

**VOLUSIA COUNTY SHERIFF'S OFFICE
INTERNAL AFFAIRS**

REPORT OF INVESTIGATION

REPORT NUMBER: IA- 12-012

PERIOD COVERED: January 2012 to July 2012

DATE REPORTED: July 13, 2012

SUBJECT(S) NAME: Lieutenant Brian Nardiello #1595

INVESTIGATING OFFICER: Sergeant Thomas Tatum #2405

BASIS FOR INVESTIGATION:

The basis for this investigation is in reference to memorandum 0700M007.12 authored by Major Norris in regard to a harassment complaint made by Gina Elmazi, Staff Assistant I (SA1) against Lieutenant Brian Nardiello. The memorandum alleges that Lieutenant Nardiello asked Mrs. Elmazi if she had any single friends and to arrange a social meeting between them. Lieutenant Nardiello met with the female and a date ensued. It is alleged the friend had no additional contact with Lieutenant Nardiello after the date. Mrs. Elmazi advised her work suddenly became below standard. Mrs. Elmazi alleges in the memo that she was being transferred from first shift to second shift and written up due to an error on a report that she only printed even though she did not compile the data. After requesting a meeting with Major Norris, Mrs. Elmazi was then told by Lieutenant Nardiello that she would only be written up; then she was later told she was not being written up. *(See Tab C for complaint)*

The memo also indicated Mrs. Elmazi is no longer allowed to use her personal cellular phone while at work. Lieutenant Nardiello accused Mrs. Elmazi of surfing the internet and texting on her cell phone when Lieutenant Nardiello was out of the office. Mrs. Elmazi stated as a result of the accusation, Lieutenant Nardiello moved her work station to a desk in front of his office. As a result of the move, Mrs. Elmazi alleges she no longer has a view of the teletype personnel in the room for whom she supervises. Mrs. Elmazi advised other employees are allowed to take a limited number of personal phone calls during work hours. *(See Tab C for complaint)*

Prior to Lieutenant Nardiello being served with his Notice of Internal Investigation, Major Rocky Norris advised he believes that during a conversation on July 16, 2012 with Lieutenant Nardiello that Lieutenant Nardiello was not truthful with him. Major Norris stated Lieutenant Nardiello told him that he was approached at the CJIS conference by a Florida Department of Law Enforcement (FDLE) analyst and she was impressed by their attendance and attention and she would like for the Volusia

County Sheriff's Office to teach a class regarding extraditions. Major Norris later found that the analyst was approached by Lieutenant Nardiello and **he asked her** if a class could be taught by Volusia County Sheriff's Office.

OFFENSE(S):

26.2.34 Failure to Follow Directive or Order - Employees shall adhere to all official Directives and/or orders, and shall faithfully execute all the duties and responsibilities of their assigned position. *(Violation subject up to a 5 day suspension.)*

26.2.63 Harassment - Employees shall not use their official position to harass, threaten or coerce any person. *(Violation subject up to a 5 day suspension.)*

26.2.106 Untruthfulness - Employees shall not knowingly make false or untrue statements except as authorized in the performance of duties and as necessary to maintain covert operations during investigation of criminal activities. *(Violation subject up to dismissal.)*

26.2.118 Code of Ethics for Public Officers and Employees - Employees shall strictly adhere to the code of ethics for public officers and employees and shall not violate the Code of Ethics for Public Officers and Employees as set forth in Florida law and the County Merit System. *(Violation subject up to dismissal.)*

Volusia County Merit System Rules and Regulations 86-453 (13). Any conduct, on or off duty, that reflects unfavorably on the County as an employer. *This violation may be sufficient grounds for disciplinary action ranging from oral reprimand to dismissal, depending on the seriousness of the offense and other circumstances related to the situation.*

INVESTIGATIVE SUMMARY:

The above referenced case was assigned to the Internal Affairs Unit for investigation by Chief Deputy Mike Coffin.

On July 13, 2012 Sergeant Tatum received and reviewed the memo authored by Major Norris in regard to the complaint on Lieutenant Nardiello. Sergeant Tatum met with Gina Elmazi on July 18, 2012 to obtain additional information.

Sergeant Tatum served Lieutenant Nardiello with the Notice of Investigation and provided him copy of the Law Enforcement Rights on July 19, 2012. Lieutenant Nardiello was temporarily reassigned to the Deland Courthouse pending the outcome of the investigation. *(See Tab B-official correspondence)*

Gina Elmazi

On July 18, 2012, Sergeant Tatum and Lieutenant Eagan conducted a sworn recorded interview with

Gina Elmazi at the District 5 office in New Smyrna Beach. The following is a summary of the interview.

Mrs. Elmazi advises she has worked for the Volusia County Sheriff's Office since January 2007. She is currently listed as a Staff Assistant 1 (SA1). Mrs. Elmazi stated she has worked with Lieutenant Nardiello for the past six months. Mrs. Elmazi described her working relationship with Lieutenant Nardiello as "*Strained.*"

Sergeant Tatum asked Mrs. Elmazi if Lieutenant Nardiello ever asked her if she had any single friends. Mrs. Elmazi responded that she and Lieutenant Nardiello were at the Ponce Inlet Police Department training the staff on Uniform Crime Report (UCR) and they went to lunch at the Inlet Harbor restaurant. Mrs. Elmazi said Lieutenant Nardiello did ask if she had any single friends and she replied "*one.*" Mrs. Elmazi stated Lieutenant Nardiello began asking her questions about her friend. Mrs. Elmazi explained she then pulled up a picture of her friend on Facebook (on her cell phone) and showed Lieutenant Nardiello who said he was interested in meeting her. Mrs. Elmazi states he did not feel uncomfortable setting up the date between her friend and Lieutenant Nardiello. Mrs. Elmazi advised the two went on one date and may have talked a few times after, but the relationship did not continue. Mrs. Elmazi advised this took place during the months of April and May 2012.

Mrs. Elmazi stated approximately a week and a half later, Lieutenant Nardiello brought a problem with a UCR report to her attention. The report went to Sheriff's Staff with an error and the report was given back to her to fix. Mrs. Elmazi advised she did not make the data entry on the UCR; she only printed the report and gave it to Lieutenant Nardiello. Mrs. Elmazi explained that she fixed the error and gave it back to Lieutenant Nardiello. Mrs. Elmazi said Lieutenant Nardiello made the statement "*Staff wants you punished and I've decided to send you to second shift.*" Mrs. Elmazi said she replied to Lieutenant Nardiello that she has a baby and gave several other reasons why she could not work second shift. She also told Lieutenant Nardiello that the error was not made by her; she simply printed the report from 2010. Mrs. Elmazi stated the error was made by SA 1 Jan Young who she was told was taking her position on first shift. Mrs. Elmazi stated Lieutenant Nardiello responded that his mind was made up and she was going to second shift. Mrs. Elmazi advised she requested a meeting with Major Norris. Mrs. Elmazi said Lieutenant Nardiello then came to her and said she was not going to second shift, but she would be written up for the error. Mrs. Elmazi stated two days later Lieutenant Nardiello told her he decided not to write her up. Mrs. Elmazi feels that since the date did not work out she is being punished at work.

On another occasion, Mrs. Elmazi explained that she was accused of using her cell phone in excess and searching the internet on her desktop computer while Lieutenant Nardiello was out of town on an extradition trip. Mrs. Elmazi stated she called into Lieutenant Nardiello's office upon his return and told that she no longer could use her cell phone at work. Mrs. Elmazi stated to her knowledge, she is the only one in the office that is not allowed to use her personal cell phone. Mrs. Elmazi said Lieutenant Nardiello also moved her to a desk that is in front of his office so he could keep an eye on her. Mrs. Elmazi explained that by moving her desk she can no longer effectively supervise the teletype operators and answer their questions. She also cannot access databases she uses for

NCIC/FCIC modifications. Mrs. Elmazi stated FDLE has to authorize the terminals used for the entries. Mrs. Elmazi said that moving her desk adversely affected the way she supervises her employees. Mrs. Elmazi volunteered to show Lieutenant Nardiello her cell phone for the time he was gone, but he was not interested in looking at it. She also told Lieutenant Nardiello to check with Information Systems to check her internet usage. There is no documentation of this incident in Mrs. Elmazi's personnel file or quarterly evaluation.

Mrs. Elmazi was asked if she is aware of any harassment (sexual or work) taking place in Records. Mrs. Elmazi said she was told by Stephanie Baker that Lieutenant Nardiello touched her on the arm and made a comment about her sweater. Mrs. Elmazi said Lieutenant Nardiello also made the comment to her that Stephanie Baker is his type. He went on to explain that she was the type of girl he looks for in a date, petite, dark hair and thin. *(See Tab D for complete transcript)*

Major Rocky Norris

On July 23, 2012 Sergeant Tatum conducted a sworn recorded interview with Major Rocky Norris, Judicial Services Commander. The interview was conducted at the Internal Affairs office in Deland. The following is a summary of the interview.

Major Norris explained that he spoke with Gina Elmazi who told him that she feels Lieutenant Nardiello is blaming her for a date that did not work out between him and a female friend of hers. Major Norris stated Mrs. Elmazi felt like she was being criticized for her work ever since the relationship ended. Major Norris relayed the information outlined in his memo 0700M007.12. Major Norris explained that there was an error on a Uniform Crime Report that was prepared for the city of Deltona. The error was not caught by Gina Elmazi or Lieutenant Nardiello. Major Norris stated he told Lieutenant Nardiello to *"Fix it, that there shouldn't have been such an error, shouldn't have come out somebody should have caught it along the way before it came out."* Major Norris said Lieutenant Nardiello's solution to the problem was to tell Gina Elmazi that she was being transferred to second shift and written up as punishment, and that is something they don't do. Major Norris stated he never told Lieutenant Nardiello that *"staff wants you punished for the UCR error"* as described by Lieutenant Nardiello. Gina Elmazi was not transferred to second shift or written up for the error.

Major Norris stated Gina Elmazi submitted a rebuttal to a quarterly evaluation she received from Lieutenant Nardiello. The cumulative score she received was eleven (11) points lower than the score of her co-worker Jan Young who actually made the data entry error on the UCR report mentioned above. Major Norris stated Lieutenant Nardiello wrote in the evaluation that Gina Elmazi is not keeping her supervisor up to speed and needs to train the other supervisor (Jan Young) who has been employed longer than she.

Major Norris advised Lieutenant Nardiello moved Gina Elmazi from her desk at teletype to a desk in front of his office because Lieutenant Nardiello alleged someone told him Gina Elmazi was surfing the web and texting all day. Major Norris stated Gina Elmazi told him to check the text history she would have no problem with that and they could check with Information Systems to check her web

browsing history. Major Norris advised to his knowledge no investigation was conducted by Lieutenant Nardiello to verify the allegation.

Major Norris went on to describe additional situations where Records supervisor Alan Horn was writing up employees for minor policy violations or perceived violations. Major Norris stated while Lieutenant Caruthers was in charge of records he rarely saw disciplinary paperwork come across his desk from Alan Horne. Since Lieutenant Nardiello replaced Lieutenant Caruthers there has been a constant flow of disciplinary paperwork and Major Norris stated Alan Horne is not big in writing people up. Major Norris stated he had a conversation with Lieutenant Nardiello and told him that Alan Horne needs to get closer to his people and that he can't continue to supervise by punishing them all the time. Major Norris said Lieutenant Nardiello advised him that he would speak with Alan Horne about the issue. Major Norris then had a conversation with Alan Horne who said it was Lieutenant Nardiello who wanted the discipline not him.

Major Norris also mentioned that it was brought to his attention that Lieutenant Nardiello was having an employee in records leave his work assignment to assist him in purchasing a case of water at Wal-Mart and having him carry it up to records. Major Norris said he spoke with Alan Horne and several others to see if the water was community water, which it was not. Major Norris had two other examples of when Lieutenant Nardiello had the employee later identified as Paul DiRocco, assist him with personal business on company time. On one occasion Lieutenant Nardiello returned from an extradition trip and had Paul DiRocco carry a suitcase from his (Lieutenant Nardiello's) vehicle upstairs. On the third incident Lieutenant Nardiello took Paul DiRocco away from his work duties on the clock and drove out to a marina on Old New York Ave. to sell personal boat seats. Major Norris stated Paul DiRocco removed the boat seats from Lieutenant Nardiello's work vehicle and took them inside the marina while Lieutenant Nardiello spoke with marina employees.

Major Norris explained that Lieutenant Nardiello attended a Criminal Justice Information System (CJIS) seminar in Ponte Vedra Florida recently. Major Norris stated upon the return from the seminar, Lieutenant Nardiello told him that one of the instructors said she was impressed with how attentive he was and she asked him to teach a class on extraditions. Major Norris later found out that Lieutenant Nardiello asked to teach a class, not that the instructor asked him. Major Norris confirmed this with the Florida Department of Law Enforcement analyst Debbie Johnstone. Major Norris believes Lieutenant Nardiello was not truthful with him. *(See Tab E for complete transcript)*

Paul DiRocco

On July 24, 2012 Sergeant Tatum and Investigator Bennett conducted a sworn recorded interview with Paul DiRocco in the Sheriff's Administrative Office in Deland. The following is a summary of the interview.

Mr. DiRocco has worked for Volusia County Sheriff's Office since 2007. Mr. DiRocco is an Office Assistant III (OAI) and his job is to enter warrants, protection orders and writs of bodily attachments along with filing. Mr. DiRocco stated he worked under the command of Lieutenant Nardiello but his direct supervisor is Kim Melvin. Mr. DiRocco described the incident where

Lieutenant Nardiello had him leave work to drive to Wal-Mart to purchase bottled water with him. Mr. DiRocco stated Lieutenant Nardiello had him carry the bottled water from the store to the car, then up to records. Mr. DiRocco believed the bottled water was for Lieutenant Nardiello's personal use. Mr. DiRocco stated he has never been offered bottled water by Lieutenant Nardiello. Mr. DiRocco stated Lieutenant Nardiello did not have anything in his hands when he (DiRocco) was carrying the water. Mr. DiRocco stated Lieutenant Nardiello told him that one time he was carrying something and it got caught on his uniform belt so he does not like to carry things. Mr. DiRocco said there was no reason why Lieutenant Nardiello couldn't have carried the water himself.

Mr. DiRocco explained the second incident involving the suitcase. Mr. DiRocco stated Lieutenant Nardiello asked him to carry up a suitcase he borrowed for an extradition trip recently. Mr. DiRocco again was on the clock working and went to Lieutenant Nardiello's work vehicle and retrieved the luggage. Mr. DiRocco stated the suitcase was very small and had wheels, it felt like it was empty. Mr. DiRocco stated Lieutenant Nardiello walked down to the car with him and again had nothing in his hands when they came upstairs. Mr. DiRocco was asked if he felt like he had to do this due to Lieutenant Nardiello's position as a Lieutenant, he responded "*I think maybe he kinda used me for that yeah.*"

On the third incident, Mr. DiRocco explained that Lieutenant Nardiello stated "*I want you to help me take these.*" Mr. DiRocco stated there were boxes in the back seat of Lieutenant Nardiello's work vehicle and he assumed they were boxes going to evidence. Mr. DiRocco stated he was told by Lieutenant Nardiello "*well I have these boat seats I want to get rid of.*" Mr. DiRocco stated Lieutenant Nardiello said they were his personal boat seats not from Special Services where the boats are stored. Mr. DiRocco stated they went to two places, one across from evidence on SR44 and the other on Old New York near the train station. Mr. DiRocco stated Lieutenant Nardiello was trying to sell the seats. Once again, Mr. DiRocco stated he was on county time. Mr. DiRocco stated he took one of the boxes out that was big and heavy and the Marina employee took the others out. Sergeant Tatum asked Mr. DiRocco if any of the duties he performed for Lieutenant Nardiello has anything to do with his job description, he replied "*oh, no.*"

Mr. DiRocco stated Lieutenant Nardiello asked if he had any single female friends to set him up with on a date, Mr. DiRocco said he didn't know many but he would look for him. Mr. DiRocco said he told Lieutenant Nardiello that just to appease him. (*See Tab F for complete transcript*)

Stephanie Baker

On July 24, 2012 Sergeant Tatum and Investigator Bennett conducted a sworn recorded interview with Stephanie Baker at the Sheriff's Administrative Office in Deland. The following is a summary of the interview.

Stephanie Baker has worked at the Volusia County Sheriff's Office since 2007 and her current title is Office Assistant III (OAIII). Mrs. Baker stated she has worked with Lieutenant Nardiello since January 2012. Mrs. Baker stated on several occasions, Lieutenant Nardiello made comments about her having a sweater on and touched it. Mrs. Baker stated the first time in Alan Horne's office she

didn't think much of it, but then he did it again the same day and she thought that was "*a little much*". Sergeant Tatum asked Mrs. Baker if she told anybody about the incidents. Mrs. Baker said she felt she could not say anything because Lieutenant Nardiello was her supervisor. Sergeant Tatum asked Mrs. Baker if Lieutenant Nardiello ever told her that she was his type. Mrs. Baker stated she was told by Gina Elmazi that Lieutenant Nardiello made that comment, but he never said that to her. Mrs. Baker stated Lieutenant Nardiello asked her many times if she had any single friends to set him up with on a date. Sergeant Tatum asked Mrs. Baker if she was aware of anything that would be considered work place harassment or sexual harassment, Mrs. Baker replied "*Not, no only that time where he touched me on the arm but with anybody else, no not that I can remember or notice.*" (See Tab G for complete transcript)

Alan Horne

On 07/30/2012 Sergeant Tatum and Lieutenant Eagan conducted a sworn recorded interview with Alan Horne in the Internal Affairs Office of Lieutenant Eagan. The following is a summary of the interview.

Alan Horne is a Staff Assistant II (SA II) which is a supervisory position. Mr. Horne has been an employee of the Sheriff's Office since 1990. Mr. Horne stated he went to Lieutenant Nardiello and told him that he wanted to write Denise Collins up for insubordination after a comment she made in front of Records employees that was demeaning to him. Mr. Horne stated Lieutenant Nardiello then wanted him to add additional violations to the write up. Mr. Horne explained that Lieutenant Nardiello kept expanding the write ups which started in May and finally ended in July. Mr. Horne said he would prepare the disciplinary paperwork and send it to Lieutenant Nardiello, which was sent back to him wanting more violations added. Mr. Horne stated one of the issues Lieutenant Nardiello wanted to write up Denise Collins for was a violation of chain of command. Denise Collins sent an e-mail to Sharon Phillips about a former employee, Gloria Berry who was sick and Sharon Phillips sent out an e-mail with the information on her being in the hospital. Mr. Horne stated Lieutenant Nardiello told him that he was concerned that he (Alan Horne) did not give her permission to contact Sharon Phillips to send the e-mail. Mr. Horne said he was not concerned and did not even think about that being a violation of chain of command. Denise Collins appealed the write up and after a conversation with Major Norris and Chief Deputy Coffin it was rescinded. Mr. Horne stated he probably had to rewrite the EPN's (Employee Performance Notice) three or four times at the direction of Lieutenant Nardiello.

Sergeant Tatum asked Mr. Horne if he recalled an incident where Lieutenant Nardiello touched the sweater of Stephanie Baker while in his office. Mr. Horne stated he did not recall seeing that take place. Sergeant Tatum asked Mr. Horne if Ms. Baker ever brought concerns to his attention that she was uncomfortable or had any issues with Lieutenant Nardiello touching her sweater, he replied she did not express any concern. Lieutenant Eagan asked Mr. Horne if he was aware of any workplace harassment or allegations against Lieutenant Nardiello, he replied "*No I'm not*". When asked how the sense of Records Section was since Lieutenant Nardiello replaced Lieutenant Caruthers, Mr. Horne stated he felt like he (Mr. Horne) was upset all the time and didn't know what was going to happen next. Mr. Horne felt like he was constantly rewriting evaluations and trying to figure out

what Lieutenant Nardiello wanted. Mr. Horne stated he was just trying to adjust to the management style of Lieutenant Nardiello. Mr. Horne said in a meeting with Lieutenant Nardiello, he was told that *"if you don't write these people up I will write you up for not writing them up"*. (See Tab H for complete transcript)

Denise Collins

On July 31, 2012 Sergeant Tatum and Lieutenant Eagan conducted a sworn recorded interview with Denise Collins in the Internal Affairs Office of Lieutenant Eagan. The following is a summary of the interview.

Mrs. Collins is an Office Assistant III (OAIII) and assigned to the Records Section. Mrs. Collins stated Lieutenant Nardiello was her supervisor until he was transferred. Mrs. Collins expressed concern about several issues where she received a written discipline for her actions. Mrs. Collins advised that her direct supervisor Alan Horne authored the discipline, but she believes Lieutenant Nardiello was the driving force. Mrs. Collins explained that she would get called into Lieutenant Nardiello's office and talked to about different issues. Mrs. Collins said there was usually another person in the office when she was counseled. Mrs. Collins stated Lieutenant Nardiello would *"frustrate people to tears and he doesn't listen."* Mrs. Collins said Lieutenant Nardiello never used profanity when talking to her in the office. Mrs. Collins filed a grievance on her discipline via chain of command. Mrs. Collins explained that she was very stressed in Records until she met with the Chief (Chief Deputy Mike Coffin). Mrs. Collins stated she was written up for comments she posted on Facebook and she did not know who informed Lieutenant Nardiello but she believed it was the former Records supervisor Lieutenant George Caruthers who is retired.

Mrs. Collins advised she witnessed Paul DiRocco, another Records employee, carry some suitcases for Lieutenant Nardiello. Mrs. Collins explained that she did not think that was right for Mr. DiRocco to be carrying personal luggage for Lieutenant Nardiello. (See Tab I for complete transcript)

Debbie Johnstone

On August 1, 2012 Sergeant Tatum conducted a sworn recorded interview with Debbie Johnstone by phone. The following is a summary of the interview.

Mrs. Johnstone is a Government Analyst II for the Florida Department of Law Enforcement (FDLE). Mrs. Johnstone advised she had a conversation with Lieutenant Nardiello at a CJIS symposium in Ponte Vedra Florida in July 2012. Mrs. Johnstone stated Lieutenant Nardiello approached her in the hallway near the registration desk and had an idea for a training session on extraditions. Sergeant Tatum asked Mrs. Johnstone if Lieutenant Nardiello asked if he could teach a class or if she asked him. Mrs. Johnstone replied *"No I just basically said would you be willing to teach it meaning somebody at your agency, not specifically him in fact I recall him looking at Steve suggesting Steve might be the person just by the eye contact and what have you and said if they were to develop that suggest that they present it before our regional work group meeting as a dry run if you will prior to*

the symposium.” Mrs. Johnstone did say she appreciated Lieutenant Nardiello’s interest in what was going on in the CJIS world because she did not have any cooperation with the past Lieutenant. *(See Tab J for complete transcript)*

Lucy Hallis

On August 23, 2012 Sergeant Tatum and Investigator Bennett conducted a sworn recorded interview with Lucy Hallis in the Sheriff’s Office conference room in Deland. The following is a summary of the interview.

Ms. Hallis is an Office Assistant III (OAI) in the Records Section and Lieutenant Nardiello was her supervisor. Ms. Hallis advised she works at the Daytona International Speedway during race events on her off time. Ms. Hallis explained that she was telling Lieutenant Nardiello how she was trying to flag down a deputy because someone left their bicycle unattended for over half an hour and she became concerned. Ms. Hallis stated she was jumping up and down waiving her hands trying to get the attention of a deputy. Ms. Hallis stated Lieutenant Nardiello asked her to demonstrate how she flagged down a deputy, so she jumped up and down waiving her hands back and forth. Ms. Hallis stated Lieutenant Nardiello took a picture or was in the process of taking a picture with his cell phone. Ms. Hallis said it made her feel ridiculous and embarrassed. *(See Tab K for complete transcript)*

Denise Collins (2nd interview)

On August 27, 2012 a second sworn recorded interview was conducted with Denise Collins who said she had additional information to add to her first statement. The interview was conducted in the Internal Affairs Office interview room. The following is a summary of the interview.

Mrs. Collins stated she remembered over the past weekend an incident that took place in records involving Lucy Hallis and Lieutenant Nardiello. Mrs. Collins stated she overheard a conversation between Lucy Hallis and Lieutenant Nardiello about the races at the Daytona Speedway. Mrs. Collins explained that she saw Lucy Hallis jumping up and down and waiving her arms in a criss-cross motion. Mrs. Collins stated she saw Lieutenant Nardiello looking at Lucy Hallis’s breasts when she was jumping up and down. Mrs. Collins said Lieutenant Nardiello was laughing so hard he doubled over. Mrs. Collins advised others in records were laughing also. Mrs. Collins stated she was approximately 25 feet from where the conversation was taking place. *(See Tab L for complete transcript)*

Lieutenant Brian Nardiello

On September 18, 2012 Sergeant Tatum and Lieutenant Eagan conducted a sworn recorded interview with Lieutenant Nardiello in the Sheriff’s Office conference room in Deland. Also present during the interview was County Attorney Nancye Jones and Attorney Michael Politis who represented

Lieutenant Nardiello. The following is a summary of the interview with Lieutenant Nardiello.

Lieutenant Nardiello advised he has been with the Volusia County Sheriff's Office for 10 ½ years and is currently assigned to the Deland Courthouse. Lieutenant Nardiello stated he worked in the Records Section from December 2011 to July 17, 2012. Lieutenant Nardiello said Gina Elmazi worked for him in the Records Section.

Lieutenant Nardiello was asked if spoke to Mrs. Elmazi about setting him up on a date with a friend of hers while on duty. Lieutenant Nardiello said he did ask Mrs. Elmazi to set him up and he went on a date with her friend. Lieutenant Nardiello stated he only had one date with the female and they met for breakfast one day. Lieutenant Nardiello explained there were no other dates because they were both not interested in each other.

Lieutenant Nardiello was asked about a Uniform Crime Report (UCR) that Mrs. Elmazi pulled that had a data error on it. Lieutenant Nardiello stated he recalls the UCR having a nine million dollar data entry error. Lieutenant Nardiello said the report also was for the whole county, not just for Deltona as requested and it had to be corrected. Lieutenant Nardiello was asked if he threatened to write Mrs. Elmazi up or discipline her by moving her to second shift. Lieutenant Nardiello advised Liliane Benucci had made numerous complaints about Mrs. Elmazi surfing the internet, excessive use of her cell phone and making Facebook postings. Lieutenant Nardiello said due to the complaints and the error on the UCR he decided to move Mrs. Elmazi's desk closer to his office to keep an eye on her. Lieutenant Nardiello was asked if he had any supervisor notes to document the counseling sessions he had with Mrs. Elmazi, he replied that he has hand written notes that may still be in his office in Records on notepads and he would provide them to us if they could be located. Lieutenant Nardiello was asked if Mrs. Elmazi was ever written up for the UCR error and/or the complaints he received from Mrs. Benucci, he replied "No." Lieutenant Nardiello was asked if he did anything to substantiate the allegations from Mrs. Benucci as far as the excessive internet use, he replied "No." Lieutenant Nardiello stated he received dozens of complaints from Mrs. Benucci in the seven months he was in Records about Mrs. Elmazi using her cell phone excessively. Lieutenant Nardiello said he documented the complaints in his hand written notes. Lieutenant Nardiello did not think it rose to the level of an Employee Performance Notice (EPN) just because one employee is complaining about another. When confronted with the fact that the complaints were enough to threaten to move Mrs. Elmazi to second shift, Lieutenant Nardiello explained that he talked to Major Norris about the issue and he was asked if there was anything else that could be done, that is when he decided to move Mrs. Elmazi to the desk in front of his.

Lieutenant Nardiello was asked if he ever told Mrs. Elmazi that somebody in staff wanted her punished for the error. Lieutenant Nardiello stated "*I don't remember saying that to her. Nobody in staff ever told me they wanted her punished that I remember no.*" Lieutenant Nardiello was asked if he said that staff was embarrassed or upset that the stats went over there (Deltona). Lieutenant Nardiello said "*I might have said upset; I don't think they were embarrassed I might have said upset.*" Sergeant Tatum again confirmed with Lieutenant Nardiello that he never said "*Staff wants you punished Gina*", he replied "*I don't remember saying that, it's certainly possible, if I said it I said it I don't remember saying that. I remember I had several conversations with Major Norris*

about it. Major Norris I, he's I think of myself as a calm guy he's more if I can say gruff I mean that's just his personality I mean nothing bad that's just his personality. You know if I take that that he's upset I mean then I relay that to Gina yeah." Sergeant Tatum once again asked "Did anybody from staff say that they wanted anybody punished for the error? Lieutenant Nardiello replied "No." Lieutenant Nardiello was asked why Mrs. Elmazi said that he told her that, he replied "I must have, I must have said it out of you know wanted to please staff and do the right thing. I wanted to get the situation resolved, get the right numbers and like I said earlier I want to, I want to please staff so with me saying that it's I wanted to please staff, I was upset to myself that this slipped through and that this got past Gina got past me and got to staff and got all the way over to Deltona then Major Norris asked me to send an e-mail to Captain Brannon and Major Jones recalling that initial stats we sent them and sending a new one so I had to do that. I was definitely you know upset and concerned that this had happened, that this mistake this error was made. That's, that's why I would have said that because I pride myself on trying to be accurate and I want my subordinates to be accurate."

Lieutenant Nardiello stated he found out that the UCR error was entered by Jan Young who is also a Staff Assistant 1 as is Mrs. Elmazi and they have basically the same job just on different shifts. Sergeant Tatum asked Lieutenant Nardiello if he disciplined Mr. Young for the error, Lieutenant Nardiello said he called him in the office and talked to him. Lieutenant Nardiello stated he made notes when he spoke to Mr. Young but there was no counseling EPN documented. Lieutenant Nardiello was asked why Mr. Young did not receive any discipline and Mrs. Elmazi had her desk moved and was threatened to be transferred to second shift, Lieutenant Nardiello replied *"Because of all the other things that were going on in addition to the UCR, all these other complaints about the phone and the texting and being lazy and not doing anything and not being proactive, all those complaints about her. I was having no complaints about Jan at all. I wasn't getting any other complaints on him. And Gina like I say never had the greatest; she was never real receptive when I would call her in and address these things to her. Jan Young he was."* Lieutenant Nardiello was asked if by moving Mrs. Elmazi's desk she could effectively supervise her people he replied *"I, I think so. Because she's not really supervising people. She, whenever the woman who's working on or man whatever employee it was usually always women but whenever the employee who was working on the teletype position makes a teletype entry or modification whatever they do Gina's job is to proof that entry and that could be done from anywhere. She's not actually supervising them and their work. The teletype operator is making this entry. Gina's job is to proof it as a second set of eyes to make sure it's done correctly."* Lieutenant Nardiello said Mrs. Elmazi would have to move from her new desk to a desk near teletype to make any corrections on errors that occur, this would be anywhere from three to ten times a day depending on the number of entries. Corrections could not be made at Mrs. Elmazi's new desk because the terminals designated for modifications are only in teletype which means Mrs. Elmazi would have to move from one desk to another several times a day.

Lieutenant Nardiello is responsible for the evaluations on Mrs. Elmazi and Mr. Young. In past evaluations Mrs. Elmazi had a score that averaged in the lower 90's. In the second quarter of 2012, Lieutenant Nardiello scored Mrs. Elmazi at 80. Although the score still placed her in exceeds standards, this is a significant drop. When asked about the evaluation Lieutenant Nardiello stated it

was due to the problems he was having with her work product and work performance. Lieutenant Nardiello said when Mrs. Elmazi was off site training other agencies in UCR, she would not designate anybody to proof teletype entries. Lieutenant Nardiello explained that he lowered her evaluation to address some of the things and to tighten up her work product. Lieutenant Nardiello agreed that the drop from the first quarter where Mrs. Elmazi scored a 91 is substantial. Lieutenant Nardiello said he does not have the date and time of the meetings with Mrs. Elmazi where they discussed the concerns. Lieutenant Nardiello scored Mr. Young at 90 in the second quarter evaluation and there is no mention of the UCR error. Lieutenant Nardiello also mentioned in Mrs. Elmazi's evaluation that she should train Mr. Young on UCR. Mr. Young is documented in the evaluation as being the residential expert with UCR. Lieutenant Nardiello was asked how Mrs. Elmazi could train Mr. Young if he has more experience and scored higher in his evaluation. Lieutenant Nardiello stated *"You know in my experience with him that he knew how to do only some of it like you've got the quarterlies and semi-annual, annual, he only knew how to do some of them but she knows how to do all of the reporting periods. He wanted to learn how to do all of it."* Sergeant Tatum asked Lieutenant Nardiello if he singled out Mrs. Elmazi because the date did not work out with her friend, he replied *"No absolutely..."* Sergeant Tatum asked Lieutenant Nardiello if it had anything to do with the input of her evaluations, he replied *"No, it had nothing to do with it what so ever."*

Sergeant Tatum asked Lieutenant Nardiello if he received a letter from an attorney's office complimenting Mrs. Elmazi of work she conducted on a request for information. The letter was dated March 15, 2012. Lieutenant Nardiello recalled receiving the letter and putting it in her field file. Sergeant Tatum asked if he talked to Mrs. Elmazi about the letter, he said he did not remember but he certainly should have. Sergeant Tatum asked Lieutenant Nardiello if he commented about the letter in Mrs. Elmazi's evaluation, he replied *"If I didn't put it in there I, I probably forgot or you know I..."* Lieutenant Nardiello acknowledged that he should have done more with the letter.

Lieutenant Nardiello was then asked about a subordinate employee Stephanie Baker. Lieutenant Nardiello was asked if he asked Mrs. Baker if she had any single female friends to set him up with, Lieutenant Nardiello stated he did ask and said he did so approximately half a dozen times. Sergeant Tatum then asked if Lieutenant Nardiello recalled touching Mrs. Baker on the arm and commenting on her sweater, he replied *"Yes."* Sergeant Tatum asked if Lieutenant Nardiello did this more than once in day he replied *"In her statement it says I did it twice in that day. I would comment because to me I thought it was very hot in there all the time, temperature. These women were always had jackets and sweaters and long sleeve shirts on and they were always very cold. I always felt the temperature was too hot. Mostly that's what it was for that she had some sort of sweater or jacket or something on."* Sergeant Tatum asked Lieutenant Nardiello once again if he touched Mrs. Baker on the arm more than once in Alan Hornes office, he replied *"You know I don't remember doing it twice. Alan Horne in his statement didn't remember doing it twice but she says I did it twice and obviously I did it twice in one day."* Sergeant Tatum asked Lieutenant Nardiello if that was appropriate behavior for a supervisor, he replied *"From the perspective that I was coming from that temperature wise or just from a friendly standpoint, I read her statement and I'd have to say she's 100% right that I was trying to fit in, I was trying to fit maybe try too hard to fit in as a new lieutenant, as a new supervisor, a new job assignment, working with all civilians it's this totally new*

environment to me and I went in there and I agree with what she's saying. I was trying to fit in I was trying to be friendly I was trying to have an uplifting environment, everybody used to routinely complain about George Caruthers the previous retired lieutenant that he suppressed them and he took utensils away from them when they had turkey and he wouldn't let them eat at their desk and he complained about their shoes and their clothing and he was very suppressive over them. I didn't want to have an environment like that. I want to have a positive uplifting environment. I was coming from a friendly happy standpoint to have a happy friendly environment. Not from any wrong or inappropriate standpoint. I was trying to be friendly and have a good positive environment is what I was trying to do." Sergeant Tatum again asked Lieutenant Nardiello if he thinks it is appropriate or ethical for a supervisor to ask their subordinates to help find a date, Lieutenant Nardiello did not directly answer the question and stated the following *"You know in the situation I was in again I was trying to fit in, I was trying to have a good environment. These are people that I felt like I was close with they were close with me I didn't feel there was any animosity between us I wouldn't just go out random and ask somebody but these were people I worked with, saw, interacted with on a regular basis everyday. It's not, I wasn't just running around randomly (unintelligible) asking, these were people I was close with so at the time I thought it was. I didn't see a conflict at the time because again we were close we worked together."* Lieutenant Nardiello said he asked a handful of subordinates if they had single friends.

Sergeant Tatum asked Lieutenant Nardiello about another subordinate Paul DiRocco who works in Records as an Office Assistant III (OAIII). Lieutenant Nardiello stated the job duties of Mr. DiRocco are entering warrants, modifying them and dealing with injunctions and writs. Sergeant Tatum asked if Lieutenant Nardiello took Mr. DiRocco to Wal-Mart to purchase water while he was on duty and working, Lieutenant Nardiello stated *"Yes"* prior to his re-assignment. Lieutenant Nardiello stated it was in the morning when they went to Wal-Mart. Sergeant Tatum asked Lieutenant Nardiello why he took Mr. DiRocco with him and he said, *"To get a case of water to bring back for the office, for extraditions, and just for the office in general. Two things there, one trying to carry or lift or move items in uniform with a belt and all this stuff on can be cumbersome, it was cumbersome in the past where I was moving a box and got hung up and so I wanted to avoid an embarrassing situation and it's easier for somebody who's in plain clothes without all this stuff on to carry a box or a case of water."* Sergeant Tatum asked if Lieutenant Nardiello was carrying anything, he responded *"I don't think so, no I, no. If it was for a personal thing you know no I don't want to use county employees doing personal things but I, since the water was for the office you know."* Sergeant Tatum asked if people in the office had access to the water and Lieutenant Nardiello replied *"Uh Huh."* Lieutenant Nardiello said he kept the water in his office, Sergeant Tatum asked how many times employees came in his office to get the water, Lieutenant Nardiello replied *"Oh they never did."* Sergeant Tatum asked Lieutenant Nardiello if the employees were aware the water was there for them, he replied *"They should have been."* Once again, Sergeant Tatum asked if the water was for the employees, Lieutenant Nardiello again would not directly answer the question and replied *"It was for the employees. And I had not had a chance to tell them, all of them yet before I ended up getting transferred that I had it there for all the employees. In my..."* Lieutenant Nardiello stated it was approximately a month or two from when he purchased the water until he was transferred, he said it was his intent to tell the employees but he got *"Bogged down"* with everything that the notification was never made.

Sergeant Tatum asked Lieutenant Nardiello if he recently tried to sell his personal boat seats, he stated "Yes." Lieutenant Nardiello stated he took Mr. DiRocco to one marina to sell the seats and they were not interested in them, then they went to another marina and sold the seats. Once again this took place in the morning. Sergeant Tatum asked Lieutenant Nardiello if this was part of Mr. DiRocco's duties, he replied "No." Sergeant Tatum asked Lieutenant Nardiello if he told Mr. DiRocco what was in the boxes, he replied "*No probably because I asked him to move like empty boxes and stuff like that so in the past probably not I mean once we got going obviously yes or once we went to where we went yeah.*" Sergeant Tatum confirmed with Lieutenant Nardiello that Mr. DiRocco did not know they were personal boat seats they were selling; he replied "*No, no, not no. And my purpose of doing that is to take that money and donate it to either the Sheriff's Office charity committee or the like 100 Deputies 100 Kids but one of these committees that the Sheriff and Sheriff's Office supports.*" Sergeant Tatum asked if Lieutenant Nardiello ever made the donation and he responded "*I have not yet no, I have the money.*" Lieutenant Nardiello stated he received \$200.00 for the seats, Sergeant Tatum confirmed again that he had not made the donation and that it was his intent to donate the money to the Sheriff's Office Charity Committee and he responded "*No because we held several charities in there in the Records department they had a bake sale and they had a mug sale and accumulated all kinds of money and they stored it in the safe. I didn't want to take my own personal money and mix in there. I wanted to make a separate contribution on top of the money that was being donated form the Records department sales, charity sales.*" Sergeant Tatum asked Lieutenant Nardiello if he told Mr. DiRocco his intent, he replied "*No I didn't tell him that.*" Lieutenant Nardiello stated he did not tell anybody. Sergeant Tatum asked Lieutenant Nardiello if selling boat seats was in any way related to Mr. DiRocco's duties as an employee with the Volusia County Sheriff's Office, he responded "*Well it, from, from the point that I want to donate the money and I am going to stick to my word and donate that money to that point yes, I'm a before getting transferred and maybe I still am I don't know vice president of the Sheriff's Office charity committee Major Norris is the president. We held meetings on duty. I mean they're not directly related to Warrants and Records duties no but fundraising is part of what the Sheriff's Office and the charity committee does.*"

Sergeant Tatum then asked Lieutenant Nardiello about having Mr. DiRocco carry up luggage for him. Lieutenant Nardiello said it was a small suitcase that had wheels. Sergeant Tatum asked Lieutenant Nardiello what he was carrying; he said "*Nothing.*" Sergeant Tatum asked Lieutenant Nardiello why he had Mr. DiRocco carry the suitcase upstairs, he replied "*Just so I'm not in uniform carrying a suitcase into the county admin building. I didn't think it would look very good. I thought it would be better for him a civilian employee in plain clothes to bring the suitcase in to be honest with you.*"

Lieutenant Eagan asked Lieutenant Nardiello if he thought his actions were unethical, he replied "*If it was for personal reasons yes, if it's for county reasons no.*"

Sergeant Tatum addressed the incident with Lucy Hallis a subordinate of Lieutenant Nardiello's. Sergeant Tatum asked Lieutenant Nardiello if Ms. Hallis told him about flagging down a deputy when she was working at the Daytona International Speedway he said "*Yes.*" Lieutenant Nardiello

confirmed that he asked Ms. Hallis to demonstrate to him how she flagged down a deputy and she jumped up and down and waived her hands back and forth. Lieutenant Nardiello had Ms. Hallis demonstrate this action a “*couple of times.*” When asked why Lieutenant Nardiello had Ms. Hallis demonstrate the incident, he said “*Again just to be laugh, joke, be a little bit funny, have an uplifting environment and get away from this George Caruthers environment and suppression and everything like that to have the best positive environment as possible. She’s an employee that doesn’t really fit in with a lot of employees. She’s kind of an odd employee, very good worker and everything. I wanted to try to involve her in activities and festivities trying to have her involved and be part of the crew and part of the team.*” Sergeant Tatum asked if Lieutenant Nardiello took photographs of Ms. Hallis when she was demonstrating the incident, he said he did not, but he recalls somebody, possibly Gina Elmazi taking a photo. Lieutenant Nardiello stated he did not think it was demeaning or perceived as demeaning to have Ms. Hallis jump up and down because she was laughing and smiling the whole time. Lieutenant Nardiello said there was no sexual innuendo meant and it was geared toward being happy, fun uplifting and positive.

Sergeant Tatum asked Lieutenant Nardiello about the Criminal Justice Information System (CJIS) conference in Ponte Vedra he attended recently and the conversation he had with Florida Department of Law Enforcement analyst Debbie Johnstone. Lieutenant Nardiello stated there were several conversations they had, at one point Steve Lemay was with him and they approached Mrs. Johnstone with the idea of a training class and she asked if they would do a dry run. Lieutenant Nardiello said his idea was on an extraditions class and Sergeant Ralph Brown, Deputy Gallinari and Steve Lemay would teach it. Sergeant Tatum confirmed that Lieutenant Nardiello approached Mrs. Johnstone and asked to teach a class. Sergeant Tatum asked Lieutenant Nardiello if he had a conversation with Major Norris when he returned from the conference. Lieutenant Nardiello said he met with Major Norris in his office. Sergeant Tatum asked Lieutenant Nardiello if he told Major Norris that Mrs. Johnstone asked him to teach a class, he said “*Yes.*” Sergeant Tatum asked Lieutenant Nardiello why he told Major Norris that Mrs. Johnstone approached him about teaching a class when he actually approached her and if it was his intent to lie, he responded “*No, no absolutely not, absolutely not*”, he went on to say, “*It was a tense meeting, it was obviously a mix up of words on my part. It didn’t go the way I thought it was going to go. I mean it was a real short, short meeting. Obviously this thing came a couple days later or shortly there after. It was a miscommunication on my part. Absolutely no intent to lie or deceive or anything like that, no intent what so ever.*” (See Tab M for complete transcript)

Sergeant Tatum asked Lieutenant Nardiello if he felt he violated the following directives:

26.2.34 Failure to Follow Directive or Order - Employees shall adhere to all official Directives and/or orders, and shall faithfully execute all the duties and responsibilities of their assigned position. (Violation subject up to a 5 day suspension.) No

26.2.63 Harassment - Employees shall not use their official position to harass, threaten or coerce any person. (Violation subject up to a 5 day suspension.) No

26.2.106 Untruthfulness - Employees shall not knowingly make false or untrue statements except as authorized in the performance of duties and as necessary to maintain covert operations during investigation of criminal activities. *(Violation subject up to dismissal.)* No

26.2.118 Code of Ethics for Public Officers and Employees - Employees shall strictly adhere to the code of ethics for public officers and employees and shall not violate the Code of Ethics for Public Officers and Employees as set forth in Florida law and the County Merit System. *(Violation subject up to dismissal.)* No

86-453 (13) Volusia County Merit System Rules and Regulations - Any conduct, on or off duty, that reflects unfavorably on the County as an employer. This violation may be sufficient grounds for disciplinary action ranging from oral reprimand to dismissal, depending on the seriousness of the offense and other circumstances related to the situation. No

Immediately after the interview Lieutenant Nardiello accompanied Sergeant Tatum to the Records Section to find the notes Lieutenant Nardiello was speaking of during the interview. Lieutenant Nardiello could not locate his notes.

On September 25, 2012 Sergeant Tatum met with Lieutenant Linda Nasser-Edwards who is temporarily filling in for Lieutenant Nardiello in Records. Lieutenant Nasser-Edwards did not find any notebooks or hand written notes in the office belonging to Lieutenant Nardiello when she moved into his office. Lieutenant Nasser-Edwards checked the field files for the employees and found several hand written notes. Lieutenant Nasser-Edwards then found a small notepad in the center desk drawer that contained hand written notes. The majority of the notes did not have a date or time associated with them. The note in Gina Elmzi's field file only indicated "*Gina lazy-on phone-words with friends-walking around*" and "*Facebook posts all Fri. afternoon*" again, no date or time listed. The note in Liliane Benucci's field file said "*Pits people against each other, constantly complains about employees, is on a mission to destroy some employees-Artie and Gina, veracity issues, walking evil, not truthful and trying to control everything.*" *(See Tab O for notes)*

Liliane Benucci

On October 4, 2012 Sergeant Tatum and Investigator Bennett conducted a sworn recorded interview with Liliane Benucci of the Records Section. Mrs. Benucci said Lieutenant Nardiello asked her to keep an eye on Gina Elmazi due to complaints of her using her cell phone during work hours. Mrs. Benucci stated she did not go to Lieutenant Nardiello before he asked her to watch Mrs. Elmazi. Mrs. Benucci advised she told Lieutenant Nardiello several times when she saw Mrs. Elmazi on the phone playing words with friends, but she did not feel comfortable telling on her so she began to avoid Lieutenant Nardiello's office by walking around his door. This is contradictory to what Lieutenant Nardiello stated in his Internal Affairs interview. *(See Tab N for complete transcript)*

Lieutenant Nardiello suggested he did not have the proper supervisor training prior to his promotion

to lieutenant because he was denied the Line Supervision class. Lieutenant Nardiello submitted two requests for the Line Supervision class, one in 2009 and one in 2010 both were denied due to the overtime that would be necessary to cover his shifts.

A review of the training classes after his promotion to sergeant show Lieutenant Nardiello had 192 hours of Field Training and Evaluation Program (FTEP) with another sergeant and attended 76 hours of additional supervisor training classes dealing with management of personnel. Of the 76 hours of training, 8.5 hours were instruction on dealing with difficult people, transforming conflict into collaboration and preventing sexual harassment and other forms of discrimination for managers. Lieutenant Nardiello is currently approved for a Line Supervision class in October 2012 at Daytona State College. *(See Tab O for training documents)*

CONCLUSION:

On October 16, 2012 this investigation was presented to the Sheriff and his administrative staff. After review, the Sheriff determined the alleged violations of the above listed Department Standards Directives to be:

26.2.34	Failure to Follow Directive or Order -	Sustained
26.2.63	Harassment -	Not Sustained
26.2.106	Untruthfulness -	Not Sustained
26.2.118	Code of Ethics for Public Officers and Employees -	Sustained
86-453 (13)	Volusia County Merit System Rules and Regulations -	Sustained

As a result of the Internal Investigation, Lieutenant Nardiello was issued a written reprimand for his actions related to the improper documentation of counseling sessions with Gina Elmazi that resulted in her second quarter evaluation dropping by eleven points. The written reprimand also documented the improper actions of Lieutenant Nardiello for taking a county employee away from his work duties to assist him with personal business.

EXHIBIT(S):

- A. Report of Investigation
- B. Official Correspondence: NOI and notice of interview
- C. Complaint
- D. Transcript of Gina Elmzi
- E. Transcript of Major Rocky Norris
- F. Transcript of Paul DiRocco
- G. Transcript of Stephanie Baker
- H. Transcript of Alan Home
- I. Transcript of Denise Collins (first statement)
- J. Transcript of Debbie Johnstone
- K. Transcript of Lucy Hallis
- L. Transcript of Denise Collins (second statement)
- M. Transcript of Lieutenant Brian Nardiello
- N. Transcripts of Liliane Benucci
- O. Miscellaneous: Hand written notes, letter from Attorney office, copy of check submitted by Lieutenant Nardiello, Training courses attended by Lieutenant Nardiello, evaluations.
- P. DVD of interviews

WITNESSES:

Mrs. Gina Elmazi
Records Section
Volusia County Sheriff's Office

Major Rocky Norris
Judicial Services Commander
Volusia County Sheriff's Office

Paul DiRocco
Records Section
Volusia County Sheriff's Office

Stephanie Baker
Records Section
Volusia County Sheriff's Office

Debbie Johnstone
Government Analyst II
Florida Department of Law Enforcement

Alan Horne
Records Section
Volusia County Sheriff's Office

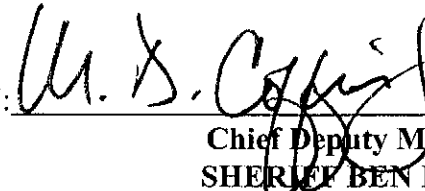
Denise Collins
Records Section
Volusia County Sheriff's Office

Lucy Hallis
Records Section
Volusia County Sheriff's Office

Liliane Benucci
Records Custodian
Volusia County Sheriff's Office

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.

INVESTIGATOR:  #2405 DATE: 10/24/12
Sergeant Thomas E. Tatum
Internal Affairs Investigator

APPROVED BY:  DATE: 10/29/12
Chief Deputy Mike Coffin
SHERIFF BEN F. JOHNSON
VOLUSIA COUNTY FLORIDA