



**Department of Public Protection**

TO: George Recktenwald, Director  
Department of Public Protection

FROM: David Vanis, Captain  
Department of Public Protection  
Internal Affairs Unit

DATE: April 3, 2014

SUBJECT: Case # IA-2014-320, Senior Officer Mark G. Pronovost, Volusia County Division  
of Corrections

**References:**

1. Notice of Internal Affairs Investigation (Dated March 20, 2014).
2. Arrest warrant Affidavit FDLE Case 2014139201 (Signed by Judge Zambrano March 18, 2014).
3. Arrest warrant Affidavit FDLE Case 2014139275 (Signed by Judge Henderson March 19, 2014).
4. Computer aided dispatch history for Police Event P140770650 (Event date March 18, 2014).
5. Daytona Beach Police Department Incident Report (Case number 140004711).
6. Volusia County Sheriff's Office Incident Report (Case number 140007319).
7. Resignation letter authored by SCO Mark Pronovost (Dated March 20, 2014).
8. Applicant Hit- retained fingerprint criminal history response for Mark Pronovost (Dated March 21, 2014).
9. Florida Department of Law Enforcement CJSTC 61/61A forms.

**Complaint:**

On March 18, 2014, Senior Corrections Officer (SCO) Mark G. Pronovost was arrested by the Florida Department of Law Enforcement's Cyber Crimes Task Force, having been charged with two counts of possession of sexual performance by a child [FSS 827.071(5)]. On March 19, 2014, Pronovost was charged with twenty(20) additional counts of possession of sexual performance by a child [FSS 827.071(5)].

**Information:**

On Tuesday March 18, 2014 at 0815 hours, the Florida Department of Law Enforcement Cyber Crimes Task Force and the Volusia County Sheriff's Office attempted to execute a search warrant at the residence of SCO Mark G. Pronovost in Orange City, Florida. The search warrant was in reference to possession of child pornography. While executing the search warrant, Pronovost requested to put his two year old child to bed. Once inside his master bedroom, Pronovost retrieved a black semi-auto handgun and barricaded himself in his master bedroom with his two year old child. He released his child shortly thereafter but remained barricaded in

the master bathroom for several hours until he surrendered. After surrendering, Pronovost was arrested by Task Force Agents and was charged with two counts of possession of sexual performance by a child (FSS 827.071(5)). This arrest was made by arrest warrant (Item 2) sign by Judge Zambrano.

Following SCO Pronovost's arrest, he was interviewed by Task Force agents. During the interview, Pronovost told investigators [REDACTED]

[REDACTED] These statements were made after Pronovost had voluntarily waived his constitutional rights per the Miranda Decision.

After reviewing the content of Pronovost's hard drive that was seized as a result of the search warrant, FDLE Task Force Agents secured an additional arrest warrant (Item 3) signed by Judge Henderson charging Pronovost with twenty additional counts of possession of sexual performance by a child (FSS 827.071(5)). The detailed description of the video files located on Pronovost's hard drive can be seen in the arrest warrant affidavit (Item 2). This warrant was served on Pronovost while he was in custody at the Seminole County Jail (John E. Polk Correctional Facility).

On March 19<sup>th</sup>, I was verbally directed to initiate an internal investigation into SCO Pronovost's arrest by Director Recktenwald.

On March 20, 2014, I responded to the John E. Polk Correctional Facility (Seminole County Jail), where Pronovost was currently being held. The purpose of this meeting was to notify Pronovost that he was the subject of an Internal Investigation and to serve him notice of suspension without pay. As soon as I identified myself to Pronovost, he advised that he wished to resign his position as a Volusia County Corrections Officer. I provided Pronovost with a sheet of notebook paper and a pen to write his resignation. Pronovost wrote and signed the resignation which was witnessed by a Seminole County Sheriff's Deputy working at the facility (Item 7). I provided Pronovost with a copy on the Notice of Internal Investigation but did not give him the notice of suspension due to his resignation. I advised him that the investigation would be completed regardless of whether he was employed by the County or not.

On March 21, 2014, I attended SCO Pronovost's First Appearance hearing at the Volusia County Branch Jail. Immediately following the hearing, I was notified that, at this point in time, SCO Pronovost's resignation was not yet accepted. I was instructed to serve him his notice of suspension. Prior to Pronovost's departure back to Seminole County, I served him his notice of suspension. I explained the situation to Pronovost and he signed the notice without incident.

On Wednesday March 26, 2014 Director Recktenwald directed me to serve Pronovost with a memo that his resignation was accepted. I responded to John E. Polk Correctional Facility and met Pronovost. Pronovost signed and accepted his copy of the memo. I advised Pronovost that if he wished, he could make a statement in regards to the internal investigation. He told me that he did not wish to make a sworn statement and that he understood that the Internal Investigation would be completed without his statement.

**Conclusion:**

Based upon the sworn documentation provided by FDLE and the statements made by SCO Pronovost during their investigation, it is clear that SCO Pronovost downloaded and viewed child pornography in violation of Florida State Statute 827.071(5), which is classified as a second degree felony.

**Findings:**

Based upon supporting documentation the following allegations against SCO Mark G. Pronovost are **sustained**:

***Florida Administrative Code 11b-27.0011(4)(a):*** *The perpetration by an officer of an act that would constitute any felony offense, whether criminally prosecuted or not*

***Merit System Rules and Regulations Sec. 86-453 Conduct of employees (a) Code of conduct:*** *Employees of the county government are employed to provide service to the citizenry of the county and the public in general and are expected to conduct themselves in a manner that will reflect credit on the county government, public officials, fellow employees and themselves. Employees must avoid any action which might result in or create the impression of using public office for private gain, giving preferential treatment to any person, or losing impartiality in conducting public business.*

***Merit System Rules and Regulations Sec. 86-453. Reasons for disciplinary action (8):*** *Criminal, dishonest or other conduct which interferes with effective job performance or has an adverse effect on the efficiency of county service.*

***Merit System Rules and Regulations Sec. 86-453. Reasons for disciplinary action (13):*** *Any conduct, on or off duty, that reflects unfavorably on the county as an employer.*

***Volusia County Division of Correction Policies and Procedures 102.09:*** *Correctional Officers shall conduct themselves in a professional manner at all times and remain cognizant of his/her responsibilities to the Division and the inmates in his/her charge.*

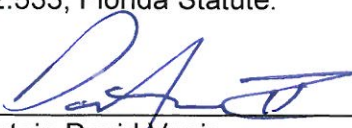
***Volusia County Division of Correction Policies and Procedures 102.09 (RR):*** *Division of Corrections personnel are employed to provide service to the citizenry of the county and the public in general, and are expected to conduct themselves in a manner that will reflect credit on county government, public officials, fellow employees and themselves.*

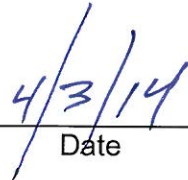
***Volusia County Division of Correction Policies and Procedures 102.09(TT):*** *Employees shall refrain from any activity either on/off duty that would not be of good moral character. Examples of this are, but not limited to, any act constituting a criminal act, any principal, accessory, attempt, solicitation, or conspiracy of committing any criminal act.*

**Concluding Statement:**

Unless otherwise directed, this investigation is considered closed, and is submitted for review and action as deemed appropriate. The original attachments of interviews and other documents pertaining to this investigation remain on file with the Internal Affairs Unit.

"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 Statute."

  
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Captain David Vanis

  
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Date