REDACTED]. Lieutenant Brodick said the conversation or statement referencing the "blowjob" was made by [REDACTED] who asked him what it would take to get [REDACTED] a take home car. Lieutenant Brodick said he laughed because it was not going to happen, and the comment [REDACTED] made was "How about a blowjob from [REDACTED]" Lieutenant Brodick said he was a little offended and said, "UGH," and [REDACTED] then said, "How about both of us?," and he laughed that off, and was not initiated by him.

Investigative Summary

On July 20th, 2017, Captain Krosschell completed and forwarded a memorandum to Chief Craig Capri in reference to possible sexual harassment incident(s) involving members of the Daytona Beach Police Department. Due to the allegations brought forth, Chief Craig Capri authorized an administrative investigation to be conducted. He forwarded the memorandum to the Office of Professional Standards and the investigation began immediately into these allegations.

On or about July 20th, 2017 OOP made several attempts to contact ██████████ ██████████ in reference to this investigation, but were met with negative results. On July 24th, 2017 at approximately 1745 hours contact was made with ██████████ ██████████ via telephone to set up a formal interview. ██████████ said she would call OOPS back. On August 1st, 2017 ██████████ contacted OOPS and did not want to be involved with this investigation as she was concerned about her future in law enforcement. ██████████ was reluctant about coming in for an interview with OOPS and would not discuss the alleged allegations. ██████████ said she would think about going forth with the investigation, and would call back and let OOPS know her decision. On August 1, 2017 ██████████ contacted OOPS by phone and said she wanted to contact an attorney first, and didn't want her involvement public. ██████████ also stated that she didn't feel as if Lieutenant Brodick hindered her employment with DBPD; only her background issues played a part in that. This was the last conversation had will ██████████

On July 24, 2017 OOPS served Lieutenant Brodick a Notice of Internal Investigation.

OOPS reviewed ██████████'s personnel records from DBPD Support Resources Division. ██████████ completed an employment application for Special Events Officer / Police Officer on September 2016. ██████████ also completed a DBPD Pre-Screener Application for Special Events Officer on September 2016. Lieutenant Brodick notarized page twenty (20) of the Pre-Screener Application / "Attestment of Non-Military Service" on October 3, 2016. OOPS discovered that ██████████ completed an "Agreement For Reimbursement of Law Enforcement Training Academy Expenses" ("sponsorship") on September 30, 2016 that was notarized by Lieutenant Brodick on October 3, 2016. ██████████ completed a FDLE / CJSTC 58 / "Authority For Release of Information" form on September 2016 that was also notarized by Lieutenant Brodick on October 3, 2016. ██████████ completed the same form again on October 17, 2016 that was notarized by "David Castanheira" on October 17, 2016. OOPS discovered a CODB / Office of the Chief of Police letter sent to ██████████ on November 2, 2016 from Support Resources Division / Sergeant Todd McBride. The letter informed ██████████ that DBPD was "unable to offer you sponsorship." Another CODB / Office of the Chief of Police letter sent to ██████████ on April 26, 2017 from Support Resources Division / Sergeant Bernard Daven. The letter informed ██████████ that DBPD was "unable to offer you a Police Officers position." OOPS reviewed Lieutenant Brodick's October 20th 2017 audio interview, Lieutenant Brodick said ██████████ was never an employee, and acknowledged that ██████████ was seeking employment. Lieutenant Brodick said he didn't know that until after he met ██████████, and at some point ██████████ said she was trying / applied as an SEO, but was denied and then was seeking a "sponsorship." Lieutenant Brodick said he then stated to ██████████ "Go ahead." OOPS asked Lieutenant Brodick if he had any influence with ██████████ seeking sponsorship, gaining employment, or being denied. Lieutenant Brodick then stated the following during his interview:

"I had zero responsibility within training / recruiting at this agency up until three months ago or four months ago when I took a more active role when we noticed some issues we were having in training. Before then I didn't look at applications, I didn't fill out anything, I never brought anything to anybody, so her name was never brought to the Captain or anything for special consideration ever...by me."

On September 20, 2017 ██████████ was interviewed and stated that ██████ told her she had to block Lieutenant James Brodick from her phone because he was continuing to send her messages over and over asking for sexual favors. ██████ also said that Officer Manjasek asked her if Lieutenant Brodick ever made any inappropriate comments to her. ██████████ said she responded "Yes" to Officer Manjasek, but the part about the "blowjob" was something that ██████ said to Officer Manjasek on the phone as the memorandum had several inaccuracies. ██████████ also stated that some of the things Lieutenant Brodick said were inappropriate, but she never took offense to it. ██████████ stated that she didn't have a complaint, and it was not her intention to make a complaint. ██████████ said "I do not have a complaint...nope, it's not my intention to make a complaint...nope I'm not making a complaint, I don't want to make a complaint." ██████████ stated that she and Lieutenant Brodick's conversations were often inappropriate, but it was always Lieutenant Brodick that begins the inappropriate conversations with her first when talking. ██████ also stated that the inappropriate comments would come by way of text messages. ██████████ provided this office with what she believe were offensive, inappropriate, sexual in nature comments from Lieutenant Brodick via text messages, but she wasn't offended by it as this was normal talk between them. ██████████ stated that she doesn't take them seriously. The messages from Lieutenant Brodick (on different dates) read:

Brodick: U failed to produce any thing for me, like zero, lol.
Dated April 11, 2017 at 1:13pm as TeleStaff list Brodick and ██████ as working.

Brodick: U want special treatment? But give no special treatment.
Dated April 11, 2017 at 1:13pm as TeleStaff list Brodick and ██████ as working.

Brodick: Still holding my breath.
Dated April 12, 2017 at 3:51pm as TeleStaff list Brodick working and ██████ not working. Brodick may have used/earned administration time on this day from 4pm - 6pm.

Brodick: Ugh...How about drinks and great sex? Lol. ██████: lol can't. Don't need those rumors going around at the department. I'm trying to stay quiet in this department full of drama. **Brodick:** I'm the last person to say shit, and u know that but ok....That's why I offered.
Dated June 5, 2017 at 5:20pm as TeleStaff list Brodick and ██████ as working their normal schedule. Also Brodick may have used/earned administration time on this day from 4pm – 6pm.

On October 20th, 2017, Lieutenant Brodick was interviewed and stated that looking back at the messages, he can see how they appear inappropriate, but stopped short of saying they were. ██████ meant that looking at the texts at face value they were inappropriate, but at no point did she ever indicate the texts were inappropriate to him, and she never said they were offensive. He stated that his conversations with ██████ is harmless flirting. He also state that his text message.... "Ugh...How about drinks and great sex? LoL" sounded like a flirting message between two good friends that took place outside of work and not him asking ██████ for sex and had no intentions of sleeping with her if she replied yes. Lieutenant Brodick stated that his texts.... U failed to produce any thing for me, like zero, lol..... U want special treatment? But give no special treatment...were not of a sexual nature, rather he was talking about ██████ has failed in finding him a woman that he can date.

Lieutenant Brodick said he never made a statement or had a conversation about a "blowjob for a better car" with ██████. Lieutenant Brodick said the conversation or statement referencing the "blowjob" was made by ██████ who asked him what it would take to get ██████ a take home car. Lieutenant Brodick said he laughed because it was not going to happen, and the comment ██████ made was "How about a blowjob from ██████ Lieutenant Brodick said he was a little offended and said, "UGH" and ██████s then said, "How about both of us?", and he laughed that off, and was not initiated by him.

On September 22, 2017 OOPS contacted ██████ on the phone to schedule a formal interview. OOPS then conducted a preliminary phone interview. ██████ said she was still an SEO, but stopped working because of an argument with Reserve Lieutenant Buck and not because of Lieutenant Brodick as ██████ and the memo described. ██████ told OOPS she received inappropriate texts from Lieutenant Brodick before June 5, 2017 when she told Lieutenant Brodick she was not interested in a personal relationship with him. ██████ stated that she would email the inappropriate texts. Following the telephone conversation, ██████ emailed Facebook Messenger text between Brodick and her, but stated that she did not feel she was a victim. ██████ provided OOPS only text communication with Lieutenant Brodick on June 5, 2017, and not the inappropriate texts she said received before June 5, 2017.

Officer Manjasek was interviewed on October 10, 2017 and it was determined that Officer Manjasek didn't violate any policy and reported acts of what he believed were harassment to Sergeant Ehrenkaufner and appeared to encourage ██████ to report these acts to a supervisor. Officer Manjasek acted in no way maliciously in his actions. Officer Manjasek overheard a telephone conversation between ██████ ██████ and ██████s. ██████ relayed the information to Officer Manjasek as she wasn't sure what to do with it. Officer

Manjasek's offered his assistance and [REDACTED] provided his telephone number to [REDACTED] for some direction if she wanted. [REDACTED] called Officer Manjasek unprovoked the next morning and relayed her concerns. Officer Manjasek then reported it to Sergeant Ehrenkaufner once he arrived in his office.

Findings

These are the findings of the Office of Professional Standards regarding the allegations against James Brodick:

1. **200.6 Professional Conduct and Responsibilities:** *Employees shall not engage in any conduct which constitutes neglect of duty or which is likely to adversely affect the discipline, good order or reputation of the department, including, but not limited to, conduct prohibited by this directive.*

Lieutenant Brodick engaged in conduct perceived as inappropriate for a supervisor and sent inappropriate texts messages to [REDACTED] [REDACTED] requesting "How about drinks and great sex? Lol." [REDACTED] turned over the text messages as inappropriate, unwelcomed, but wasn't offended or making a formal complaint as this is their normal language used. Lieutenant Brodick refers to it as "harmless flirting between two friend" and this is how they usually speak to each other as both stated. The texts were sexual in nature, having a sexual undertone. This conduct by a supervisor to a subordinate is likely to adversely affect discipline and the good order and reputation of the department.

This allegation is therefore:

SUSTAINED

2. **200.29 Department Morale:** *No employee shall engage in conduct on or off duty, which adversely affects the morale or efficiency of the Department.*

Lieutenant Brodick engaged in conduct perceived as sexual harassment and sent inappropriate texts messages to [REDACTED]y, attempting to get her to engage in sexual activity. [REDACTED] turned over the text messages, but wasn't offended or making a formal complaint as this is their normal language used. Lieutenant Brodick did not treat a female subordinate, [REDACTED] with respect when he sent the inappropriate

texts. He refers to it as “harmless flirting between two friend” and this is how they usually speak to each other as both stated. The texts were sexual in nature, having a sexual undertone. This conduct by a supervisor to a subordinate conducted on or off duty can potentially adversely affect morale and efficiency of the department, but no facts support that it did.

This allegation is therefore:

NOT SUSTAINED

3. **204.9 Canon of Ethics/Private Conduct:** *Law enforcement officers shall be mindful of their special identification by the public as an upholder of the law. Laxity of conduct or manner in private life, expressing either disrespect for the law or seeking to gain special privilege, will certainly reflect badly upon the law enforcement service and the individual law enforcement officer. The community and the service require that law enforcement officers lead decent and honorable lives. Following a law enforcement career gives no one special prerequisites; however it does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding the American republic. Officers who reflect upon this tradition will not degrade it. Rather, they will so conduct their private lives that the public will regard them as examples of stability, fidelity and morality.*

Lieutenant Brodick did not have disrespect for the law or did not appear to seek to gain special privilege.

This allegation is therefore:

NOT SUSTAINED

4. **204.12 Canon of Ethics/Gifts and Favors:** *Law enforcement officers, representing government, bear the heavy responsibility of maintaining in their own conduct the honor and integrity of all government institutions. They shall, therefore, guard against placing themselves in a position in which any person can reasonably assume that special consideration is being given. Thus, they should be firm in refusing gifts, favors, or gratuities, large or small, which can, in the public mind, be interpreted as capable of influencing their judgment in the discharge of their duties.*

There is no evidence to support this allegation.

This allegation is therefore:

UNFOUNDED

5. **1220.2 COMMAND/SUPERVISORY RESPONSIBILITIES:** *The following activities shall be prohibited by Department personnel, but not limited to:*

Any form of harassment or sexual harassment including, but not limited to:

- Any words, actions or conduct, including sexual harassment, which is prohibited by federal or state employment law;
- Any words or conduct designed to cause another person unnecessary mental distress, where there is no legitimate work-related reason for use of the words or conduct, although such harassment may not be prohibited by law;
- Explicitly or implicitly, without justification or legitimate reason, ridicule, mock-deride, or belittle any person.

Any form of Sexual Harassment including, but not limited to:

- Submission to such conduct is made either explicitly or implicitly, a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis of employment decisions affecting such individual;
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Make offensive or derogatory comments to any person, either directly or indirectly based on race, color, sex, religion, age, disability, sexual orientation, or national origin. Such harassment is a prohibited form of discrimination under state and federal employment law and is also considered misconduct subject to disciplinary action by the Daytona Beach Police Department.

There is no evidence to support this allegation.

This allegation is therefore:

UNFOUNDED

6. **1220.26 Retaliation:** *This policy prohibits retaliation against any employee who, in good faith, reports a violation of this policy. Every effort will be made to protect the safety and anonymity of anyone who comes forward with concerns about a threat or act of violence.*

OOPS was not able to verify the truth that Lieutenant Brodick made retaliation statements to Sergeant Oteri and/ or directed him to deliver a message to Officer Manjasek for reporting possible sexual harassment allegations.

This allegation is therefore:

NOT SUSTAINED

Witnesses/Interviews

The following individuals were interviewed concerning this investigation:

- [REDACTED]
- [REDACTED])
- [REDACTED]
- Officer Alexander Manjasek (Complainant Officer)
- Sergeant Michael Oteri (Witness Sergeant)

Exhibits

- Memoranda
- Miscellaneous Investigative Documents
- Audio Recordings
- DBPD Current Directives
- TeleStaff schedule