

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On January 4, 2013, Inspector Brett Lycett of the Florida Department of Law Enforcement (FDLE), Office of Executive Investigations received correspondence, via fax, from Edgewater City Manager Tracey Barlow. In his correspondence, Mr. Barlow explained that he had obtained additional information related to a 2011 FDLE investigation (EI-73-8546) regarding the circumstances in which Edgewater Police Chief David Arcieri had obtained a degree from Daytona State College.

In the initial FDLE investigation, a complaint had been received alleging that Chief Arcieri had utilized employees of the Edgewater Police Department to complete his course work in an effort to obtain a two year degree. The complainant identified Officer Chad Anderson, Officer Joseph Mahoney, and Officer Martha Miles as the employees who completed numerous school assignments for Chief Arcieri. When interviewed, Anderson and Mahoney stated that they did not do any course work for Arcieri, but Miles indicated that she and Chief Arcieri mutually shared information related to quiz and test material. Miles explained that, at times, one of them would take a test or quiz and then provide the answers to the other person prior to that person taking the quiz or the test. Chief Arcieri explained that he did share information with Miles, but never submitted any work that was not his own. The FDLE investigation was presented to the State Attorneys Office which determined that there was insufficient evidence to pursue criminal prosecution.

Barlow's correspondence explained that in a recent conversation with Anderson, he admitted to withholding information from FDLE during the initial investigation. Additionally, Anderson advised Barlow that Chief Arcieri approached him prior to giving testimony during the original investigation and threatened his employment status if he were to disclose his involvement in completing Chief Arcieri's course work.

Furthermore, Barlow identified other various concerns that had been brought to his attention by other employees of the Edgewater Police Department including a letter authored by Sergeant Tim Huggins. These other concerns included such topics as a hostile work environment, mistreatment of employees, suspect hiring practices, "good ol' boy network, and other internal organization issues.

On January 14, 2013, Inspector Lycett met with Assistant State Attorneys David Smith and Karen Foxman regarding the information provided by Barlow. FDLE and the State Attorneys Office agreed that FDLE's involvement should focus on the allegation that Chief Arcieri may

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| Case Number: EI-14-0124 | Serial #: 1 |
| Author: Lycett, Brett L. | Office: Executive Investigations |
| Activity Start Date: 01/04/2013 | Activity End Date:01/04/2013 |
| Approved By: Ward, Richard Allan | |

Description:Opening IR

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have potentially obstructed the initial FDLE investigation. It was further agreed that the other concerns cited in Barlow's correspondence should be addressed administratively by the City of Edgewater and if, in their review, any potential criminal activity is identified, the City of Edgewater should again contact FDLE and/or the State Attorneys office for additional follow-up.

The correspondence provided by Barlow will be maintained electronically in the Related Items (1) section of this investigative file.

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT
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On January 14, 2013, Inspector Brett Lycett conducted a voluntary, sworn, recorded interview of Edgewater Police Officer Chad Anderson at the City Hall building in Edgewater, Florida. Anderson's interview was conducted pursuant to information he had recently provided to the Edgewater City Manager regarding his involvement in assisting Edgewater Police Chief David Arcieri obtain his two year degree from Daytona State College. Anderson was previously interviewed by the Florida Department of Law Enforcement (FDLE) in December 2011 regarding this same issue. Anderson provided sworn testimony during that interview stating he did not do any course work for Chief Arcieri. The following is a summary of Anderson's recent interview:

Anderson stated that, though he did not complete any course work for Chief Arcieri, he did provide him with a variety of course materials which included exams, quizzes, notes and, on one occasion, a term paper. Anderson indicated that when Chief Arcieri had discovered that he (Anderson) had kept testing material for each course he had taken while attending Daytona State College, Chief Arcieri started requesting the material for his use. Anderson indicated that, while taking the same courses at the same time, Chief Arcieri would ask him if he had taken a test that was due. If Anderson responded that he had not, Chief Arcieri would request that he take and then provide him with the test.

Anderson stated that Chief Arcieri became upset on one occasion when Anderson provided him the requested course work through City email. Anderson, after that event, started sending the information to a personal email at Chief Arcieri's request. Anderson provided copies of various text messages and emails between he and Chief Arcieri that supported his statement regarding the sharing of college course material.

Anderson mentioned that he had provided Chief Arcieri with a term paper explaining that Chief Arcieri requested the paper to use as a "model." Anderson stated that during the initial FDLE investigation, Chief Arcieri approached him and provided a copy of his term paper and a copy of Anderson's term paper and asked him to review each one. Anderson indicated that Chief Arcieri did this in an effort to show Anderson that he did not plagiarize the paper. Anderson stated that he read the two papers and believed they were almost identical. Anderson explained that Chief Arcieri looked at him and stated "they don't look the same, do they," at which time, Anderson replied no. Anderson made this statement feeling like this was the answer Chief Arcieri wanted as it related to the impending FDLE investigation.

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| Case Number: EI-14-0124 | Serial #: 2 |
| Author: Lycett, Brett L. | Office: Executive Investigations |
| Activity Start Date: 01/14/2013 | Activity End Date:01/14/2013 |
| Approved By: Ward, Richard Allan | |

Description:Chad Anderson Interview

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When asked if Chief Arcieri had ever implied or stated that Anderson should not talk to FDLE, Anderson stated "absolutely." Anderson explained that on several occasions Chief Arcieri would contact him up to three to four times a day and tell him that everything would be okay as it relates to the initial FDLE investigation, and advising Anderson that he did not have to talk to FDLE without a subpoena. Anderson stated that on another occasion, Chief Arcieri "basically" told him not to talk to FDLE. Anderson indicated that Chief Arcieri never threatened his employment, but made various comments insinuating that his career could be shortened or that officers could be weeded out.

Chief Arcieri allegedly recommended that Anderson have the police union representative present at his interview with FDLE. Anderson explained that Chief Arcieri made several comments to him about needing the union representative present during the interview, which Anderson ultimately agreed to. Anderson indicated that the union representative advised him that he did not have to speak to FDLE. Anderson explained that it was his belief that Chief Arcieri recommended the union representative be present in order to find out what Anderson said during the interview. Anderson believed that this was being done in an effort to eventually terminate or discredit him before he could be a witness against Chief Arcieri. When asked why he had not provided this information during the initial FDLE investigation, Anderson explained that Chief Arcieri made several comments and made it clear to Anderson, in his opinion, that if he said anything to FDLE there could be possible repercussions regarding his job.

Anderson provided additional information regarding Chief Arcieri's comments and actions toward other current and former officers with the Edgewater Police Department which did not pertain to the FDLE investigation. This information was shared with the Edgewater City Manager where it was concluded that any action taken would be administrative in nature. Furthermore, the Edgewater City Manager was advised if during his administrative review any potential criminal activities were discovered, he should contact the State Attorneys Office and/or FDLE for further review.

An audio copy of Anderson's interview and the email/text message documents will be maintained in the Related Items (2,3) section of this investigative file.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On January 14, 2013, Inspector Brett Lycett of the Florida Department of Law Enforcement conducted various interviews, and in some cases re-interviews, of employees with the Edgewater Police Department concerning the activities of Chief David Arcieri. The interviews were conducted after new information had been developed by the Edgewater City Manager concerning Chief Arcieri's alleged use of employees to complete his college course work at Daytona State College. The following is a summary of the interviews:

Officer Martha Miles - Miles was initially interviewed in December of 2011 where she stated that her and Chief Arcieri mutually shared college course work material. Miles was contacted by Inspector Lycett and indicated she had nothing to add to her original statement. When asked if she was advised by Chief Arcieri not to speak with FDLE during the initial investigation, Miles explained that Chief Arcieri made a comment to her explaining she did not have to talk to FDLE if she did not want to. Miles further stated that she did not feel that her employment was being threatened by Chief Arcieri if she spoke with FDLE.

Note: city emails were provided to FDLE by the City Manager regarding Miles and Chief Arcieri's sharing of college course work.

Amanda Swindell - Swindell is part of the City's administrative staff and was identified as an individual who allegedly completed part of Chief Arcieri's math course work. Swindell was contacted and indicated that she never completed any course work for Chief Arcieri and her only involvement was showing Chief Arcieri a calculator on the internet that could help him complete his course work.

Officer Joseph Mahoney - Mahoney was initially interviewed in December of 2011 where he stated that he did not complete any course work for Chief Arcieri. Mahoney did not have any additional information to add to his original statement. When asked if he was advised by Chief Arcieri not to speak with FDLE during the initial investigation, Mahoney indicated that Chief Arcieri did not make any such comment to him.

Sergeant Rob Hazelwood - Hazelwood indicated that both Miles and Anderson made comments to him regarding the assistance they provided to Chief Arcieri related to his Daytona State College course work. Hazelwood also mentioned an instance where Chief Arcieri requested that a crash report be amended in which Hazelwood disagreed. This information was referred back to the Edgewater City Manager for further review and any administrative action deemed necessary.

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| Case Number: EI-14-0124 | Serial #: 3 |
| Author: Lycett, Brett L. | Office: Executive Investigations |
| Activity Start Date: 01/14/2013 | Activity End Date:01/14/2013 |
| Approved By: Ward, Richard Allan | |

Description:Edgewater Interviews

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Sergeant Timothy Huggins - Huggins had previously submitted a letter to the Edgewater City Manager citing several concerns with Chief Arcieri's actions. As it relates to Chief Arcieri's use of employees to complete college course work, Huggins stated that he had a direct conversation with Chief Arcieri where Chief Arcieri explained how Anderson and Miles were assisting him with college course work. Huggins also mentioned an instance where Chief Arcieri voided a citation in which Huggins disagreed. This information along with the various other concerns that were mentioned in his letter were referred back to the Edgewater City Manager for further review and any administrative action deemed necessary.

The documentation provided by Huggins and the Edgewater City Manger will be maintained electronically in the Related Items (4) section of this investigative file.

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT**

On January 29, 2013, Inspector Brett Lycett of the Florida Department of Law Enforcement (FDLE) conducted a voluntary, sworn, recorded interview of Edgewater Police Chief David Arcieri at the law offices of Politis and Matovina in Port Orange, Florida. Arcieri's interview was conducted pursuant to information Edgewater Police Officer Chad Anderson had recently provided to the Edgewater City Manager regarding his involvement in assisting Chief Arcieri obtain his two year degree from Daytona State College. Present during the interview, representing Chief Arcieri, was attorney Michael Politis. The following is a summary of Arcieri's interview:

Chief Arcieri was reminded that FDLE conducted an investigation in December of 2011 regarding his alleged use of Edgewater Police Department employees to complete course work for his degree from Daytona State College. Chief Arcieri was advised that Anderson had been identified as one of these individuals, and provided a sworn statement to FDLE indicating that he "did not do" any work for Chief Arcieri. However, Anderson had recently provided information to the Edgewater City Manager indicating that he had given Chief Arcieri a variety of testing material at his request, and felt compelled to do so because of potential repercussions regarding his employment with the Edgewater Police Department.

Chief Arcieri stated he and Anderson did exchange college course work, including test material, but it was a mutual exchange between the two. Chief Arcieri even indicated that Anderson had voluntarily offered to provide him with course material that Anderson had retained. Chief Arcieri was shown various text messages and emails from Anderson which showed Anderson providing material to Arcieri. When asked if he (Arcieri) had any supporting documentation showing him providing material to Anderson, he said he did not. Chief Arcieri stated he could not recall ever asking Anderson for any test/quiz material. Chief Arcieri stated he never felt as if he compelled Anderson to provide him any course work, and that it was his belief that it was a mutually beneficial relationship as it related to the sharing of information.

Chief Arcieri was further advised that Anderson alleged that he (Arcieri) made several comments through various conversations that Anderson did not have to cooperate with FDLE or provide a voluntary statement. Anderson indicated that, per the conversations with Chief Arcieri, he felt if he were to provide information to FDLE there could be repercussions from the Chief regarding his employment with the Police Department. Chief Arcieri stated this was false, in fact, he encouraged Anderson to cooperate with FDLE and tell the truth. Chief Arcieri was asked that if he told Anderson to cooperate with the initial FDLE investigation, why

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| Case Number: EI-14-0124 | Serial #: 4 |
| Author: Lycett, Brett L. | Office: Executive Investigations |
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| Approved By: Ward, Richard Allan | |

Description:Arcieri Interview

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| Case Number | EI-14-0124 |
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did Anderson not explain his full involvement to FDLE? Chief Arcieri stated that he does not know what Anderson's motivations were, but he did not threaten or imply to Anderson, or anyone else, that if he cooperated with the FDLE investigation his employment would be in jeopardy.

Chief Arcieri was asked if he believed it was inappropriate to request and share information with his subordinates because of his position as their superior and their potential feeling of being compelled. Chief Arcieri did not believe at the time it was inappropriate because it was beneficial for all parties. Chief Arcieri explained, that in hindsight, he could understand that position.

An audio copy of Chief Arcieri's interview will be maintained in the Related Items (5) section of this investigative file.

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT**

On February 7, 2013, James Disinger, Assistant State Attorney of the Seventh Judicial Circuit, was provided with the Executive Summary and related investigative reports regarding the alleged activities of Edgewater Police Chief David Arcieri for review and any action deemed appropriate. Furthermore, the investigative file was also provided to the Florida Department of Law Enforcement, Bureau of Standards for review.

A copy of the Executive Summary will be maintained electronically in the Related Items (6) section of this investigative file.

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| Case Number: EI-14-0124 | Serial #: 5 |
| Author: Lycett, Brett L. | Office: Executive Investigations |
| Activity Start Date: 02/07/2013 | Activity End Date:02/07/2013 |
| Approved By: Ward, Richard Allan | |

Description:SAO Review

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FLORIDA DEPARTMENT OF LAW ENFORCEMENT
INVESTIGATIVE REPORT

On March 4, 2013, the Florida Department of Law Enforcement (FDLE), Office of Executive Investigations received correspondence from R.J. Larizza, State Attorney of the Seventh Judicial Circuit, regarding FDLE's investigation into the activities of City of Edgewater Police Chief, David J. Arcieri. Upon review of the FDLE investigation, the State Attorney's Office (SAO) determined that no further activity was warranted by their office.

Pursuant to the SAO's response, this investigation will be closed. A copy of the SAO correspondence will be maintained electronically in the Related Items (7) section of this investigative file.

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| Case Number: EI-14-0124 | Serial #: 6 |
| Author: Lycett, Brett L. | Office: Executive Investigations |
| Activity Start Date: 03/04/2013 | Activity End Date:03/04/2013 |
| Approved By: Ward, Richard Allan | |

Description:SAO Response

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