

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
INVESTIGATIVE REPORT**

On November 21, 2011, the Florida Department of Law Enforcement, Orlando Regional Operations Center (OROC) forwarded to the Office of Executive Investigations information alleging that the City of Edgewater Police Chief, David J. Arcieri, utilized officers of the Edgewater Police Department to complete his two (2) year criminal justice degree at Daytona State College. OROC received the complaint from Edgewater police officer Phillip Kurt Niebieski who subsequently received the information from former Edgewater police officer Diana Floyd. The information received by OROC can be reviewed under case DB-48-0197.

On November 16, 2011, the Orlando Regional Operations Center conducted an interview with Ms. Floyd who explained that she had been approached in the past and had second hand information regarding Chief Arcieri's use of Edgewater police officers to complete his degree. Specifically, Ms. Floyd provided information that identified Officer Martha Ann Miles, Officer Chad A. Anderson and Officer Joseph Mahoney as reportedly making comments to her, other Edgewater officers and department staff that suggested their personal involvement in assisting Arcieri obtain his degree.

A review of Chief Arcieri's educational record revealed that he completed his course work and received his Associate of Science Degree from Daytona State College in May 2011. Additionally, Chief Arcieri has been receiving State of Florida salary incentive monies since this approximate date in the amount of thirty (30) dollars per month.

On December 14, 2011, Inspectors Brett Lycett and Mark Mitchell travelled to Edgewater, Florida and interviewed the individuals identified by Ms. Floyd. In summary, both Officer Anderson and Officer Mahoney stated that they did not complete any educational course work for Chief Arcieri related to his two (2) year Associate of Science degree from Daytona State College.

Officer Miles stated that she began taking Criminal Justice courses at the same time with Chief Arcieri beginning in late 2009 early 2010 at Daytona State College. Ms. Miles stated that she and Chief Arcieri discussed taking course at the same time to "help each other out." Ms. Miles stated that Mr. Arcieri was a Department Captain at the time and was pursuing his degree to attain the position of Police Chief. Ms. Miles stated that during the "on-line" course work, when quizzes, tests and final exams were due, she and Chief Arcieri would take turns completing the assignments and then providing the answers to the other person to complete the same assignment. Ms. Miles stated that this occurred equally between the two throughout the course work and that many times the work would be completed together "on duty." Ms. Miles stated that she never completed a course in its entirety for Chief Arcieri and that it was a mutual "back

Case Number:EI-73-8546	Serial #:1
Author:Lycett, Brett L.	Office:Executive Investigations
Activity Start Date:11/21/2011	Activity End Date:12/16/2011

Approved By:Ward, Richard Allan

Description:Edgewater Police Chief Allegations

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and forth" between her and Chief Arcieri. Ms. Miles stated that it was her decision to assist Chief Arcieri to "stay on his good side" because she new he was going to be the permanent chief of police. Ms. Miles stated she never felt compelled or was ever asked by Chief Arcieri to complete any course work.

After the completion of the above interviews, Inspectors Lycett and Mitchell met with Chief Arcieri to discuss the complaint made against him. During this conversation, Chief Arcieri admitted to exchanging quiz, test and exam information with Ms. Miles, but asserted that he never took information given to him by Ms. Miles and presented it to Daytona State College as his own work. Chief Arcieri stated that he always reviewed and submitted his own course work.

Of note, the Edgewater City Manager, pursuant to a media public records request, conducted a review of emails and found one email related to Chief Arcieri that contained a term paper that was created by Edgewater Officer Anderson. When the City Manager addressed the issue he was informed by Chief Arcieri that the paper by Anderson was used only for formatting issues and it was not the same term paper turned in by Chief Arcieri. Inspector Lycett spoke with the City Manager regarding this allegation and was informed that the Daytona State College reviewed the paper submitted by Arcieri and the paper submitted previously by Anderson and gave no indication to the City Manager that plagiarism occurred.

In addition to the information regarding Chief Arcieri and course work taken at Daytona State College, Mr. Niebieski also provided information concerning an alleged violation by Chief Arcieri when he improperly opened a "cashbox" (evidence) by slamming it on the ground of the evidence room without first obtaining consent from the owner. Inspector Lycett informed the Edgewater City Manager of this information and advised that FDLE would not be investigating this allegation and that the City of Edgewater should take any action deemed appropriate.

Information received from OROC and audio copies of the interviews obtained will be placed in the Related Items (1, 2) section of this investigative file.

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On January 12, 2012, Inspector Brett Lycett received previously subpoenaed documentation from Daytona State College regarding the student record of David Arcieri. The documentation was requested to determine if any information could be developed to support or dismiss the allegation that Mr. Arcieri had employees of the Edgewater Police Department complete his college course work. The documentation was reviewed, but no additional information was developed that could assist in determining the accuracy of the allegations made against Mr. Arcieri.

The information received from Daytona State College will be maintained in the Related Items (3) section of this investigative file.

Case Number:EI-73-8546	Serial #:2
Author:Lycett, Brett L.	Office:Executive Investigations
Activity Start Date:01/13/2012	Activity End Date:01/13/2012

Approved By:Ward, Richard Allan

Description:School records

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On February 20, 2012, Inspector Brett Lycett spoke with Luis Bustamante, Chief Assistant State Attorney of the Seventh Judicial Circuit, regarding the State Attorney's Office review of the Florida Department of Law Enforcement's investigation into the allegations that the City of Edgewater Police Chief, David J. Arcieri, utilized officers of the Edgewater Police Department to complete his two (2) year criminal justice degree at Daytona State College. Mr. Bustamante advised Inspector Lycett that, based upon the investigative findings and discussions with University administration, Mr. Arcieri may have violated the University honor code, but there was insufficient evidence for the State Attorney's Office to proceed with any criminal prosecution related to violations of Florida State Statute 838 and/or 839.

Based upon the review by Mr. Bustamante's office, no further investigative activity is required and the investigation will be closed.

Case Number:EI-73-8546	Serial #:3
Author:Lycett, Brett L.	Office:Executive Investigations
Activity Start Date:02/20/2012	Activity End Date:02/20/2012

Approved By:Ward, Richard Allan

Description:SAO Response

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