

FLORIDA DEPARTMENT OF LAW ENFORCEMENT INTERNAL INVESTIGATION REPORT

CASE NUMBER: EI-79-1664 **DATE:** March 15, 2013

CASE AGENT: Inspector Ed Fortune

REPORT PREPARED BY: Inspector Ed Fortune 

DATES COVERED FROM: September 19, 2012 to March 15, 2013

CASE SUBJECT: Laura Barfield
Operations & Management Consultant Manager
FDLE Headquarters

ALLEGATION(S): F.A.C. 11I-1.011(2) Violation of Law or Rule to wit: FDLE
Police 1.4 Use of Resources.

I. INVESTIGATIVE PREDICATE

On September 19, 2012, Inspector Ed Fortune received for review this noted internal investigation. The incident involves allegations from an anonymous source asserting that Operations & Management Consultant Manager Laura Barfield misused her state assigned vehicle for over a ten year period of time in order to facilitate a personal relationship while traveling to and from court appearances throughout the State of Florida.

II. DOCUMENTS/RECORDS

Upon being assigned this case, Inspector Ed Fortune reviewed the following documents and noted the following:

1. An Anonymous Letter mailed from St. Petersburg, Florida on July 23, 2012, addressed to Commissioner Bailey and received in the Office of the Commissioner on July 25, 2012.
2. An Anonymous Letter mailed to Commissioner Bailey and several members of the Alcohol Testing Program on September 13, 2012, from St. Petersburg, Florida.
3. A Letter from Patricia Brown to Laura Barfield that was mailed from St. Petersburg, Florida on October 22, 2012
4. FDLE Transaction Archive Report (TAR) associated with Laura Barfield covering date range of August 07, 2010 through August 8, 2012.

5. FDLE D.A.V.I.D. Audit Report associated with Laura Barfield covering dates from September 17, 2010 through August 8, 2012.
6. FDLE Monthly Vehicle Logs for state vehicle number 2203 for the months of January 2011 through July 2012
7. FDLE Monthly Vehicle Logs for state vehicle number 2759 for the months of May, June, July, and August 2012.
8. Manager Barfield's Outlook Calendar covering the dates of December 1, 2008 through December 31, 2012.
9. Manager Barfield's 2011 Subpoenas.
10. Manager Barfield's 2012 Subpoenas.
11. Manager Barfield's Corporate American Express Card Statements for the period of February 2011 through October 2012.
12. Manager Barfield's People First Time Sheets for the period of January 2011 through December 2012.
13. Manager Barfield's State issued Telephone Records covering the period of January 2011 through July 2012.
14. Manager Barfield's Travel Vouchers submitted between December 2010 and November 2012.
15. Reimbursement Voucher for Expenses Other Than Travel dated November 7, 2011, submitted by Manager Barfield.
16. Performance Issue 2011PI-010 regarding Manager Barfield's use of her issued Corporate American Express Card.
17. Written Reprimand regarding Manager Barfield's use of her Corporate American Express Card dated March 11, 2011.
18. Oral Reprimand dated December 1, 2011, regarding Manager Barfield's regarding two speeding incidents while in her state issued vehicle.

III. INVESTIGATIVE NARRATIVE

In furtherance of this investigation, Inspector Ed Fortune, Inspector J.R. Miller, or Inspector Molly Akin conducted or were present for interviews with the following individuals. Below are notations from those interviews.

Barbara Lawson-Colston, Administrative Assistant II (AII)

September 20, 2012 @ 10:55 A.M. to 11:16 A.M.

Office of Executive Investigations, Conference Room

Interviewed by Inspector Ed Fortune and Inspector J.R. Miller

- AII Lawson-Colston stated she is Laura Barfield's Administrative Assistant and has worked in the Alcohol Testing Program (ATP) for a little over three years.
- AII Lawson-Colston advised that her duties require her to deal with public records requests, she signs for subpoenas, and processes travel vouchers after they are completed by members of the ATP, and opens the mail for the unit. In addition AII Lawson-Colston answers the telephones.
- AII Lawson-Colston said there are seven positions in the ATP.
- AII Lawson-Colston said that she did not maintain a file with subpoenas; instead she gives them to the members of the ATP.
- AII Lawson-Colston said that all of Laura Barfield's subpoenas go to Office Automation Specialist II (OASII) Nicole Donaldson who maintains Barfield's calendar.

Prior to proceeding further, AII Lawson-Colston was given an envelope addressed to her and asked read it to see if it contained an allegation against any employee. Although AII Lawson-Colston was told she could read the letter in private, she instructed Inspector Fortune continue as she recognized the envelope as being similar to one that had come into the ATP office earlier.

- AII Lawson-Colston was given the letter and said, *"There was an envelope that came in I think it was Monday, Monday or Tuesday and it had another members name on it and I assumed it was dealing with the Intoxilizer cause a lot of the time the agencies send in their report, agency inspection report, to the inspectors when they have to redo a test, you know, whatever... And we had some subpoenas come in so I am opening the mail and when I looked at I said umm... So, I thought it was like I said an inspection report, then it crossed my mind maybe it's a public records request, cause I get those too in the mail. And, when I opened it and I started reading it, I'm like wow... and this is the same letter."* The letter was addressed to Government Analyst II (GAI) Jennifer Jacobs.
- AII Lawson-Colston said that she emailed GAI Jacobs who was in New Hampshire at the time and informed her about the letter and that it would be maintained in AII Lawson-Colston's drawer because of the content. GAI Jacobs contacted AII Lawson-Colston by telephone and Lawson-Colston read the entire letter to her.
- AII Lawson-Colston said she had no idea who could have sent the letter.

- AAll Lawson-Colston said she had not spoken to Laura Barfield since she became aware of the letters.

Jennifer Jacobs, Government Analyst II (GAI)

September 21, 2012 @ 12:02 P.M. to 12:26 P.M.
Office of Executive Investigations, Conference Room
Interviewed by Inspector Ed Fortune

- GAI Jacobs said she is a Department Inspector for the ATP and she maintains approximately 120 Intoxilizers in 25 counties in the State of Florida. GAI Jacobs monitors the agency inspectors within those counties to insure they perform their jobs and she reviews breath test results for the State of Florida. Another portion of her responsibilities is to perform an annual inspection on the 120 Intoxilizers, calibrate them if necessary, register new instruments, and maintain communications with the various agencies.
- GAI Jacobs said she has been in the ATP since October 2010.
- GAI Jacobs said that she is often subpoenaed to testify but does not always have to attend.
- GAI Jacobs said that she will testify on the Intoxilizer 8000 and anything that pertains to it and on the "rule". GAI Jacobs stated she has been deemed an expert in Marion County only but added, *"We're typically considered experts within the State when we go and testify."* They testify on the annual inspections that are done making sure that the various agencies follow the rule regarding agency inspections and following proper procedures for breath tests.
- GAI Jacobs said she did not believe that subpoenas were maintained by anyone in the office.
- GAI Jacobs acknowledged that she had been contacted by AAll Lawson-Colston regarding a letter that had been sent to her.
- GAI Jacobs acknowledged that the letter contained several allegations against Laura Barfield, specifically about an "affair" that Laura Barfield had been having for approximately ten years.
- When asked if she had any knowledge of the information contained in the letter, GAI Jacobs responded, *"I was aware Ms. Barfield had been seeing a gentleman that was married uhm, and I was aware that on occasion when she was testifying in that area she would in fact see him uhm, this is all for information that I had gotten from her. Uhm, I was also told that she was going on a cruise in which his family would be on, which is one of the things indicated in this letter. Uhm, other than that I mean, I..."*
- GAI Jacobs said she thought the man's name might have been Eber and acknowledged that she had met him once at the office. GAI Jacobs said she thought it was sometime in 2010 when she met the man.
- GAI Jacobs said that since she began working in the ATP in 2010, she observed that Laura Barfield does not travel in her state vehicle but often flies.

- Regarding testifying in court, GAIL Jacobs said, *"I specifically would only testify right now uh, about the Intoxilizer 8000, the Rule, and possibly pharmacology uhm, which was one of the areas that I studied as I went through the training. Uhm, Laura would testify to the program as a whole, uhm historical knowledge that she has that I would not necessarily have at this point. She would also testify to the Intoxilizer 8000 because she was involved in everything to get the Intoxilizer within the State uhm, she would testify to the Rule because she actually writes the Rule, uhm she would definitely testify about blood and blood proficiencies because we handle the blood proficiencies in our office and she would probably also testify... and I haven't seen this... but to other aspects of blood uhm that I would not deal with because she has uhm, also worked in the lab at FDLE."*
- GAIL Jacobs said that Patrick Murphy also testified a great deal because of his experience and the fact that he has a degree in forensic toxicology.
- GAIL Jacobs was asked if she had any idea who may have written the letter and she responded, *"This sounds to me, from the information that I've been told, it would be the gentleman's wife. I don't know that anyone from FDLE would have written this letter."*
- GAIL Jacobs did not think anyone from FDLE would have written the letter.
- GAIL Jacobs said that she had told Laura Barfield about the letter as soon as she learned of it but did not discuss it any further.

Phillip Suber, Government Analyst II (GAIL)

September 24, 2012 @ 10:00 A.M. to 10:09 A.M.
Office of Executive Investigations, Conference Room
Interviewed by Inspector Ed Fortune

- GAIL Suber said he has been assigned to the Alcohol Testing Program (ATP) for approximately two years and has been employed by FDLE for approximately 12 years.
- GAIL Suber said he is a Department Inspector and is responsible to insure the accuracy and reliability of breath testing in the State of Florida by conducting inspections and calibrations on breath instruments.
- GAIL Suber said instrument calibrations are conducted in Tallahassee.
- GAIL Suber said that he does travel for court and to conduct on site agency visits. GAIL Suber said that he travels at least once every two weeks and sometimes more depending upon court load.
- GAIL Suber said that the Department Inspectors are broken down geographically so if there was a case in the panhandle (Pensacola to Monticello) a subpoena for breath testing would go to him first as the expert witness unless it was something "beyond me."
- Asked what would be something beyond him, Suber replied, *"Blood alcohol stuff, uh, maybe historical information regarding the program, uhm you know things that could be more complicated than just the breath testing aspect and what goes on with the instrument."*

- GAI Suber read a copy of the letter sent to him, and confirmed that the content was the same as other letters that had been received.
- GAI Suber said he had no idea who would have written the letter or why he was sent a copy of it other than perhaps it was because he worked for Laura Barfield.
- GAI Suber said he was aware that Laura Barfield was seeing somebody but that was about the extent of his knowledge.
- GAI Suber said he had no knowledge of information relating to the allegations contained in the letter.

Jake Shanahan, Government Analyst II (GAI)

September 26, 2012 @ 10:55 A.M. to 11:09 A.M.
Office of Executive Investigations, Conference Room
Interviewed by Inspector Ed Fortune.

- GAI Shanahan said he has been assigned to the Alcohol Testing Program (ATP) for approximately two years and has been employed by FDLE for approximately five years.
- GAI Shanahan said he is a Department Inspector and is responsible to insure the accuracy and reliability of breath testing in the State of Florida by conducting inspections and calibrations on breath instruments.
- GAI Shanahan said he is assigned to cover the area that includes Palm Beach, Broward, Miami-Dade and Monroe Counties.
- GAI Shanahan said that recently he has been receiving subpoenas to serve as an expert witness on behalf of the State and for defense attorneys. The reason is because they just completed training in February or March. GAI Shanahan said that, prior to that, he was doing mostly training.
- GAI Shanahan stated that he does travel for training and court purposes.
- GAI Shanahan said that when he receives a "stand-by" subpoena he calls the State Attorney's Office or the defense attorney to determine if he would be needed for court.
- GAI Shanahan said he maintains his own subpoenas.
- GAI Shanahan was provided with an envelope addressed to him from an unknown person that had been mailed from St. Petersburg, Florida on September 13, 2012.
- GAI Shanahan confirmed that the letter did contain allegations of misconduct on the part of Laura Barfield and agreed to provide the letter to Inspector Fortune to be included in the case file.
- GAI Shanahan said he had no idea why he would have been sent a copy of the letter.

- GAIL Shanahan said that he knew that Laura Barfield had gone on a cruise but said he did not know who she was dating.
- GAIL Shanahan said he did not have any knowledge of the allegations.

Patrick Murphy, Government Analyst II (GAIL)

September 26, 2012 @ 1:34 P.M. to 11:09 A.M.
Office of Executive Investigations, Conference Room
Interviewed by Inspector Ed Fortune.

- GAIL Murphy said he is a Department Inspector assigned to the Alcohol Testing Program (ATP).
- GAIL Murphy said that he goes to court continually, testifies as an expert in breath alcohol testing, performs inspections of the instruments under his oversight at least once each calendar year, oversees the administration of breath tests and agency inspections in the region, teaches breath test operators, breath test instructors, agency inspectors and sometimes neophyte lawyers on breath testing and alcohol testing in general.
- GAIL Murphy said he maintains his own subpoenas. The vast majority of his subpoenas are "for the week of" meaning that he would be on stand-by to appear.
- GAIL Murphy is assigned to cover Orlando, Seminole County, Orange County, Sarasota, Martin County, and Brevard County.
- GAIL Murphy said he also covered other areas while the new Department Inspectors were in training.
- GAIL Murphy said that Laura Barfield might be subpoenaed instead of him because she wrote the "rule" regarding breath testing.
- GAIL Murphy was provided with an envelope addressed to him from an unknown person that had been mailed from St. Petersburg, Florida on September 13, 2012.
- GAIL Murphy confirmed that the letter did contain allegations of misconduct on the part of Laura Barfield and agreed to provide the letter to Inspector Fortune to be included in the case file.
- GAIL Murphy said he assumed that whoever wrote the letter obtained his name from the FDLE website.
- GAIL Murphy said he had heard about some of allegations relating to the relationship but he did not have knowledge of the allegations relating to the misuse of state resources.
- GAIL Murphy said he had no knowledge of who the letter writer might be.
- GAIL Murphy said, "*She (Barfield) has quite a few people who seem to be invested in uh, hurting her or bringing her down.*" He did not name any individuals.

Nicole Donaldson, Office Automation Specialist II (OASII)

September 27, 2012 @ 11:08 A.M. to 11:25 A.M.
Office of Executive Investigations, Conference Room
Interviewed by Inspector Ed Fortune.

- OASII Donaldson said she is the Office Automation Specialist assigned to the Alcohol Testing Program (ATP). Her duties include scanning, filing, answering phones and doing blood proficiencies.
- OASII Donaldson acknowledged receiving a letter address to her and mailed from St. Petersburg, Florida on September 13, 2011.
- OASII Donaldson confirmed that the general content of the letter were allegations that Laura Barfield misused state resources, "abused" Laura Barfield's character and questioned Laura Barfield's morals
- OASII Donaldson said she thought the person that wrote the letter was probably the wife of the man Laura Barfield had a relationship with.
- OASII Donaldson said she also knew about the meeting between Laura Barfield and Patricia Brown that was mentioned in the letter.
- OASII Donaldson said she and Laura Barfield discussed the meeting while at the symposium in St. Petersburg Beach, Florida. (Donaldson shared a room with Manager Barfield on July 12, 2012 in St. Petersburg)
- Regarding the meeting mentioned in the letter, OASII Donaldson said that Laura Barfield was on her way to court and the woman asked Barfield to meet with her. Laura Barfield agreed to meet the woman at the airport while traveling. OASII Donaldson said the woman was very nasty.
- OASII Donaldson said she does maintain subpoenas for Manager Barfield and explained that when subpoenas come in, they are put in her box (Donaldson's) and she records them in Laura Barfield's Outlook calendar. The subpoenas are then put into a notebook. (The subpoenas were only kept for a one year period.)
- OASII Donaldson said that Laura Barfield receives a large number of subpoenas and some required that she attend and others do not. Generally the attorney will call Laura Barfield and to tell her that she is needed to appear. Laura Barfield often highlights the "must appear" subpoenas in purple to let everyone know she has to appear.
- OASII Donaldson said that she enters the information into vehicle logs to document Manager Barfield's state vehicle usage and purchases.
- OASII Donaldson said she first learned of this internal investigation after the September 17, 2012, letters were received.
- OASII Donaldson said that she has discussed the letter/ investigation with Laura Barfield and knows that Barfield is very upset about it and is interviewing for other positions,

"because given past experiences uhm, she hasn't really been backed so she doesn't necessarily think this will work out in her favor."

- OASII Donaldson said she has no knowledge of the other allegations regarding the misuse of State resources.

Ann Marie Johnson, Attorney, Alcohol Testing Program

October 8, 2012 @ 10:33 A.M. to 10:38 A.M.

Office of Executive Investigations, Conference Room

Interviewed by Inspector Ed Fortune and Inspector Molly Akin.

- Ms. Johnson said she is the attorney for the Alcohol Testing Program (ATP). Ms. Johnson represents all of the members of the ATP, goes to court with them, attends depositions, and she assists the prosecutors in the prosecution of DUI cases.
- Prior to the interview, Ms. Johnson reviewed a letter that had been addressed to her and mailed from St. Petersburg, Florida on September 13, 2012.
- Ms. Johnson confirmed that the letter contained allegations that Manager Barfield inappropriately used FDLE resources for her "personal life."
- Ms. Johnson said that she did not have any personal knowledge regarding any of the allegations contained in the letter.
- Ms. Johnson said she knew nothing about Laura Barfield's personal life.
- Ms. Johnson said she did not know why anyone would send her the letter other than the fact she is listed as one of the members of the ATP.
- Ms. Johnson said she did not have any idea who might have written the letter.
- Ms. Johnson provided her copy of the letter to Inspector Fortune.

Eber Brown

November 19, 2012 2:05 P.M. to 2:29 P.M.

Sarasota Field Office

Interviewed by Inspector Ed Fortune and Inspector Molly Akin.

- Brown said that he first met Laura Barfield sometime in late 2001 while attending an FDLE conference.
- Over the entire period of time that Brown and Barfield maintained a relationship, Brown said that seeing Barfield depended on where he might have been training in the state.
- Brown said that he could, "recall training in Arcadia, uh, out at DeSoto with D.O.C. I can't remember the time frame, uh, she had court in Port Charlotte and that is where we were staying while we were training so uh, she was staying in the same hotel where I was. Other

places where I might have been around the state I don't know if it's Melbourne, where we were doing training with the Sheriff's Department over there and I know that she came to see me... I believe it was Melbourne. Again, I cannot remember the, the dates."

- The time frame for those meetings was around 2004.
- Brown said that in 2005 when he went to Tallahassee, he would see Barfield but she would come to see him in her personal vehicle. Brown was in Tallahassee for approximately two years.
- Brown said that prior to his retirement as the Deputy County Administrator of Citrus County, Florida, in June 2011, he would see Barfield about two times a month and it depended on when Barfield had court.
- Asked who made the determination when Barfield would visit Brown said, "Really we would talk and uh, she would you know say 'I'm going to be in Clearwater let's say on such and such a date you know, 'do you want company?' Yes would be the answer then uh, she would uh, depending on when she had court, if she had court like in the afternoon she would probably travel down in the morning and then come back that evening."
- Brown said that Barfield would stay with him at his address on Chenille Path in Lecanto, Florida.
- Brown said that Barfield would park the car up at the fitness center approximately four hundred yards away. Barfield would then get into Brown's vehicle and Brown would park in the garage so that Barfield would not be seen.
- Brown said that Barfield drove a black Chevrolet Impala and on one occasion a Ford Explorer.
- Brown said Barfield's visits always coincided with court appearances.
- Brown said he and Barfield discussed on occasion the misuse of resources.
- Brown said that he asked Barfield on different occasions if she was certain she was not violating any policies.
- Brown said that Barfield told him that FDLE would not say anything because she was going to and from Tallahassee even though she may have gone off the main roads.
- Brown said that on one occasion Barfield had court in Ocala, Florida and she went to Lecanto to see him.
- Brown said that Lecanto is approximately thirty to thirty-five miles south of Ocala.
- Brown did not recall Barfield ever extending her visit to make it longer than it should be.
- Brown said that most of the time, Barfield would get in sometime between 7:00 P.M. and 9:00 P.M. after attending court. Barfield would spend the night and usually be on the road by 6:30 A.M.

- Brown said that on occasion Barfield might have court early in the morning so she would come down the night before, stay with him in Lecanto, and then get up and leave by 5:00 A.M. or 6:00 A.M. to make it to court on time.
- Brown said he never saw anyone else in the state vehicle with Barfield.
- Brown said he paid for the cruise that Barfield went on in December 2011. Brown acknowledged that Barfield made the reservations and he reimbursed her.
- Brown said he did not have any idea who would have written the two letters that were received by FDLE personnel.
- Brown said that Barfield has not confided in him or said she may know who wrote the letters.
- Brown said he did not know the name of the person that told his wife about his relationship with Barfield.
- Brown said the relationship with Barfield ended after the December 2011 cruise when his wife Patricia found out about it.
- Brown said that he did not remember the address of his residence in Lecanto, Florida.
- Brown said that between 2008 and 2011, Barfield would stay with him in his home in Lecanto.
- Brown said that the relationship with Barfield ended in December 2011 and he had no idea why the issue came up again in July 2012.

Patrica Brown

November 19, 2012 4:18 P.M. to 4:42 P.M.

Sarasota Field Office

Interviewed by Inspector Ed Fortune and Inspector Molly Akin.

- Patricia Brown is currently married to Eber Brown and has been married to him for approximately 46 years.
- Patricia Brown said that when she learned of the affair between her husband Eber Brown and Laura Barfield she contacted friends who might be able to help identify who Laura Barfield was.
- Patricia Brown said that when she provided her friends with the information regarding the December 2011, "Christmas cruise."
- Patricia Brown said that when she gave the information to her friends about the cruise, it was fairly easy for "people around her," to verify that Barfield had been on the cruise.
- Patricia Brown said she did not know how her friends found out that Laura Barfield was having the affair with her husband, Eber Brown.

- Asked if she would provide the names of the people who assisted her in identifying Laura Barfield, Patricia Brown responded, "I will not."
- After learning Laura Barfield's identity, Patricia Brown said that she phoned Barfield and told Barfield that she wanted to meet *"face to face."*
- Patricia Brown said that she also told Barfield that if she refused to meet, she (Brown) would come to FDLE and have a "face to face" with her and Mr. Bailey.
- Patricia Brown said that Barfield then agreed to meet with her at the Tampa airport.
- Patricia Brown said the meeting took place sometime around February 2012, and was very short because she was very emotional and she just told Barfield to leave her family alone.
- Patricia Brown said that at the airport meeting Barfield told her, *"nobody would care because she was saving FDLE money by not having hotels."*
- Patricia Brown said that Barfield did not make any admissions of wrongdoing.
- Patricia Brown was asked if she knew of any events that occurred that may have caused someone to write letters to FDLE regarding Barfield's conduct in July 2012 and she responded, *"other than my continuing to dig for a while and... I was obsessed."*
- Patricia Brown added, *"My friends that helped me... have, I have, they have been my only confidants because I haven't let my friends at large know."*
- Patricia Brown said she called Barfield on the telephone sometime after the airport meeting and asked Barfield questions directly related to the affair.
- Patricia Brown stated that Barfield said she (Barfield) and Eber Brown got together at least twice a month and sometimes more.
- Patricia Brown said Barfield talked about when she (Barfield) went to Ocala, she went to see Eber Brown in Lecanto.
- Patricia Brown then made a second call to Barfield but she did not remember what they spoke about but said it was an *"anger phone call."*
- Patricia Brown said she contacted Barfield on Barfield's cellular phone.
- Patricia Brown acknowledged that she wrote the October 22, 2012, letter to Laura Barfield, and said that the letter was intended to have Barfield realize what she had done.
- Patricia Brown acknowledged that she made two telephone calls to Commissioner Bailey. She did not remember what she said in the first call and the second call was to find out if anything was going to happen to Barfield.
- Patricia Brown said she had no firsthand knowledge other than what Eber Brown has told her regarding the misuse of state resources by Ms. Barfield.

- Patricia Brown said that she and Eber Brown had numerous harassing telephone calls but since Inspector Fortune contacted Brown regarding the investigation those calls have ceased.
- Patricia Brown said the telephone calls came in on all three telephones; their home telephone number, Eber's cellular phone and her cellular phone. The caller would make "slurping" noises when Eber Brown answered, and the caller referred to Patricia Brown as "cunt." Very few people have all three numbers according to Patricia Brown.
- Patricia Brown said the calls were always "restricted" or from various out of the area places.
- When asked if she had any specific reason to believe that Laura Barfield made those telephone calls Patricia Brown responded, *"I have no reason to believe anybody else would do that to me. It's never happened in my life and I don't lead the kind of life that would lead to that."*
- Patricia Brown said all of the harassing calls came within the past seven months.
- Patricia Brown said she did not feel comfortable divulging the names of the people that helped her learn the identity of Laura Barfield.
- Patricia Brown said she knew that the people who helped her had other friends that helped them but she did not know who they were.

Kristen Shipp, Special Agent Trainee

February 6, 2013, 10:35 A.M. to 10:56 P.M.

Classroom 112 Florida Public Safety Institute, Quincy, Florida.

Interviewed by Inspector Ed Fortune and Inspector Molly Akin.

- Shipp said she worked in the FDLE Alcohol Testing Program (ATP) from October 2010 until July 13, 2012.
- While assigned to the ATP, Shipp was training to be a Department Inspector and expert witness in D.U.I. trials. She was charged with inspecting, maintaining, and calibrating of the Intoxilizer 8000 breath testing instruments in the State of Florida. Shipp also became an instructor to train local law enforcement in the use of the breath testing instruments.
- Shipp said she did not know if Laura Barfield testified on any of Shipp's cases.
- Asked if she ever traveled with Ms. Barfield, Shipp replied that she did and explained, *"We would go... not a lot, always with her, uhm, she, she travelled a lot. Uhm, but I would go with her; a couple times we would go uhm to see her testify in court. Uhm, and then we went to uhm, a conference in Kentucky for uhm, an Intoxilizer user conference and also... did she go with us for a training... I could, I have it all on my resume I could look and see when I, when I have travelled with her."*
- Asked if she travelled to Sarasota, Florida with Laura Barfield, Shipp responded, *"With her? Yes. I didn't go with her but I met her down there like I had my own room and she was*

down there and... yeah I did. And she testified at the uh, uh, is that the courthouse on Ringling? Yeah."

- Shipp said she drove to Sarasota but she did not know how Laura Barfield got there.
- Shipp said she thought she went to dinner (Bonefish) with Laura Barfield on that trip. Barfield was accompanied by a gentleman named Brown.
- Shipp said she thought Barfield stayed in the same hotel but was not certain because they came down and met her in the lobby.
- Shipp thought that when Laura Barfield was in the Sarasota area she would see Mr. Brown.
- Shipp said that if Laura Barfield was travelling to the area, she would see Mr. Brown.
- Shipp was not aware that Laura Barfield misused her state vehicle to see Mr. Brown.
- Shipp was unaware of any of the letters that were sent, and did not know of any of the allegations.
- Shipp said that Laura Barfield did speak about Mr. Brown with members of the ATP.
- Shipp said she went to Sarasota two or three times while in the ATP.
- Shipp said she and Jake Shanahan did travel to Clearwater in the same car with Laura Barfield. There was a last minute trial or motion that Laura Barfield had to testify in and Shipp and Shanahan went for training purposes.
- Shipp said the trip to Clearwater was the only time they travelled in the same car together.

Review of Travel Vouchers

A review of travel vouchers submitted by Manager Barfield between December 27, 2010 and June 14, 2012, revealed that Manager Barfield submitted vouchers for a total of forty-nine trips; eight of those trips were outside the State of Florida. Between August 31, 2011, and June 14, 2012, Manager Barfield flew to various locations within the state of Florida on at least seventeen occasions costing a total of \$13,362.60 or an average of \$786.04 per trip. With the exception of the August 31, 2011 trip, all of her in-state trips via air were completed after being counseled by Chief T.W. Smart for being stopped by the Florida Highway Patrol for speeding on October 7, 2011 and a second speeding incident on November 1, 2011.

Ten travel vouchers submitted by Manager Barfield between January 4, 2011 and June 12, 2011 show that Manager Barfield collected per diem only and did not show lodging expense.

On January 23, 2011, Manager Barfield left Tallahassee at 2:30 P.M. to attend court in Ocala on January 24, 2011. The travel voucher indicates that court was cancelled on the morning of January 24, 2011 and Manager Barfield was back in Tallahassee by 11:00 A.M. A gasoline receipt for her state vehicle indicated that she purchased gasoline at approximately 7:49 A.M. at the Beverly Hill Texaco located at 5500 Lecanto Highway, Beverly Hills, Florida 34465.

Manager Barfield submitted a request for travel reimbursement for a trip from Tallahassee to Fort Lauderdale that took place from Saturday, February 5, 2011 to Monday, February 7, 2011. The reimbursement request shows that Manager Barfield left Tallahassee on February 5, 2011 to attend a meeting with Broward Sheriff's Office and she claimed \$40.00 per diem for the 5th, yet failed to account for any time in People First. Manager Barfield went off duty at 1:00 P.M. Sunday, February 6, 2011, and back on duty at 1:00 P.M. Monday February 7, 2011. Although the travel voucher indicates that Manager Barfield traveled back to Tallahassee on the 7th she failed to account for any time in People First.

A travel voucher submitted by Manager Barfield shows that on March 7, 2011 she left Tallahassee at 4:00 P.M. to attend court in Fort Pierce. Manager Barfield claimed \$40.00 per diem for the night of the 7th. On March 8, 2011 the voucher indicates that Manager Barfield was in Fort Pierce for court and after purchasing gasoline at approximately 2:27 P.M. she checked into a Fairfield Inn at approximately 3:46 P.M. On March 9, 2011 the voucher indicates that Manager Barfield traveled from Fort Pierce to Sarasota to attend court. Manager Barfield claimed \$80.00 per diem and showed no lodging expense for March 9, 2011. Gasoline receipts indicate that between the time Manager Barfield filled her State vehicle in Fort Pierce and again in Tampa on March 10, 2011 she drove a total distance of 407 miles when the actual distance from Fort Pierce to Sarasota and then to Tampa is approximately 220 miles.

Another travel voucher submitted by Manager Barfield shows that on April 4, 2011, at 2:00 P.M. she left Tallahassee to attend court in Tavares, Florida. Manager Barfield collected \$40.00 per diem for the night of March 4th. A subpoena that was provided commanded Manager Barfield to appear before Judge James Baxley in Courtroom #1, 350 West Main Street, Tavares, Florida at 1:30 P.M. on April 5, 2011. Travel distance from Tallahassee to Tavares, Florida is 211 miles which would have allowed Manager Barfield to begin her travel on the morning of April 5, 2011. The travel voucher then indicated that Manager Barfield left Tavares to travel to Clearwater for another court appearance. The only subpoena located to support this appearance was one that commanded Manager Barfield to appear before Judge Susan Bedinghaus in the Pinellas County Courthouse located at 14250 49 Street North, in Clearwater, Florida on April 7, 2011 at 9:00 A.M.

Laura Barfield, Operations & Management Consultant Manager

February 4, 2013 10:02 A.M. to 1:24 P.M.

Office of Executive Investigations, Conference Room

Interviewed by Inspector Ed Fortune and Inspector Molly Akin.

- Manager Barfield said she has been the program manager for the FDLE Alcohol Testing Program (ATP) since July 2001.
- Manager Barfield said she was responsible for certifying all breath test operators that conduct breath tests in Florida, agency inspectors who conduct the maintenance on breath test instruments; the breath test instructors that train those two former classes of people, and to certify or permit all blood analysts to conduct blood alcohol analyses in Florida. She also prepares and revises curricula used to train personnel in breath testing fields and for approval of alcohol reference solutions which are used to check breath test instruments in the State of Florida using a scientific method called gas chromatography. She prepares and distributes the acetone stock solution and methyl alcohol solution, which are used to check breath test instruments each month in the State of Florida.

- Manager Barfield also said she was responsible for supervising six department inspectors and responsible for all public records requests associated with alcohol testing program records as well as approving the breath test instrument that is used in the State of Florida. Manager Barfield stated that she is responsible for the creation and revision of Chapter 11D-8 which ensures the reliability and accuracy of blood and breath alcohol test results for admissibility as evidence, and for testifying all over the state in the areas of blood and breath alcohol analysis and drugs of abuse.
- Manager Barfield acknowledged that she received discipline on March 14, 2011, for unauthorized charges to her Corporate American Express Card after charging two personal cruises. She acknowledged that she understood that the American Express Card was to be used only while in a travel status for the purchase of meals, hotels and gasoline.
- Manager Barfield said she was aware of the second anonymous letter, contained in this case file, but not the first one and she acknowledged the letter that had been sent to her by Patricia Brown, also contained in this case file.
- Asked if she knew who wrote the letters, Manager Barfield said she thought it was Patricia Brown.
- Asked if she knew why nothing happened immediately upon the end of the relationship in February 2012 until the first letter in July Manager Barfield replied, *"I don't know what precipitated the letter. I know that, um, when I traveled for court, she -- Mrs. Brown wanted to meet with me. And so on one of my -- I had to go to court in Clearwater. I said, 'I'm going to Clearwater. I'll meet you. Um, it has to be before 10:00 because I have court at 10.' And she said she would meet me. And she met me, and I believe that was in June. But I'm not -- I -- I think that was in June. And I don't know if, after meeting me, that just made her even more mad, but I asked -- I've -- at first said I wasn't going to meet her and then, um, Eber said I should. And I think that may have precipitated it."*
- Manager Barfield said she did not know any FDLE employees who might want to retaliate against her for any reason but added, *"I know that there has been a member in my program who's been providing inaccurate information to Miss Brown. I'm just not positive which one it -- I'm fairly positive."*
- Manager Barfield acknowledged that she had a personal relationship with Eber Brown from 2001 through the beginning of 2012.
- Manager Barfield denied the allegation that she misused state vehicles for over a ten year period stating, *"I did not misuse my vehicle when traveling for court. I used my vehicle to travel for court and that was it."*
- Manager Barfield said she would stay with Eber Brown to save the state hotel money and used her state vehicle to travel for court however; she did not visit him without there being a work-related function.
- Manager Barfield said that Eber Brown lived in the center of the state in Inverness and if she was going to Orlando she would go right through it. Instead of having a hotel for a hundred to a hundred twenty dollars, the state only paid her \$20.00 or nothing.

- Manager Barfield said she would stay with Eber Brown, *"for work-related travel, I mean, quite a bit."*
- Manager Barfield said she did not have a subpoena for her January 4-5, 2011, trip to Sarasota.
- Manager Barfield said that if she claimed per diem on the night of January 4, 2011 it did not necessarily mean that she stayed with Eber Brown because she has also stayed with family members.
- Manager Barfield acknowledged that she had no family in Sarasota or close to Sarasota and responded, *"I -- more than likely I stayed in Inverness but I did not stay with him in Sarasota. 'Cause he didn't live in Sarasota."*
- Manager Barfield said that she did not have a subpoena to document her travel to Ocala on January 23, 2011, for court on January 24, 2011, did not have a defendant's name or time for appearance, and she did not write any sort of report.
- Manager Barfield did acknowledge that she purchased gasoline for her State vehicle from the Beverly Hills Texaco located at 5500 Lecanto Highway in Beverly Hills, Florida on the morning of January 24, 2011.
- Manager Barfield acknowledged that she probably stayed with Eber Brown on the night of January 23, 2011.
- Manager Barfield acknowledged that Lecanto is south and west of Ocala.
- Manager Barfield said that court was cancelled on the morning of January 24, 2011 but could say not how she was notified.
- Manager Barfield said she was back in Tallahassee by 11:00 A.M.
- Manager Barfield said she travelled to Fort Lauderdale to deliver instruments on Saturday, February 5, 2011 and returned on Monday, February 7, 2011.
- Manager Barfield said that although she did claim per diem for February 5, 2011 she did not claim any hours worked in People First. She added, *"I usually do but sometimes I forget to record it on my People First. It's something Director Pritt even brought to my attention when she first started."*
- Manager Barfield documented on her travel voucher that she drove back to Tallahassee on February 7, 2011, but she did not claim any hours worked in People First. When asked to explain, Manager Barfield said, *"No. I can't explain that. Other than I just don't always -- I don't know why it doesn't."*
- Asked why she would deliver instruments on a Saturday, Manager Barfield said, *"Because that's when I -- could meet up with the people. I -- I don't -- I don't -- I don't know the answer to that. That's what's in the schedule. I don't know what else I was doing there."*

- Manager Barfield said the delivery was made on that day as a matter of convenience for the Broward Sheriff's Office and not because she wanted to visit her sister. She said she did not remember who she met with at the Sheriff's Office.
- Manager Barfield said she did not have a subpoena for court in Sanford, Florida on February 9, 2011.
- Manager Barfield was asked where she stayed on the night of February 8, 2011 while in route to court in Sanford and she responded, *"I -- I -- okay. So this is a separate trip. So I've come back to Tallahassee, is what you're saying, according to my travel voucher record. I leave the day before. I have court in the morning. I testify all day and I drove home. So in that instance I stayed with Mr. Brown and drove into Sanford the next morning before court, rather than staying directly in Sanford."*
- Manager Barfield said she did not have a subpoena to document her travel for March 7, 2011 through March 10, 2011. Manager Barfield added that she thought that was a case where she testified in a civil matter and the expenses were reimbursed to FDLE. After that hearing she traveled to court in Sarasota.
- On March 7, 2011 Manager Barfield claimed \$40.00 per diem and said she probably stayed with Eber Brown on the way to Fort Pierce.
- Manager Barfield said she could not say what time court was set on March 8, 2011, or if it was on March 9, 2011.
- When asked where she stayed on the night of March 9, 2011, while claiming \$80.00 per diem, Manager Barfield said she did not know.
- Manager Barfield said she would not have travelled back to Eber Brown's home in Lecanto but added, *"I may have stayed at his house in Sarasota that day."*
- Manager Barfield said she could not explain why she traveled 407 miles in two days when she travel from Fort Pierce to Sarasota and then to Tampa which is a distance of approximately 220 miles.
- Manager Barfield denied that she traveled back to Lecanto after leaving Fort Pierce.
- Manager Barfield said she did not have a subpoena with the date of March 17, 2011 or March 18, 2011.
- Manager Barfield said she may have stayed with Eber Brown on the night of March 17, 2011 when she claimed \$40.00 per diem.

The following responses from Manager Barfield deal with questions relating to a travel voucher indicating that on April 4, 2011 at 2 p.m. she traveled to Tavares for an April 5th, 2011, court appearance and then from Tavares to Clearwater on April 6th before returning to Tallahassee on the 7th.

- Manager Barfield said she did not recall this travel. She did recall going to Tavares and Clearwater around that time frame though.

- When asked if she stayed with Eber Brown on April 4, 2011, Manager Barfield answered, *"If the court was in Tavares, yeah."*
- Manager Barfield said she did not know where she stayed on the night of April 5, 2011.
- Manager Barfield said she did not know where she stayed on the night of April 6, 2011.
- When asked where else she would have stayed if she hadn't stayed with Eber Brown, Manager Barfield said, *"I don't think I would have stayed anywhere else."*
- When shown a subpoena for a motion hearing in Tavares for April 5, 2011 at 1:45 P.M. Manager Barfield said that it did not refresh her recollection of the hearing.
- Manager Barfield said she did not appear to have any other subpoenas for that date.
- Asked why she would leave Tallahassee at 2:00 P.M. on April 4, 2011 if she did not have to appear until 1:45 P.M. on April 5, 2011, Manager Barfield said, *"Well, many times I would meet with prosecutors before case hearings."*
- Manager Barfield said she did not know if she had met with prosecutors before the hearing.
- Manager Barfield said she did not remember when she was subpoenaed to appear in court in Clearwater.
- When shown a subpoena to appear at the Pinellas County Courthouse on April 7, 2011 at 9:00 A.M., Manager Barfield said she remembered it was to testify to a certification issue before Judge Bedinghaus.
- When asked where she stayed the night of May 3, 2011, Manager Barfield said *"if I claimed per diem, I more than likely would have stayed with Mr. Brown."*
- When asked if she recalled where she stayed on the night of May 19, 2011, Manager Barfield said, *"more than likely I would have stayed with him (Eber Brown) and continued the trip in the morning."* (She would have continued to Dade City and Tampa before returning to Tallahassee on May 22, 2011.)
- When asked if she stayed with Eber Brown on the night of June 12, 2011, Manager Barfield said *"um, if I was on per diem I may have."*
- On July 14, 2011, there is a charge to Manager Barfield's Corporate American Express Card in the amount of \$246.28 to the PGA National Resort in Palm Beach Gardens, Florida. Manager Barfield explained that while attending a symposium she had her family with her and she paid for the room on her FDLE Corporate American Express Card.
- When asked why she used the FDLE Corporate American Express Card, Manager Barfield said, *"I just use -- put my American Express card down for everything."*
- Manager Barfield acknowledged that it was not an authorized expense.
- When asked about a \$95.00 charge from the Yard House in Palm Beach County on July 11, 2011, Manager Barfield said, *"That would have been all five of us on dinner."*

- When asked if that was an authorized expense, Manager Barfield responded, *"Well, technically part of it would be for me. But the rest, no."*
- Manager Barfield said she began flying on the August 31, 2011 trip because, *"Honestly, because I, uh, am tired of driving. Um, this job has taken its toll on me."*
- Asked about her trip to Jacksonville on November 9, 2011, Manager Barfield said, *"November 9th? Um, yeah. I had court in front of Judge -- oh, he's a black judge and he made me feel really uncomfortable. So yes, I specifically remember that. And it lasted a long time."* (A travel voucher submitted by Manager Barfield showed that she traveled to Jacksonville and returned to Tallahassee on November 9, 2011 and the only reimbursement was for \$3.21 parking.)
- Manager Barfield acknowledged that she rented a car at the Jacksonville airport and left her State vehicle in the airport parking lot.
- Manager Barfield said that she met a friend in Jacksonville and they drove to Panama City in the rental car.
- Manager Barfield said that she used her FDLE Corporate American Express Card to rent the car and FDLE was direct billed \$701.18 by Avis Rental Car. Manager Barfield added that she used the FDLE Corporate American Express Card, *"because that's what the reservation was under. And when I went to check out they had already charged it, and that's when I wrote the check -- I wrote -- that's why I wrote the check to FDLE. When I -- when I went to check the car back in, excuse me. Not check out."*
- Manager Barfield said immediately upon her return from Cabo she wrote a check for reimbursement on the 20th. (Manager Barfield wrote check #1828 from her Wachovia account in the amount of \$701.18 on December 20, 2011.)
- Manager Barfield said she returned the rental car very early in the morning on Monday, November 14, 2011.
- Manager Barfield said she paid a personal charge in the amount of \$90.14 to the Spring Hill Suites in Jacksonville, Florida that appeared on her FDLE Corporate American Express Card account on November 14, 2011.
- Asked why she used her FDLE Corporate American Express Card for the November 14, 2011 personal charge, Manager Barfield said, *"um, just because it -- that's how I just reserved -- I reserve it all under -- it's my -- my Marriott Rewards number and it has that credit card number."*
- Manager Barfield acknowledged that the personal charge from Avis and the charge from Spring Hills Suites were violations of the direction given to her previously by her supervisor.
- Manager Barfield was asked about charges on her FDLE Corporate American Express Card on December 24, 2011 from a Wal-Mart in Live Oak for \$89.98 and Shell Oil in St. Cloud for 39.01. Initially Manager Barfield said that she did not recall those charges and said she did not travel on Christmas Eve but when asked if she had gone on a cruise, she acknowledged they were personal charges and not related to work.

- Manager Barfield acknowledged that on December 25th, 2011, she made personal charges to her FDLE Corporate American Express Card account at Walgreens in Fort Lauderdale for 19.98, Avis Rental in Tallahassee for \$52.41, and Fairfield Inn in Dania Beach for \$120.99.
- Manager Barfield acknowledged that after receiving an email from Finance & Accounting questioning the December 25, 2011, Avis rental expense she reimbursed FDLE with a check dated March 7, 2011.
- Manager Barfield confirmed that charges to her FDLE Corporate American Express Card on January 3rd, 2012, from Avis Rental in Fort Lauderdale for 21.85, Marathon Petroleum in Gainesville for \$45.00 and Shell Oil in Tallahassee for \$20.00, were not authorized uses of the credit card.
- Manager Barfield said that charges to her FDLE Corporate American Express Card in the amount of \$41.00 from Piggy's BBQ and \$17.03 from Walgreens, both in Tallahassee on January 6, 2012, were not travel related expenses.
- Manager Barfield said that a \$66.12 charge to her American Express Card from Walgreens on January 24, 2012, was "probably not" a business related expense.
- Manager Barfield acknowledged that a \$58.00 charge to her American Express Card from Shell in Tallahassee on February 11, 2012, was not business related.
- Manager Barfield acknowledged that a \$5.00 charge to her American Express Card from AMC in Tallahassee on February 12, 2012, was not business related.
- Manager Barfield said that charges to TJMaxx (\$81.85) and Ross (\$44.51) in Fort Myers on February 22, 2012, were for clothes and described the purchase as, *"--I guess you can call it personal but work related."*
- Manager Barfield said a February 23, 2012 charge to her FDLE Corporate American Express Card from a 7-Eleven in the amount of \$42.00 would have been to put fuel in her rental car and was not a personal charge however a \$32.38 charge from Wal-Mart was probably for, *"A little bit of food and drink and maybe something else."*
- When asked to explain why she returned merchandise to TJMaxx in Jupiter on March 1, 2012 using her American Express Card, Manager Barfield said, *"Because that would have been the stuff that I had bought before that I didn't need for work purposes."*
- Asked if the return was an authorized business use Manager Barfield said, *"Um, no. But I mean -- no. I didn't have my own money to buy a suit so --"*
- Asked to clarify that comment Manager Barfield replied, *"When I -- no, it's not. Never mind."*

Manager Barfield was then asked about her FDLE travel voucher submitted for a trip to Clearwater on March 15, 2012. There is a notation on the travel voucher that she was called to court at 1:00 P.M. on March 15, 2012 with no advance notice given. There is also a subpoena that was sent to Manager Barfield and received in the Alcohol Testing Program February 17, 2012. The subpoena was for an appearance on Friday, March 16, 2012 at 9:30 A.M. in Room 1000, 14250 49 Street North, Clearwater, Florida. The airfare on this trip is listed as \$1,674.20, rental vehicle \$45.77, and airport parking \$22.00.

- Asked why she flew instead of driving, Manager Barfield said, *"May have been because my schedule coming up or in -- it was either previous or coming up was extremely busy. I remember talking to my supervisor about it."*
- Manager Barfield said she felt justified paying the airfare, *"for my health."*
- Asked if she was having health problems at the time, Manager Barfield said, *"I've had health issues since I was rear-ended by a dump truck on duty."*
- Asked if that was part of the reason she flew, Manager Barfield said, *"No. I fly because -- because of the demand of the job. I mix up flying and driving now."*
- Manager Barfield acknowledged using her FDLE Corporate American Express Card on May 2, 2012, to charge \$165.82 at Marshalls in Clearwater and said it was a violation of the direction given to her in her previous reprimand.

Manager Barfield was then asked about the following series of charges made to her FDLE Corporate American Express Card between May 5, 2012 through May 14, 2012.

5/7/2012	Walgreens	Tallahassee	\$20.75
5/7/2012	Walgreens	Tallahassee	\$1.71
5/7/2012	USPS	Tallahassee	\$18.95
5/10/2012	Shell Oil	Tallahassee	\$57.00
5/10/2012	Shell Oil	Tallahassee	\$0.75
5/11/2012	Moes Southwest Grill	Tallahassee	\$25.75
5/13/2012	Village Inn	Tallahassee	\$46.18
5/13/2012	Wal-Mart	Tallahassee	\$63.32
5/14/2012	TJ Maxx	Clearwater	\$94.45
5/14/2012	CVS	Clearwater	\$46.84
5/14/2012	Ross Stores	Clearwater	\$110.66
5/14/2012	Marshalls	Clearwater	\$78.08

- When asked if all of the charges would be in violation of the direction given to her in her previous reprimand, Manager Barfield said, *"yes."*

Manager Barfield was then asked about the following series of charges made to her American Express Card between May 31, 2012 through June 1, 2012.

5/31/2012	Walgreens	Ft. Lauderdale	\$32.61
5/31/2012	Ross Stores	Hollywood	\$27.13
6/1/2012	TJ Maxx	Ft. Lauderdale	\$22.57
6/1/2012	Marshalls	Ft. Lauderdale	\$92.20

- Manager Barfield said they were in violation of the direction given to her in her previous reprimand.
- Manager Barfield was then asked about the following series of charges made to her FDLE Corporate American Express Card on June 7, 2012.

6/7/2012	Marshalls	Clearwater	\$25.21
6/7/2012	Marshalls	Clearwater	-\$17.12

6/7/2012	TJ Maxx	Clearwater	\$58.07
6/7/2012	TJ Maxx	Clearwater	-\$34.24
6/7/2012	Ross Stores	Clearwater	-\$27.13
6/7/2012	Ross Stores	Clearwater	-\$79.66

- Manager Barfield said the charges were not business related expenses.
- Manager Barfield acknowledged that a June 10, 2012 charge on her FDLE Corporate American Express Card in the amount of \$50.00 at a Shell Station in Tallahassee was a personal expense.
- Manager Barfield acknowledged that she returned merchandise to Marshalls in Tallahassee on June 11, 2012 and it was not a business expense.
- Manager Barfield could not explain a \$93.00 charge from the Marriot in Tampa to her FDLE Corporate American Express Card that was made on June 16, 2012, the same day she requested reimbursement for lodging in the Hyatt Regency in Tampa.
- Manager Barfield said on July 19, 2012 she had family come into town and she did use her FDLE Corporate American Express Card to charge a room at the Tallahassee Staybridge Suites for \$95.63. She acknowledged the charge would be in violation of the direction provided to her in the previous reprimand.
- Manager Barfield responded, "*Those are more than likely personal, yes,*" when asked if charges to her FDLE Corporate American Express Card from Stewart's Pharmacy (\$23.22) and Publix (\$39.77) on July 23, 2012 were personal.
- Manager Barfield said that charges to her American Express by Stewart's Pharmacy in Tallahassee (\$23.22) on August 7, 2012 and TJ Maxx in the Villages (\$122.53) on August 8, 2012 were both personal and in violation of the direction given in the previous reprimand.
- Manager Barfield was then asked about the following series of charges made to her FDLE Corporate American Express Card on August 17, 2012 and September 2, 2012.

8/17/2012	Shell	Tallahassee	\$58.00
8/18/2012	Shell	Tallahassee	\$51.18
8/21/2012	Momo's Pizza	Tallahassee	\$52.59
8/22/2012	TGI Friday	Tallahassee	\$99.09
8/23/2012	Zaxby	Tallahassee	\$16.73
8/28/2012	TJMaxx	Tallahassee	-\$54.80
9/1/2012	Best Western	Midway	\$153.30
9/2/2012	Outback	Tallahassee	-\$26.57

- Except for the fuel charges which Manager Barfield said may have been put on her American Express card when she was waiting for a WEX card for State vehicle 2759, Manager Barfield acknowledged the remainder of the use was for personal items and in violation of the direction given in the previous reprimand.
- Manager Barfield denied ever making any anonymous or threatening calls to either Patricia or Eber Brown.

- Manager Barfield denied ever leaving early on a trip so that she could see Eber Brown.
- Manager Barfield denied she ever stayed on a trip longer than necessary in order to see Eber Brown.
- Manager Barfield said that she would either put her vehicle in the garage at Eber Brown's residence or park it at the exercise center poll parking lot down the street.
- Asked if she had any idea what may have initiated the letter written in July, Manager Barfield replied, *"Um, I think from February until she called me in May that it was stirring. It's my understanding from Eber that he -- she has a contact here in town. And he thinks that one of them works for the feds or is a judge and had talked with the Commissioner or someone high up with the Commissioner's office. And then they talked with someone in my section. Information, personal information that only one person would know about here in town was relayed to her through whoever this stream in FDLE is."*
- Manager Barfield replied that she used the American Express Card for personal use *"mainly for convenience."*

Laura Barfield, Operations & Management Consultant Manager

February 8, 2013 11:00 A.M. to 11:24 P.M.

Office of Executive Investigations, Conference Room

Follow-up Interview by Inspector Ed Fortune and Inspector Molly Akin.

- Manager Barfield explained that the Alcohol Testing Program Department Inspectors were assigned to specific areas in the State that somewhat coincided with the FDLE Regional Operations Centers.
- Manager Barfield said that during 2011, Roger Skipper handled the Clearwater/Sarasota area and the area was then assigned to Kristen Shipp. Shipp had very limited control over that area and was not doing any inspections or attending court unless she was viewing testimony until she had finished her training.
- Manager Bardifeld was asked if any of the Department Inspectors actually traveled with her while in training and she responded, "yes."
- Manager Barfield said that Kristen Shipp and Jake Shanahan traveled with her to the Clearwater area for court one time.
- Asked about any other times where she traveled with Department Inspectors, Manager Barfield said, *"Kristen traveled with me, we didn't, I didn't... she drove, I did not drive... I don't think I drove... I might have driven, I don't remember... to Sarasota to court for the flow sensor issue I think is when that was. That was uhm, I want to say that would have been in February 2012 area time frame I think because if it was flow sensor issues it would have been after November of 2011 and I testified in Sarasota in the end of December which I have transcripts from... She did not go with me on that one that was traditional predicate trials. It was a motion hearing, I do remember that she went on and I want to say it might have been the February time frame."*

- Manager Barfield said that the trip to Clearwater with Kristen Shipp and Jake Shanahan is the only time she could remember travelling in the same vehicle with any of the Department inspectors.
- Asked why she did not travel with the Department Inspectors who were in training, Manager Barfield said, *"My schedule may not have afforded when we did go I may have been in another place where she wouldn't have gone or otherwise I don't know why we wouldn't have. Or maybe her schedule didn't..."*
- Manager Barfield said that she did share a room with Kristen Shipp on the Clearwater trip.
- Asked how many times Departmental Inspectors went to court with her during the 2011 through 2012 time period, Manager Barfield said she thought "maybe three or four times."
- Manager Barfield said that the Department Inspectors did not go often because, *"I had to look at the benefit of the issue versus the cost of bringing them all. Uhm, but I know they did come to some of them uhm, depending on what the issue was. The last one I brought them on was down in Naples, all of them came, none of them testified, only me, because it was a big issue."*
- Manager Barfield said that she would have the Department Inspector attend court here in Tallahassee and also had them watch parts of the Casey Anthony trial.
- Asked if she documented the training of the Department Inspectors, Manager Barfield explained, *"The actual travel court training, no, other than their travel vouchers but no it wasn't specifically recorded, no. In the past I used to have those like what the crime lab has, those uhm monthly and weekly... I just, frankly do not have the type of schedule though, I could keep up with that with four people."*
- Manager Barfield said that the Department Inspectors do have training notebooks and there is a documented training program.
- Manager Barfield said that usually there would be an assigned trainer for the Department Inspectors but she did not have enough people to do that with the most recent training group.
- Manager Barfield said that Kristen Shipp, Jake Shanahan and Jennifer Jacobs started their training on October 1, 2010 but really didn't get into training until Phillip Suber started at the beginning of 2012. (more likely 2011)
- Manager Barfield said they finished their training in March 2012.
- Manager Barfield said that Eber Brown had told her that someone high up in FDLE was contacted by a friend of Patricia Brown asking about information about Manager Barfield's personal life.
- Manager Barfield said that Patricia Brown demanded to meet with her or Brown would go to Commissioner Bailey. After speaking to Eber Brown, Manager Barfield said she agreed to meet with Patricia Brown in the Tampa Airport. Manager Barfield said the meeting took place sometime in June 2012.

- Manager Barfield said that Patricia Brown called her at least six times or more between the time she learned of the relationship and the date of the face to face meeting.
- Manager Barfield said she never made any attempt to inform anyone in her chain of command that there might be a problem with Patricia Brown. According to Manager Barfield the reason she did not report anything was because she did not want to bring her personal life into work and she thought if she met with Patricia Brown it would not go any further.

IV. CONCLUSIONS

F.A.C. 11I-1.011 (1) Unbecoming Conduct

Unbecoming conduct includes any willful action or conduct which impedes the Department's efforts to achieve its goals, brings discredit on the Department, or impairs the operation or efficiency of the Department or any employee.

FDLE Policy 3.4 Standards of Member Conduct

B. In the absence of specific rules or standards of conduct, all members must exercise good judgment, avoiding even the appearance of impropriety.

60L-36.005 Disciplinary Standards

(f) Conduct unbecoming a public employee. Employees shall conduct themselves, on and off the job, in a manner that will not bring discredit or embarrassment to the state.

- 1. Employees shall be courteous, considerate, respectful, and prompt in dealing with and serving the public and co-workers.*
- 2. Employees shall maintain high standards of honesty, integrity, and impartiality. Employees shall place the interests of the public ahead of personal interests. Employees shall not use, or attempt to use, their official position for personal gain or confidential information for personal advantage.*

This investigation was initiated as a result of two anonymous letters; one sent to Commissioner Bailey and the second being sent to Commissioner Bailey and several members of the FDLE Alcohol Testing Program. The anonymous writers allege that during a ten year period Manager Barfield misused her state assigned vehicle when traveling to and from court in order to facilitate an inappropriate personal relationship with Eber Brown.

A review of travel vouchers submitted by Manager Barfield between December 27, 2010, and June 14, 2012, revealed that Manager Barfield submitted vouchers for a total of forty-nine trips; eight of those trips were outside the state of Florida. Between August 31, 2011, and June 14, 2012, Manager Barfield flew to various locations within the state of Florida on at least seventeen occasions. With the exception of the August 31, 2011 trip, all of her in-state trips via air were completed after being counseled by Chief T.W. Smart for being stopped by the Florida Highway Patrol for speeding on October 7, 2011 and a second speeding incident on November 1, 2011. Ten travel vouchers submitted by Manager Barfield between January 4, 2011 and June 12, 2011 show that Manager Barfield collected per diem only and did not show lodging expense.

Eber Brown provided a sworn statement to FDLE investigators on November 19, 2012. During his statement Mr. Brown stated that he first met Manager Barfield while attending an FDLE conference in late 2001. Prior to his retirement as the Deputy County Administrator of Citrus County in June 2011, he would see Manager Barfield at his home on Chenille Path in Lecanto, Florida about twice a month depending on when she had court.

Eber Brown confirmed that Manager Barfield would contact him to let him know that she was traveling to court and ask if he wanted company. If he did, they would arrange to park Manager Barfield's state vehicle at a fitness center a short distance from his home and then Manager Barfield would get into his vehicle to be driven back to the house. Eber Brown would park in the garage so that nobody would see Manager Barfield entering.

Eber Brown stated that he previously held positions with state agencies and that he had discussed the possible misuse of resources with Manager Barfield. According to Eber Brown, Manager Barfield told him that FDLE would not say anything because she was going to and from Tallahassee, even though she may have gone off the main roads. In a sworn statement, Eber Brown's wife, Patricia Brown, stated that Manager Barfield made a similar comment to the effect, *"nobody would care because she (Barfield) was saving FDLE money by not having hotels."*

Manager Barfield provided a sworn statement to investigators on February 4, 2013 and a follow-up statement on February 8, 2013. Manager Barfield acknowledged that she maintained a personal relationship with Eber Brown from 2001 through the beginning of 2012. Manager Barfield said that she would stay with Eber Brown to save the state hotel money and added that he lived in Inverness in the center of the state and if she were traveling to places like Orlando she would drive right through it. By staying in Inverness, Manager Barfield said that the state would either pay nothing or maybe \$20.00.

When asked how often she would stay with Eber Brown she responded, *"for work related travel, I mean, quite a bit."*

Manager Barfield could not provide a subpoena, defendant's name, or appearance time for a travel voucher submitted to attend court in Sarasota on January 4, 2011 and January 5, 2011. The travel voucher indicated that Manager Barfield left Tallahassee at 3:30 P.M. on January 4, 2011 and claimed \$40.00 per diem. Manager Barfield said that if she claimed per diem on the night of January 4, 2011 it did not necessarily mean that she stayed with Eber Brown because she has also stayed with family members. But she then acknowledged that she had no family in Sarasota or close to Sarasota and said, *"I -- more than likely I stayed in Inverness but I did not stay with him in Sarasota. 'Cause he didn't live in Sarasota."*

Manager Barfield acknowledged that she submitted a travel voucher for a trip to Ocala for court on January 24, 2011 but said she was unable to provide a subpoena, defendant's name, or any other documentation regarding the court appearance. Manager Barfield said that she did recall purchasing fuel for her state vehicle at the Beverly Hills Texaco located at 5500 Lecanto Highway in Beverly Hills on the morning of January 24, 2011. Manager Barfield said that she "probably" stayed with Eber Brown in Lecanto. The travel voucher indicated that court was cancelled on the morning of the 24th and Manager Barfield was back in Tallahassee by 11:00 A.M. No subpoena could be located regarding this travel voucher. Lecanto is southwest of Ocala.

Another travel voucher submitted by Manager Barfield showed that she traveled to Sanford on February 8, 2011 and February 9, 2011. Manager Barfield was unable to provide a subpoena,

defendant's name, or any other documentation regarding this court appearance. When asked where she stayed on the night of February 8, 2011 while in route to Sanford, Manager Barfield said that she stayed with Mr. Brown in Lecanto and then drove to Sanford the next morning before court.

Manager Barfield said she did not have a subpoena to document her travel for March 7, 2011 through March 10, 2011, when she traveled to Fort Pierce and then onto another court appearance in Sarasota. On March 7, 2011 Manager Barfield claimed \$40.00 per diem and said she probably stayed with Eber Brown on the way to Fort Pierce. On March 8, 2011 the voucher indicates that Manager Barfield was in Fort Pierce for court and after purchasing gasoline at approximately 2:27 P.M. she checked into a Fairfield Inn at approximately 3:46 P.M. On March 9, 2011 the voucher indicates that Manager Barfield traveled from Fort Pierce to Sarasota to attend court. Manager Barfield claimed \$80.00 per diem and showed no lodging expense for March 9, 2011. Gasoline receipts indicate that between the time Manager Barfield filled her state vehicle in Fort Pierce and again in Tampa on March 10, 2011 she drove a total distance of 407 miles when the actual distance from Fort Pierce to Sarasota and then to Tampa is approximately 220 miles. Manager Barfield said that she would not have driven back to Mr. Brown's home in Lecanto but added, *"I may have stayed at his house in Sarasota that day."*

Manager Barfield acknowledged that she submitted a travel voucher for a trip to Sarasota for court for the dates of March 17, 2011 and March 18, 2011 but said she was unable to provide a subpoena, defendant's name, or any other documentation regarding the court appearance. Manager Barfield acknowledged she may have stayed with Eber Brown on the night of March 17, 2011 when she claimed \$40.00 per diem.

Regarding her travel voucher indicating that on April 4, 2011 at 2 p.m. she traveled to Tavares for an April 5th, 2011, court appearance and then from Tavares to Clearwater on April 6th before returning to Tallahassee on the 7th, Manager Barfield said she did not recall this travel but did recall going to Tavares and Clearwater around that time frame. Manager Barfield said that if she was in court in Tavares on April 5, 2011, she stayed with Eber Brown on the night of April 4, 2011.

When shown a subpoena for a motion hearing in Tavares for April 5, 2011 at 1:45 P.M. Manager Barfield said that it did not refresh her recollection of the hearing. Asked why she would leave Tallahassee at 2:00 P.M. on April 4, 2011 if she did not have to appear until 1:45 P.M. on April 5, 2011, Manager Barfield said, *"Well, many times I would meet with prosecutors before case hearings."* Manager Barfield did not recall if she had met with prosecutors prior to appearing for court.

Manager Barfield said she did not recall where she stayed on April 5, 2011 and April 6, 2011. When asked where else she would have stayed if she hadn't stayed with Mr. Brown, Manager Barfield responded *"I don't think I would have stayed anywhere else."*

When shown a subpoena to appear at the Pinellas County Courthouse on April 7, 2011 at 9:00 A.M., Manager Barfield said she remembered it was to testify to a certification issue before Judge Bedinghaus.

Manager Barfield acknowledged that she submitted a travel voucher for a trip to Tampa for court for the dates of May 3, 2011 and May 4, 2011 but said she was unable to provide a subpoena, defendant's name, or any other documentation regarding the court appearance. She acknowledged that *"if I claimed per diem, I more than likely would have stayed with Mr. Brown."*

On May 19, 2011 at 3:00 P.M. Manager Barfield indicated on her travel voucher that she traveled to Dade City for Court on May 20, 2011 and then from Dade City to Tampa on May 20, 2011 for a meeting on dry gas standards on May 21, 2011, before returning to Tallahassee on May 22, 2011. When asked if she recalled where she stayed on the night of May 19, 2011, Manager Barfield said, *"more than likely I would have stayed with him (Eber Brown) and continued the trip in the morning."* (She would have continued to Dade City and Tampa before returning to Tallahassee on May 22, 2011.)

On June 12, 2011 at 1:00 P.M. Manager Barfield indicated on her travel voucher that she traveled to Sarasota for court on June 13, 2011. When asked if she stayed with Mr. Brown on the night of June 12, 2011, Manager Barfield responded *"if I was on per diem I may have."*

As described in this investigation, from December 2010 to July 2012 Manager Barfield traveled for official FDLE business and choose on many occasions to stay with a personal acquaintance in the Lecanto, Florida area. While lodging with the personal acquaintance, Manager Barfield claimed per diem in lieu of locating a hotel in close proximity to the location of her official FDLE business activities. Additionally, it can be determined that, on some occasions, Manager Barfield travelled earlier than necessary and / or travelled an appreciable distance from the normal, customary or efficient route to the location of her official FDLE business. During her sworn statement, Manager Barfield stated that she stayed with the personal acquaintance to save the state money. By choosing per diem as described, Manger Barfield received additional travel compensation. From a review of all documents, records, and witness statements obtained during this investigation it is reasonable to conclude that Manager Barfield chose to closely associate and coordinate a long distance personal relationship with her official FDLE business travel. Manager Barfield's activities and conduct as described resulted in two anonymous letters alleging unbecoming conduct and a misuse of FDLE resources on her part.

It can be determined that Manager Barfield's conduct, as described in this investigation, brought discredit to the Department as a complaint of misconduct was reported by an anonymous source to FDLE and several members of the Alcohol Testing Program. In addition, by so closely coordinating and associating a personal relationship with her official FDLE business travel, Manager Barfield did not project FDLE's image in a positive manner and she failed to maintain the highest standard of professional and ethical behavior. Therefore a finding of **SUSTAINED** is recommended in the matter.

V. ADDITIONAL FINDINGS

F.A.C. 11I-1.011(2) Violation of Law or Rule to wit: FDLE Policy 1.4 Use of Resources.

CHARGE CARDS

- A. *Charge cards will only be used to purchase goods or services for official state business.*

During the course of this investigation a review of Manager Barfield's charges to her Corporate American Express Card was conducted for the period of February 2011 through October 2012.

While on a trip to Jacksonville to attend court on November 9, 2011, Manager Barfield acknowledged that she used her FDLE Corporate American Express Card to rent a vehicle for personal use and FDLE was direct billed \$701.18 by Avis Rental Car. Manager Barfield added that she used the FDLE Corporate American Express Card, *"because that's what the*

reservation was under. And when I went to check out they had already charged it, and that's when I wrote the check -- I wrote -- that's why I wrote the check to FDLE." The rental period was from Wednesday, November 9, 2011 at 9:26 A.M. to Monday, November 14, 2011 at 5:28 A.M. Manager Barfield did not reimburse FDLE for the rental until December 20, 2011 when she wrote a check from her Wachovia Bank account to cover the cost of the rental.

On December 24, 2011 Manager Barfield acknowledged that she used her FDLE Corporate American Express Card to rent a vehicle for personal use and FDLE was direct billed \$52.41 by Avis Rental Car. The vehicle was rented in Tallahassee and returned in Fort Lauderdale. After receiving an email from Jerrick Pittman (FDLE P-Card Administrator) on March 6, 2012, requesting a receipt and the "travel backup" for the rental, Manager Barfield wrote a check from her Wachovia Bank account to cover the cost of the rental on March 7, 2012.

On January 3, 2012 Manager Barfield acknowledged that she used her FDLE Corporate American Express Card to rent a vehicle for personal use and FDLE was direct billed \$21.85 by Avis Rental Car. The vehicle was rented in Fort Lauderdale and returned in Tallahassee. After receiving an email from Jerrick Pittman (FDLE P-Card Administrator) on March 6, 2012, requesting a receipt and the "travel backup" for the rental, Manager Barfield wrote a check from her Wachovia Bank account to cover the cost of the rental on March 7, 2012.

During her sworn statement on February 4, 2013, Manager Barfield was asked about fifty-seven transactions on her FDLE Corporate American Express Card that took place between July 14, 2011 and September 2, 2012 totaling \$3,827.72. The purchases made include purchases from TJMaxx, Ross, Wal-Mart, Walgreens, and Piggy's BBQ as well as other establishments. Manager Barfield confirmed that all of the purchases were personal, not specifically related to her travel and therefore a violation of policy and procedure. Manager Barfield said that she used the FDLE Corporate American Express Card for personal use "mainly for convenience." Manager Barfield's use of her assigned FDLE Corporate American Express Card for personal reasons as described in this investigation constitutes a misuse of an FDLE resource. Therefore a finding of **SUSTAINED** is recommended in the matter.

F.A.C. 11I-1.011(5) INSUBORDINATION

Insubordination, or the willful refusal to comply with a lawful order or directive, written or oral. This includes both an expressed refusal to obey a proper order, as well as a deliberate failure to carry out an order.

On March 14, 2011, Manager Barfield was issued a written reprimand by then Chief T.W. Smart after it was determined that on February 14, 2011 Manager Barfield had used her FDLE Corporate American Express Card to purchase Carnival Cruise Line tickets for a total of \$2,768.98. According to the written reprimand just a few months prior to this purchase Manager Barfield had been instructed that the FDLE Corporate American Express Card was to be used for business related purchases only and not for personal use.

Chief T.W. Smart also noted in the reprimand that then Director Mike Crews had counseled Manager Barfield on two prior occasions concerning the use of the FDLE Corporate American Express Card, specifically relating to her not paying the FDLE Corporate American Express Card bill and the purchase of personal items with the FDLE Corporate American Express Card.

In the March 14, 2011 reprimand Chief T.W. Smart directed Manager Barfield's future use of her issued FDLE Corporate American Express Card may only occur while in travel status for the

purchase of meals, hotels, and gasoline. In addition, Manager Barfield was instructed that no other purchase or card use would be permitted without prior approval of her supervisor.

During her sworn statement on February 4, 2013, Manager Barfield was asked about fifty-seven transactions on her FDLE Corporate American Express Card that took place between July 14, 2011, and September 2, 2012, totaling \$3,827.72. The purchases made include purchases from TJMaxx, Ross, Wal-Mart, Walgreens, and Piggy's BBQ as well as other establishments. Manager Barfield confirmed that all of the purchases were personal, not specifically related to her travel and were contrary to the direction given to her in a March 14, 2011 reprimand issued by her supervisor. Manager Barfield said that she used the FDLE Corporate American Express Card for personal use "mainly for convenience." After a review of all documents and statements during this investigation it can be determined that Manager Barfield repeatedly and willfully refused to comply with a written directive given by her supervisor on March 14, 2011. Manager Barfield's refusal to obey a proper order constitutes insubordination. Therefore a finding of **SUSTAINED** is recommended in the matter.