

**VOLUSIA SHERIFF'S OFFICE  
INTERNAL AFFAIRS  
REPORT OF INVESTIGATION**

**REPORT NUMBER: IA 21-001**

**PERIOD COVERED:** January 14, 2021  
**DATE REPORTED:** January 14, 2021  
**SUBJECT(S) NAME:** Sergeant Ryan Mills, #1574  
**INVESTIGATING OFFICER:** Lieutenant Daniel Shivers, #6842

**BASIS FOR INVESTIGATION:**

On January 14, 2021, while reviewing the status of open incidents in IAPro, Lieutenant Shivers observed Sergeant Ryan Mills viewed a letter of reprimand belonging to Lieutenant Justin Sawicki on January 14, 2021, at approximately 1152 hours, and again at approximately 1159 hours, via BlueTeam. Sergeant Mills did not have the authorization to view incidents not specifically assigned to him in BlueTeam.

Based on the unauthorized viewing of Lieutenant Sawicki's letter of reprimand, Lieutenant Shivers completed a supervisor inquiry detailing the findings of a preliminary investigation into the incident.

Upon review of the supervisor inquiry, due to the nature of the incident, Chief Deputy Joseph Gallagher initiated an internal affairs investigation after an offer of Fast-Track Discipline was declined by Sergeant Mills.

**OFFENSE(S): Volusia Sheriff's Office General Orders:**

**GO-026.02.IV.C.5.g – Failure to Follow General Order, Standard Operation Procedure, or Order** – Employees shall adhere to all official general orders, standard operational procedures, and orders, and shall faithfully execute all the duties and responsibilities of their assigned position.

**GO-026-02.IV.D.6.k** – Employees shall not, directly or indirectly, use or allow the use of the VSO property of any kind for other than official activities.

**GO-26-02.IV.D.9.n – Access, Use of Secure/Restricted Databases\*** – Only authorized employees who have acknowledged in writing the confidentiality, restrictions and legal ramifications associated with access to such data/information are permitted to access and utilize agency designated secure/restricted databases and only for specific law enforcement/criminal justice purposes. Unauthorized use includes, but is not limited to, queries not related to a legitimate law enforcement purpose, personal use, improper dissemination to non-law enforcement personnel and sharing, copying or distributing information to unauthorized users. Unauthorized access, use or disclosure of data from secure/restricted databases is a serious matter and may result in civil or criminal penalties.

(1) No employee shall use this authorized access as a privilege or means to gain access to protected information about others for any purpose other than law enforcement business directly associated with their assignment and shall do so during scheduled/required work hours. Due to the sensitive nature of the information being accessed and the potential for legal ramifications associated with a violation.

\*Secure/Restricted Databases Defined – A criminal justice database that requires the use of a password or authentication process to gain access to the database. Examples include but are not limited to: IAPro, BlueTeam, CAD/RMS, CAREER OFFENDER AND STATEWIDE TRACKING, CDC, CJIS, CJNET, CLERK.ORG, DAVID, FCIC/NCIC, FDLE SEXPREP MAINTENANCE, FINDER, JAIL PHOTO IMAGING, OFFENDER WATCH, ETC.

**GO-26-02.IV. G.2.a** – VSO personnel are required to possess a sound working knowledge of the policies and procedures established by general orders and standard operating procedures.

## **INVESTIGATION:**

On January 14, 2021, at approximately 1236 hours, while reviewing the status of open incidents in IAPro, Lieutenant Shivers researched a letter of reprimand that was sent to Lieutenant Sawicki, to determine its status. Upon conducting an audit trail inspection to determine if Lieutenant Sawicki had viewed the letter of reprimand, Lieutenant Shivers noted that Sergeant Ryan Mills viewed the letter of reprimand belonging to Lieutenant Sawicki. According to the timestamp entries in the user log, Sergeant Mills viewed Lieutenant Sawicki's letter of reprimand on January 14, 2021, at 1152 hours, and again at 1159 hours; via BlueTeam.

Lieutenant Shivers determined Sergeant Mills did not have the authority to review incidents in BlueTeam that do not pertain directly to him while working as a Detective Sergeant in the Investigative Services Section (ISS). Upon reviewing Sergeant Mills' permissions in BlueTeam, Lieutenant Shivers observed Sergeant Mills still had access to all of BlueTeam's incident review functions, as it was configured in this manner when he was assigned as the Internal Affairs

supervisor. Lieutenant Shivers determined while Sergeant Mills retained the enhanced access to BlueTeam, upon being re-assigned to ISS from Internal Affairs, he no longer had the authorization to view, or otherwise access other deputies' BlueTeam incidents, as it is not relevant to his current assignment.

Lieutenant Shivers subsequently changed Sergeant Mills' BlueTeam access, and permissions level, commensurate to his position as a Detective Sergeant.

While conducting the preliminary investigation, Lieutenant Shivers observed Lieutenant McDaniel assigned Sergeant Mills' letter of reprimand to Sergeant Mills on January 14, 2021, at approximately 1150 hours in BlueTeam. Lieutenant Shivers conducted a check of Sergeant Mills' BlueTeam login, and observed, on January 14, 2021, at approximately 1151 hours, from within his office at District Six, Sergeant Mills utilized his personal username and password to log into BlueTeam.

It should be noted, Lieutenant Shivers confirmed through Information Technology that Sergeant Mills utilized his personal credentials to login to the aforementioned desktop prior to opening BlueTeam in the Google Chrome application.

Upon logging into BlueTeam, it was observed Sergeant Mills viewed Lieutenant Sawicki's letter of reprimand on January 14, 2021 at 1152 hours, and then viewed his own letter of reprimand at 1154 hours.

Approximately two minutes later, at 1156 hours, Sergeant Mills updated his letter of reprimand by imputing his name, and departmental identification number (DID), into the comments field, and forwarded his letter of reprimand back to Lieutenant McDaniel at 1158 hours.

After forwarding his issued letter of reprimand back to Lieutenant McDaniel, it was observed Sergeant Mills re-opened and viewed his letter of reprimand, and then re-opened Lieutenant Sawicki's letter of reprimand at 1159 hours.

It should be noted, each letter of reprimand has unique identification numbers in IAPro/BlueTeam, so therefore it is easily determined which letter of reprimand (or other incident) is viewed. In this specific incident, Lieutenant Sawicki's letter of reprimand is identified as number 27580, while Sergeant Mills' letter of reprimand is identified as number 27579. Sergeant Mills reviewed both documents more than once; all at different times between 1152 and 1159 hours.

Lieutenant Shivers determined Sergeant Mills intentionally viewed Lieutenant Sawicki's letter of reprimand without authorization. This determination was made after observing Sergeant Mills

acknowledged his own letter of reprimand by imputing his name and DID into the comments section, and forwarded it to Lieutenant McDaniel at 1158 hours.

By forwarding the letter of reprimand, Sergeant Mills completed his authorized action in BlueTeam. Sergeant Mills had no further need to view, or otherwise access any other BlueTeam incident; to include Lieutenant Sawicki's letter of reprimand. However, Sergeant Mills re-accessed Lieutenant Sawicki's letter of reprimand at 1159 hours after viewing, and acknowledging, his own letter of reprimand.

Based on the facts, and totality of the circumstances, Lieutenant Shivers notified his chain of command, and began a supervisor's inquiry into the incident.

On January 19, 2021, Lieutenant Shivers contacted Sergeant Mills and provided him with a "Fast-Track Discipline" form. Upon making contact with Sergeant Mills, Sergeant Mills spontaneously and voluntarily advised, without being questioned, that he inadvertently opened Lieutenant Sawicki's letter of reprimand in BlueTeam, believing it was incorrectly sent to him from his supervisor, Lieutenant Kyle McDaniel. Sergeant Mills advised he immediately contacted Lieutenant McDaniel via telephone and soon thereafter realized he had opened the wrong incident.

Lieutenant Shivers contacted Lieutenant McDaniel to inquire about Sergeant Mills' statements, at which time Lieutenant McDaniel advised Sergeant Mills did contact him and advised he believed Lieutenant McDaniel forwarded him Lieutenant Sawicki's letter of reprimand accidentally; however, Lieutenant McDaniel advised while on the phone with Sergeant Mills, Sergeant Mills realized he had "clicked the wrong one" and opened Lieutenant Sawicki's letter of reprimand, at which time the phone call ended. Lieutenant McDaniel advised he had no knowledge of Sergeant Mills re-opening, or accessing, Lieutenant Sawicki's letter of reprimand after Sergeant Mills accessed his own letter of reprimand.

On January 22, 2021, Sergeant Mills sent an email to Lieutenant Shivers advising he did not wish to participate in the "Fast-Track Discipline" procedure.

Lieutenant Shivers forwarded the completed supervisor inquiry through his chain-of-command, at which time Chief Deputy Gallagher ordered an internal investigation be conducted by Internal Affairs.

### **Interview with Lieutenant Kyle McDaniel**

On January 26, 2021, at 1113 hours, Lieutenant Shivers, and Sergeant Brian Cobb conducted a sworn interview with Lieutenant McDaniel at the TCK Administrative Office in DeLand. Below is a summary of the interview:

Lieutenant McDaniel advised he received a letter of reprimand for Sergeant Mills via BlueTeam from his commander, Captain Eric Dietrich. He advised he forwarded the letter of reprimand to Sergeant Mills for acknowledgement, and return. Lieutenant McDaniel stated after a few moments, Sergeant Mills contacted him via telephone and said Lieutenant McDaniel sent him the wrong letter of reprimand; specifically one issued to Lieutenant Sawicki.

Lieutenant McDaniel stated he advised Sergeant Mills that he did not send Lieutenant Sawicki's letter of reprimand, at which time Sergeant Mills asked him to "*hold on,*" and, "*did some things around the computer;*" subsequently locating the letter of reprimand issued to him.

Lieutenant McDaniel advised he did not give any authorization to review any other deputies' BlueTeam or letter of reprimand.

Lieutenant McDaniel was unaware Sergeant Mills had accessed and reviewed Lieutenant Sawicki's letter of reprimand after Sergeant Mills acknowledged and forwarded his letter of reprimand back to Lieutenant McDaniel. After advising Lieutenant McDaniel that Sergeant Mills viewed Lieutenant Sawicki's letter of reprimand a second time, Lieutenant Shivers asked Lieutenant McDaniel if he provided Sergeant Mills with any authorization, or permission, to review Lieutenant Sawicki's letter of reprimand. Lieutenant McDaniel again advised he had not given authorization or permission.

Lieutenant McDaniel advised Sergeant Mills later stated he "*accidentally clicked on it*" when they spoke about him initially opening Lieutenant Sawicki's letter of reprimand while discussing the "Fast-Track Discipline" offer.

Lieutenant Shivers researched BlueTeam and IAPro to determine how and when a user log entry is recorded within BlueTeam. Lieutenant Shivers re-configured his settings and permissions consistent with Sergeant Mills' when he reviewed the letters of reprimand. Lieutenant Shivers observed a user log entry was only made when a BlueTeam incident was opened, or re-opened after it was closed. Lieutenant Shivers observed once an incident was opened, navigating from page to page, or section to section, did not create a new user log entry.

Lieutenant Shivers then contacted CI Technologies, Inc., who are the creators of BlueTeam and IAPro. Representatives of CI Technologies, Inc. (IT Specialist Lloyd Cox and Program Developer William Li) confirmed a user log entry would only be generated if a user opened or

re-opened an incident. They also advised reviewing an already open incident's details would not generate a new user log entry.

Specifically, IT Specialist Cox advised:

*“When you click on an incident in BlueTeam NextGen and open the incident, it loads the entire incident including all the various menu options such as incident details, attachments, response, etc. All of these are loaded into the web page at the same time you open the incident so clicking in each individual menu item does not record to the usage log.*

*With the example youre provided where the user opened incident A, then opened incident B, then opened incident A again 9 minutes later, the 2<sup>nd</sup> opening of Incident A was not as a result of clicking through various menu options within Incident A. There are two ways the usage log would have recorded the opening of incident A a second time.*

*The user would have had to once again click on the incident and load it into the web page which then triggers the usage log entry indicating they opened the incident a 2<sup>nd</sup> time.*

*The other option that could cause this is the user selected the back button on their web browser and went “back” to incident A. The BlueTeam NextGen would treat this as if the user clicked on it a 2<sup>nd</sup> time and loaded the incident and an entry would have been written to the usage log showing the user opened that incident a second time.*

*Either way we are confident the user opened incident A twice and it was not because they were moving through the various menu options within incident A which caused the 2<sup>nd</sup> usage log entry to be written 9 minutes later.”*

### **Interview with Sergeant Ryan Mills**

On February 1, 2021, at approximately 1302 hours, Lieutenant Shivers, and Sergeant Brian Cobb conducted a sworn interview with Sergeant Mills at the Volusia Sheriff's Office administration building in DeLand. Sergeant Sean Gowan was also present during the interview at the request of Sergeant Mills. Below is a summary of the interview:

Sergeant Mills was sworn in by Lieutenant Shivers and signed an “Advisement of Rights for a Disciplinary Interview Garrity Warning” form; which Sergeant Mills understood.

Sergeant Mills stated he served as the Internal Affairs supervisor for approximately two years, and during his time he had access and authorization to view any/all BlueTeam documents and

incidents. Sergeant Mills also advised as a Detective Sergeant, he does not have the authorization to view any other incidents, with the exception to those directly pertaining to him.

Sergeant Mills advised he was unaware his permissions had not been changed upon his transfer from Internal Affairs, and advised he had never used the newly updated “BlueTeam NextGen” that is currently being utilized by the Volusia Sheriff’s Office until reviewing this incident.

It should be noted, the Volusia Sheriff’s Office began utilizing “BlueTeam NextGen” in October, 2020. This web-based software updated the older BlueTeam version that the Sheriff’s Office used for several years. On November 16, 2020, Lieutenant Shivers notified BlueTeam users of the upgrade to BlueTeam NextGen via email.

Sergeant Mills was asked to explain where he was and what happened when he received his letter of reprimand in BlueTeam from Lieutenant McDaniel. Sergeant Mills responded with,

*“First, I received a phone call from him [Lieutenant McDaniel] letting me know he was going to send it through, and I was in my office at District Six. Um, and then shortly after I received this email with this link [points to a printed copy of the auto-generated email he received through BlueTeam with the login link] indicating that, uh, a document had been assigned to me.”*

Sergeant Mills advised he attempted to follow the link in the auto-generated email, but it sent him to Internet Explorer, which does not support the web-based BlueTeam. Sergeant Mills advised he subsequently logged into BlueTeam via Google Chrome.

Sergeant Mills explained once he logged into BlueTeam, he advised,

*“I noticed I had one item in my inbox. I went ahead and clicked on the item, I opened it up, I began reviewing it. Upon reviewing it, I realized it wasn’t mine. So I used the arrow and backed out. Um, I looked at the document in my inbox. It had my name as the employee, I clicked on it again, opened it up, the same document opened, so I then notified my supervisor that I had the wrong item in my box. Um, I don’t remember exactly what he said, but we hung up. Um, I went ahead and refreshed, with the little refresh button for the internet explorer...not internet explorer, but Chrome. I refreshed the whole web browser. Went back to my inbox, again there was one item in my inbox, I clicked on it, and opened it up and it was my letter of reprimand. I went ahead and signed it...well actually I went ahead...I can’t remember if I signed it first or called Kyle [Lieutenant McDaniel] first...my supervisor...went ahead and notified him that I was able to rectify the situation. I signed it, um. I hit complete. Signed it with my name and DID. Um, I then tried to forward it to Kyle and another box popped up. Again I gave my name and DID, and then I forwarded it to Kyle.”*

Sergeant Mills advised he never intended to view Lieutenant Sawicki's letter of reprimand, and stated, *"Absolutely not. It didn't have any benefit whatsoever for me to read that item."*

Lieutenant Shivers confirmed with Sergeant Mills that once he signed and forwarded his letter of reprimand to Lieutenant McDaniel, his business in BlueTeam was complete. At this time, Lieutenant Shivers asked Sergeant Mills, *"Why did you re-open Lieutenant Sawicki's LOR at 1159?"* at which time Sergeant Mills stated, *"I didn't. I actually got up from the computer and walked in and talked to the detectives and then shortly after that I left and went and got something to eat coz I wanted to walk out of the office."*

Lieutenant Shivers reminded Sergeant Mills that the BlueTeam logs showed that he reviewed Lieutenant Sawicki's LOR, along with his own, at which time Sergeant Mills replied, *"I never reviewed mine again. I only viewed mine once."*

Sergeant Mills asked a question about the BlueTeam logs, as they show he viewed his and Lieutenant Sawicki's letters of reprimand at 1159 hours at the *"same exact time."* Lieutenant Shivers explained that the logs do not indicate the seconds within the minute on either timestamp.

Sergeant Mills then again stated, *"I, I didn't view mine a second time."*

Lieutenant Shivers again reviewed with Sergeant Mills the user logs within BlueTeam and IAPro that show Sergeant Mills accessed his and Lieutenant Sawicki's letters of reprimand a second time. Sergeant Mills responded with, *"I understand what you're saying. I only viewed mine once, and I viewed his twice...the two times I told you."*

Lieutenant Shivers asked Sergeant Mills if he read Lieutenant Sawicki's letter of reprimand, and Sergeant Mills advised he only read it up to the point where he realized it was a letter of reprimand not belonging to him.

Lieutenant Shivers went back to the BlueTeam audit trail that was provided to Sergeant Mills prior to the interview. Lieutenant Shivers showed Sergeant Mills where the audit trail showed he opened Lieutenant Sawicki's letter of reprimand, then viewed and updated his own letter of reprimand. Lieutenant Shivers asked Sergeant Mills if he used the "back" button on his browser to go back to his letter of reprimand, at which time Sergeant Mills advised he was unsure.

Referring to the audit trail, Lieutenant Shivers asked Sergeant Mills, *"Why does this show that it, that, that you reviewed the incident at 1159?"* at which time Sergeant Mills stated, *"I can't explain why it says 1159 there, but I can tell you that I did review the item twice. But it was*



*towards the beginning of these times [pointing to the 1152-1154 timeframe in the audit trail]. I don't know why it says 1159."*

Sergeant Mills advised he did view Lieutenant Sawicki's letter of reprimand twice; however, disputes the times the audit trail log shows that he viewed it. He advised he viewed Lieutenant Sawicki's letter of reprimand *"one after another"* before he reviewed his own letter of reprimand, not seven minutes apart as the audit trail recorded.

Sergeant Mills again advised he clicked the link within his BlueTeam inbox and it opened up Lieutenant Sawicki's letter of reprimand; not his own. He advised he did this a total of two times, and only until after he refreshed his browser page was he able to click on the link and actually review his own letter of reprimand.

Later in the interview, Lieutenant Shivers asked Sergeant Mills if he remembered what time he got home for lunch, at which time Sergeant Mills responded, *"Oh shit, no. Probably, uh, I was going to say around noon, but not if I was in there at 1159. Ehhh...Sometime after noon...Maybe about 1230 or so. I don't know for sure. I didn't think I'd have to log my times that day, you know what I mean?"* Lieutenant Shivers asked how long he was in speaking with the detectives, and Sergeant Mills advised, *"It went long maybe, somewhere between 10-20 minutes maybe."*

Lieutenant Shivers asked, *"You left probably before it logged you out?"* meaning Sergeant Mills left the district office prior to 1239 hours when his activity in BlueTeam was terminated. Sergeant Mills stated, *"Yea, yea. I left before it logged me out I'm sure. Because it said what, uh, what 1259 or something like that was the time?"* Lieutenant Shivers advised the log said 1239 hours, at which time Sergeant Mills stated, *"Oh I think I was probably home eating by then."* Lieutenant Shivers and Sergeant Mills reviewed the user log entry in the case file provided to Sergeant Mills prior to the interview, and confirmed the time was 1239 hours. Sergeant Mills then stated, *"Yeah, I, I should have been home by then."*

Sergeant Cobb asked Sergeant Mills to clarify his statements as to what occurred when he received the BlueTeam alert via email. During this time, Sergeant Cobb reaffirmed Sergeant Mills' statements of when he logged into BlueTeam and opened his inbox, he observed a letter of reprimand that belonged to him, but when he clicked on the document, it belonged to Lieutenant Sawicki. Sergeant Mills' response was:

*"The first time I pulled it up, I saw one item in my inbox and I clicked on it. I'll be honest, I never looked at the name. I just clicked on it...went inside. When I started to read it, it said Sawicki in the narrative, and then I saw the dates and realized it wasn't mine. I hit back, verified it said my name as the employee name. I clicked on it again. Went back in and it was Sawicki's*

*again. That's when I refreshed the entire browser, went back to inbox in BlueTeam, opened up the document and it was mine."*

Sergeant Mills went onto state again that he admits to viewing the document twice; however, he did it in the beginning, and does not know why the audit trail would indicate he viewed it at 1159 hours.

Additionally, Sergeant Mills was asked by Sergeant Cobb if he read Lieutenant Sawicki's letter of reprimand more in-depth the second time he opened it "*out of curiosity*," at which time Sergeant Mills advised he did not, and once he opened it and realized it was still not his letter of reprimand, he navigated out of it.

During the interview, Sergeant Mills was asked if he violated the following Volusia Sheriff's Office General Orders –

**GO-026-02.IV.C.5.g** – Failure to Follow General Order, Standard Operation Procedure, or Order **No**

**GO-026-02.IV.D.6.k** – Employees shall not, directly or indirectly, use or allow the use of VSO property of any kind for other than official activities. **No**

**GO-026-02.IV.D.9.n** – Access, use of secure/restricted databases. **No**

**GO-026-02.IV.G.2.a** – VSO Personnel are required to possess a sound working knowledge of the policies and procedures established by General Orders and standard operating procedures. **No**

The interview with Sergeant Mills ended at approximately 1326 hours.

Based on the statements made by Sergeant Mills during his interview, Lieutenant Shivers re-contacted CI Technologies, Inc. to obtain further information as to the discrepancy of the audit log and Sergeant Mills' statements.

Lieutenant Shivers provided personnel from CI Technologies, Inc. with the following information provided by Sergeant Mills as to his recollection of events:

1. *"He advised when he received the auto-generated email indicating he had "Incident A" to review, he clicked the internal link, which opened up Blue Team, and showed he had (1) incident in his inbox for review. He said he opened the item in his inbox, and as he began reviewing it, he observed it was "Incident B," which belonged to a different deputy.*

2. *He said he pressed the “back” button on his browser, and checked the link and observed it was “Incident A,” because it had his name on the partial narrative view.*
3. *He re-opened the incident; however, it led him to “Incident B” again.*
4. *He stated he then “refreshed” his browser, re-opened his inbox, and clicked on the link a third time. He advised after refreshing his browser, the link led him to the correct “Incident A.”*
5. *He is advising he did not view “Incident A” or “Incident B” again after he forwarded “Incident A” through his chain-of-command.*
6. *He indicated he viewed “Incident B” twice and “Incident A” once at/around 1152-1154 hours, then never reviewed either incident again.*
7. *Our audit trail shows the following –*
  - a. *He logged into BlueTeam at 1151 hours.*
  - b. *He viewed Incident B at 1152 hours.*
  - c. *He viewed Incident A at 1154 hours.*
  - d. *He re-viewed Incident A again at 1154 hours.*
  - e. *He updated Incident A at 1156 hours.*
  - f. *He routed Incident A at 1158 hours to his supervisor.*
  - g. *He viewed Incident A at 1159 hours.*
  - h. *He viewed Incident B at 1159 hours.*
  - i. *His BlueTeam session was destroyed at 1239 hours.*

*My question for your team is, is it possible, or have you encountered any issues where the above scenario has happened in the past?”*

It should be noted, “Incident A” is referring to Sergeant Mills’ letter of reprimand and “Incident B” is referring to Lieutenant Sawicki’s letter of reprimand.

After explaining the statements made by Sergeant Mills to personnel from CI Technologies, Inc., IT Specialist Cox and Program Developer Li determined Sergeant Mills had to physically open Lieutenant Sawicki’s letter of reprimand the second time by actually clicking on the link to the incident within BlueTeam.

IT Specialist Cox stated:

*"I spoke with William [William Li], the Developer of BlueTeam NextGen. We have over 400 agencies with this application installed and have never had a single issue or complaint about a user clicking on one incident and getting a completely different incident.*

*Further William advised what your employee reports is just not possible. When a user clicks on an incident, the link takes you directly to that incident only and can not/does not take you to a different incident.*

*As for the timeframe issue of your employee indicating he did a.I this in just a couple of minutes instead of the unauthorized incident being opened 7 minutes later like the log shows. William advised the log is accurate, someone would have to tamper with the clock on the server to provide the wrong time which users wouldn't have access to. We stand by the fact the time on the log is accurate."*

Lieutenant Shivers confirmed through Volusia Sheriff's Office Information Technology that it would be impossible for Sergeant Mills to change the server clock due to installed firewall settings. It should be noted, Lieutenant Shivers was also advised by Volusia Sheriff's Office Information Technology that none of the cache or URL data was available for review from Sergeant Mills' computer due to it being purged in accordance with the security and technology settings within the internal network.

It should also be noted, Sergeant Mills did not have any activity within BlueTeam after viewing Lieutenant Sawicki's letter of reprimand. Additionally, Sergeant Mills did not log out of BlueTeam until 1239 hours on 01/14/2021; approximately 40 minutes after he viewed Lieutenant Sawicki's letter of reprimand. This log out may have been conducted automatically due to inactivity.

Additionally, in the login screen of BlueTeam, below the login/password box, a notice to users is present. The notice states the following –

*"Volusia SO BlueTeam 6.5.54*

*Copyright 2001 CI Technologies, Inc. All rights reserved. BlueTeam is a trademark of CI Technologies, Inc. The content of this application is sensitive. Use of this application is logged. Misuse will be investigated and may be prosecuted."*

It was observed Sergeant Mills logged into BlueTeam utilizing the login screen with the aforementioned notice.

Lieutenant Shivers reviewed the surveillance footage from the District Six substation on January 14, 2021 to determine if one of the surveillance cameras captured Sergeant Mills exiting the district office. Lieutenant Shivers observed Sergeant Mills' issued Chevrolet Silverado truck leaving the district parking lot at 1223 hours. Lieutenant Shivers observed a passenger seated in the passenger side front seat of Sergeant Mills' truck.

Lieutenant Shivers then checked the license plate reader system to determine if Sergeant Mills' truck was recorded on any reader. Lieutenant Shivers observed Sergeant Mills' truck triggered the license plate reader near Saxon Boulevard and Finland Drive while traveling eastbound into Deltona at 1233 hours. This was confirmed by the photograph of Sergeant Mills' issued truck and the license plate affixed to it (Florida license plate - KRHG62). Sergeant Mills' license plate was confirmed via RMS as affixed to his issued truck.

Lieutenant Shivers utilized Google Maps, and determined the District Six office to the license plate reader site at Saxon Boulevard and Finland Drive was approximately 4.3 miles away, and generally takes approximately 11 minutes to travel to. Lieutenant Shivers observed Sergeant Mills' statements that he went home to eat after speaking with detectives is inaccurate and impossible, as Sergeant Mills' home address is not in Deltona, nor anywhere near the license plate reader site. It is clear Sergeant Mills did not go home after leaving the district as he indicated during his interview. Specifically, Sergeant Mills stated, "*Oh I think I was probably home eating by then.*" when Lieutenant Shivers advised the user entry log said he was logged off at 1239 hours, and also when Sergeant Mills stated, "*Yeah, I, I should have been home by then.*" when shown the actual 1239 hours timestamp on the log.

Sergeant Mills' truck did not trigger any other license plate readers while in Deltona. However, Lieutenant Shivers did observe Sergeant Mills' triggering a second license plate reader at 1322 hours on January 14, 2021, while traveling westbound on East Highbanks Road in DeBary.

### **Interview with Detective Steven Wheeler**

On February 8, 2021, at 0921 hours, Lieutenant Shivers and Sergeant Brian Cobb conducted a sworn interview with Detective Steven Wheeler at the TCK Administrative Office in DeLand. This interview was conducted after Sergeant Mills' interview, as Sergeant Mills identified Detective Wheeler as a potential witness in this Internal Affairs investigation. Below is a summary of the interview:

Detective Wheeler advised on January 14, 2021, Sergeant Mills came into the detectives' area of the District Six office. He advised Sergeant Mills was upset over receiving discipline for "*two IA cases missing.*" Detective Wheeler advised after Sergeant Mills spoke with him for a few minutes, he and Sergeant Mills departed the District Six office in Sergeant Mills' truck and drove

directly to Deltona to conduct an interview with a witness for a criminal investigation. Detective Wheeler stated Sergeant Mills accompanied him during the interview because neither of the other two detectives were available at the time. He advised they went to a residence near the Racetrac convenience store on Saxon Boulevard, which is located at the intersection of Saxon Boulevard and Finland Drive to conduct the interview.

Detective Wheeler advised they arrived at the witness' house around "1230-1." Detective Wheeler advised he remembered the time because he wanted to ensure he was back at the District Six office before 1400 hours, as he had another appointment scheduled. Detective Wheeler advised he and Sergeant Mills were at the witness' residence conducting the interview for approximately 35-40 minutes, and when they left, he and Sergeant Mills went back to the District Six office.

Detective Wheeler advised they did not go to Sergeant Mills' residence that day, nor did they go get anything to eat. Detective Wheeler stated he does not remember stopping anywhere else while with Sergeant Mills, and remembers arriving back at the District Six office right around "1:30 – 1:35."

Lieutenant Shivers observed Detective Wheeler's statements corroborate the District Six surveillance video and the license plate reader information.

Lieutenant Shivers asked Detective Wheeler if Sergeant Mills ever mentioned that he reviewed Lieutenant Sawicki's letter of reprimand, and Detective Wheeler replied, "*In error.*" Lieutenant Shivers asked Detective Wheeler what Sergeant Mills said, and Detective Wheeler stated, "*That's it. He said he was, he said that he was following up on his discipline and, and when he went in...He said, he said it didn't look like his, he looked down and saw a name, and goes 'that's not mine' and he got out of it. That's exactly what he told me, and that's as far as it went.*"

Sergeant Cobb asked Detective Wheeler what Sergeant Mills said to him while complaining about receiving the discipline, at which time Detective Wheeler stated, "*He didn't tell me what he went...he, I swear to god he didn't tell me where he went. He mentioned he went into a system to look up his discipline or whatever it was, or look up his complaint. I don't even know what it was, and when he went in, he said that, uh, when he went in, he was looking at a file, and it wasn't his, and he said 'Oh my god that's not mine' and he got out of it...After he saw it was Sawicki's.*" Detective Wheeler was unsure when he and Sergeant Mills had this conversation, but he believed it was before Sergeant Mills' internal investigation began.

After reviewing the statements made by Detective Wheeler, Lieutenant Shivers recalled Sergeant Mills made a brief statement in his administrative interview that he and Detective Wheeler

conducted an interview with a witness for a criminal case they were assigned. Lieutenant Shivers re-listened to the statements made by Sergeant Mills, and observed during the interview, Sergeant Cobb and Sergeant Mills were discussing the timeframe when Sergeant Mills forwarded his letter of reprimand and went into the detectives' office and discussed his discipline. During this time, Sergeant Mills stated, *"No, I...right after I signed mine and forwarded it, I got up and I told them I got an LOR."* Sergeant Cobb asked, *"And then you hung out in there..."* at which time Sergeant Mills stated, *"I hung out in there because we had just, uh, myself and Wheeler just finished an interview on a case we were working. Um, I hung out there for, I don't know, a few minutes. I don't know how many minutes, and then I left and I went home and I got something to eat."* Lieutenant Shivers observed Sergeant Mills' statements were inconsistent with the statements made by Detective Wheeler, and the video surveillance & license plate reader evidence.

Lieutenant Shivers also observed Sergeant Mills' statement after he was asked why he re-opened Lieutenant Sawicki's letter of reprimand is also inaccurate. His statement, *"I didn't. I actually got up from the computer and walked in and talked to the detectives and then shortly after that I left and went and got something to eat coz I wanted to walk out of the office"* was also not corroborated by the statements made by Detective Wheeler.

### **Interview with Detective Gary Martin**

On February 9, 2021, at 1324 hours, Sergeant Brian Cobb conducted a sworn interview with Detective Gary Martin at the TCK Administrative Office in DeLand. This interview was conducted after Sergeant Mills' interview, as Sergeant Mills identified Detective Martin as a potential witness in this Internal Affairs investigation. Below is a summary of the interview:

Detective Martin advised he was aware Sergeant Mills had been served paperwork by Internal Affairs, as he saw Sergeant Mills meeting with Lieutenant Shivers and Sergeant Cobb. Sergeant Cobb asked Detective Martin if he recalled Sergeant Mills coming into the detectives' office and *"venting or complaining about getting this letter of reprimand?"* at which time Detective Martin stated, *"He seemed a little upset, not his normal self. I'm curious what was wrong with him and I noticed that he had met with you and Lt. Shivers just prior to that and he said there was an investigation stemming from some paperwork that was misplaced up here in internal affairs. Of course it was my immediate concern was probably that he met with IA and he was currently my supervisor so I was concerned maybe it involved someone in our unit at the time. But he dispelled my fears of that."*

Detective Martin stated he was *"very sure"* the day Sergeant Mills came in to the detectives' office was the day Sergeant Mills met with Internal Affairs.

While attempting to narrow the timeline and clarify the dates, Detective Martin advised again he believed the day Sergeant Mills came into his office discussing his discipline was the same day he met with Internal Affairs.

Sergeant Cobb asked Detective Martin if Sergeant Mills ever discussed with him any matter that had to do with Lieutenant Sawicki, at which time Detective Martin stated, *“Yes, he said I guess prior to that IA was Lieutenant Sawicki was his supervisor up there at the time so they were both being disciplined I guess. And he received notification I guess BlueTeam. I don’t know how it all works but he said something about he went to his dashboard, tried to pull up the attachment for his discipline, and Lieutenant Sawicki’s discipline was in there.”*

Detective Martin advised Sergeant Mills did not say if he read Lieutenant Sawicki’s letter of reprimand, but stated, *“He said he went to it and his wasn’t there, Lieutenant Sawicki’s was so he shut it down and I think he said he went to try to get his again and it was still Lieutenant Sawicki’s, so he said he notified his supervisor, Lieutenant McDaniel.”*

During the interview, Sergeant Cobb again attempted to narrow down the dates Sergeant Mills came into the detectives’ office and discussed his discipline; however, it was determined Detective Martin was unsure and unable to recall which days Sergeant Mills spoke to him regarding receiving his letter of reprimand and reviewing the incident in BlueTeam. Due to Detective Martin’s confusion as to his recollection of the days, he inaccurately described the known actions of Sergeant Mills in relation to the timeline of events.

### **Interview with Detective Justin Martir**

On February 9, 2021, at 1359 hours, Lieutenant Daniel Shivers and Sergeant Brian Cobb conducted a sworn interview with Detective Justin Martir at the TCK Administrative Office in DeLand. This interview was conducted after Sergeant Mills’ interview, as Sergeant Mills identified Detective Martir as a potential witness in this Internal Affairs investigation. Below is a summary of the interview:

Detective Martir advised throughout the interview he was unaware Sergeant Mills received a letter of reprimand, and was currently the subject of an internal investigation. Additionally, Detective Martir stated he had not been directly told or overheard anything regarding Lieutenant Sawicki’s letter of reprimand or Sergeant Mills reviewing any documents in BlueTeam.

### **CONCLUSION:**

On February 15, 2021, Sheriff Chitwood determined Sergeant Mills violated the following General Orders:



**GO-026.02.IV.C.5.g** – Failure to Follow General Order, Standard Operation Procedure, or Order **Sustained**

**GO-026-02.IV.D.6.k** – Employees shall not, directly or indirectly, use or allow the use of VSO property of any kind for other than official activities. **Sustained**

**GO-026-02.IV.D.9.n** – Access, use of secure/restricted databases. **Sustained**

**GO-026-02.IV.G.2.a** – VSO Personnel are required to possess a sound working knowledge of the policies and procedures established by General Orders and standard operating procedures. **Sustained**

On February 16, 2021, Sergeant Mills was issued a letter of reprimand for the aforementioned General Order violations.

**EXHIBIT(S):**

- A. Report of Investigation
- B. Official Correspondence
- C. Supervisor Inquiry SI-21-003
- D. BlueTeam/IAPro Audit Trails & Logs
- E. District Six Computer Information
- F. Transcript of Interview with Lieutenant Kyle McDaniel
- G. Transcript of Interview with Sergeant Ryan Mills
- H. Transcript of Interview with Detective Steven Wheeler
- I. Transcript of Interview with Detective Gary Martin
- J. Transcript of Interview with Detective Justin Martir
- K. Miscellaneous Documents

**WITNESSES:**

Lieutenant Kyle McDaniel  
Volusia Sheriff's Office  
123 W. Indiana Avenue  
DeLand, FL 32724  
(386) 736-5999

Detective Gary Martin  
Volusia Sheriff's Office  
123 W. Indiana Avenue  
DeLand, FL 32724  
(386) 736-5999

Detective Justin Martir  
Volusia Sheriff's Office  
123 W. Indiana Avenue  
DeLand, FL 32724  
(386) 736-5999

Detective Steven Wheeler  
Volusia Sheriff's Office  
123 W. Indiana Avenue  
DeLand, FL 32724  
(386) 736-5999

Sergeant Ryan Mills  
Volusia Sheriff's Office  
123 W. Indiana Avenue  
DeLand, FL 32724  
(386) 736-5999

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true to the best of my knowledge and belief.

AND

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

DETECTIVE: [Signature] DATE: 02/18/2021

**Lieutenant Daniel Shivers, 6842  
Internal Affairs Detective**

**STATE OF FLORIDA  
COUNTY OF VOLUSIA**

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online Notarization this 18<sup>th</sup> day of February, 2021 by Lieutenant Daniel Shivers

[Signature]

SIGNATURE OF NOTARY PUBLIC STATE OF FLORIDA



PRINT, TYPE, OR STAMP COMMISSIONED NAME OF NOTARY PUBLIC

PERSONALLY KNOWN OR  PRODUCED IDENTIFICATION

TYPE OF IDENTIFICATION PRODUCED

APPROVED BY: [Signature] DATE: 02-16-2021  
**CHIEF DEPUTY JOSEPH GALLAGHER  
VOLUSIA COUNTY, FLORIDA**