

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

**REPORT OF INVESTIGATION**

**REPORT NUMBER: IA-12-007**

**PERIOD COVERED:** April 2011 to January 2012

**DATE REPORTED:** April 03, 2012

**SUBJECT(S) NAME:** Deputy Roy Galarza #1671

**INVESTIGATING OFFICER:** Investigator James Gabriel #2201

**BASIS FOR INVESTIGATION:**

On Wednesday, April 04, 2012, Investigator James Gabriel met with Lieutenant Erik Eagan with regards to a complainant who had made allegations against Deputy Roy Galarza. According to Lieutenant Eagan Ms. Ashley Dobbins met with Captain Paul Adkins at the District 6 Office on Tuesday April 03, 2012 and provided him with derogatory information regarding VCSO Deputy Roy Galarza. She advised Captain Adkins that she had engaged in a lengthy romantic relationship with Deputy Galarza. During this relationship she alleged that she and Deputy Galarza had engaged in sexual activity while he was on duty. This alleged activity occurred several times. (She indicated that his relationship had produced a child.) Captain Adkins completed supervisory notes pertaining to his conversation with her. Notes attached and made part of this investigation. (See tab - C)

**OFFENSE(S):**

**26.2.119 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.)*

**26.2.27 Abusing Meal or Rest Periods** - Employees working a twelve hour workday are permitted one fifteen minute rest period during the first half of their shift and one fifteen minute rest period during the second half of their shift.

**26.2.33 Inattention to Duties, Loafing, Sleeping** - Employees shall be attentive to job duties and shall not neglect work by inattention, loafing, or sleeping while on duty. *(Violation subject up to a 1 day suspension.)*

**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.)*

And, **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:**

On Wednesday, April 04, 2012 Chief Deputy Mike Coffin assigned the above described incident to the Internal Affairs Unit for investigation. This report details the investigation conducted by Investigator James Gabriel.

On Wednesday April 04, 2012 and on several subsequent dates Investigator Gabriel attempted to contact Ms. Ashley Dobbins in order to secure a date with her for a formal interview. After several unsuccessful attempts Ms. Dobbins emailed Investigator Gabriel on April 11, 2012 and advised she was unsure if she would submit to an interview. She advised that she would confer with her parents first and then notify Investigator Gabriel of her decision on Monday April 16, 2012. Ms. Dobbins is an adult (age 24).

On Monday, April 09, 2012 Investigator Gabriel obtained the AVL data from Deputy Galarza's assigned vehicle. The specific search area was for the immediate area (a few block radius) surrounding Ms. Dobbins's residence (██████████ Orange City, FL). The dates of the search encompassed January 2011 to April 2012. The results of this search indicated that his vehicle was indicating a "stationary status" on many occasions within the targeted search area. The numerous occasions that revealed a "stationary status" were between March 2011 and January 2012 (For a total of approximately **seventy - six** times). The dates that reflected a "stationary status" consisted of periods of a few minutes to over an hour (Approximately fifty of the seventy - six times were while Deputy Galarza was on duty). Deputy Galarza was **not** in his assigned zone.

On Wednesday, April 11, 2012 Lt. Erik Eagan served Deputy Roy Galarza with a Notice of Internal Investigation and provided him with a copy of the Law Enforcement Officer's Bill of Rights. (See tab - B)

#### **Deputy Michael Sawicki**

On Monday, April 16, 2012, Investigator Gabriel conducted a sworn recorded interview with Deputy Michael Sawicki at the Sheriff's Administration Office in Deland, FL. Also present at the interview was Investigator Glen Bennett. Deputy Sawicki advised that he had worked on the same shift with Deputy Galarza for about two and a half years. He advised that he was aware that civilian, Ashley Dobbins had accompanied Deputy Galarza as a "ride a long" on at least three occasions (over a year

ago). Deputy Sawicki further advised that she had ridden with him (Sawicki) on one occasion. Deputy Sawicki was asked what the current relationship was between Deputy Galarza and Ms. Dobbins. He indicated that presently they had no relationship other than having a child together. Deputy Sawicki said that approximately a year ago Deputy Galarza confided in him that he had impregnated Ms. Dobbins. He seemed pretty upset at the time.

Investigator Gabriel asked Deputy Sawicki if he had ever observed Deputy Galarza and Ms. Dobbins to be intimate in any manner while Deputy Galarza was on duty. His reply was negative. Deputy Sawicki was also asked if Deputy Galarza had ever asked him to "cover calls" for him. He said that over a year ago he asked him to cover calls on two occasions so that he could meet with Ms. Dobbins at a gas station near Dirksen Drive. The durations were approximately thirty minutes in length. He could not recall if it was day or night shift. Investigator Gabriel also asked Deputy Sawicki if Deputy Galarza or anyone else had told him that Deputy Galarza had engaged in sexual activity with Ms. Dobbins while on duty. His reply was negative.

(See complete transcript – Tab- G)

On Tuesday, April 17, 2012 Investigator Gabriel was initially contacted via email by Ms. Ashley Dobbins. She questioned how the case could be pursued without her offering a formal recorded statement. Investigator Gabriel spoke to her via landline a short time later and explained to her that the case was being investigated with or without a formal statement being submitted. She stated that she would not be offering a statement at this time. Her concern was that if Deputy Galarza should lose his job he would not be able to support their child. (Note: prior to April 17, 2012 this Investigator had two previous phone contacts and one email contact with Ms. Dobbins regarding a formal statement.)

### **Deputy Corey Rittenour**

On Thursday, April 19, 2012, Inv. Gabriel conducted a sworn recorded interview with Deputy Corey Rittenour at the Sheriff's Administrative Office in Deland, FL. Also present at the interview was Investigator Glen Bennett. Deputy Rittenour advised that he had worked an adjacent zone with Deputy Galarza since May 2011. Investigator Gabriel asked him if he had ever observed any civilian "ride a longs" to accompany Deputy Galarza while they were on duty. He advised that he could not recall if Deputy Galarza had any civilian "ride a longs" present while Deputy Galarza was on duty.

Investigator Gabriel asked Deputy Rittenour if he knew who Ms. Ashley Dobbins was. He stated that he did not know her. Investigator Gabriel then showed a photograph of Ms. Dobbins to him and he stated that he had never seen her before. Deputy Rittenour was then asked if he knew that Deputy Galarza had fathered a child with a woman other than his wife. He advised that Deputy Sawicki had told him approximately six months ago that Deputy Galarza had fathered a child with a girlfriend. He advised that Deputy Galarza had never offered this information to him and he knew of no further details. Investigator Gabriel then asked Deputy Rittenour if Deputy Galarza had ever asked him to "cover calls" for him. He advised that he was only asked a couple of times over the last year. The coverage only lasted for a short time and the reason given was so that Deputy Galarza

could go and obtain fuel for his vehicle. (See complete transcript – tab - F)

### **Deputy Kyle Walter**

On Wednesday April 25, 2012, Investigator Gabriel conducted a sworn recorded interview with Deputy Kyle Walter at the Sheriff's Administrative Office in Deland, FL. Also present during this interview was Investigator Glen Bennett. Deputy Walter was asked by Investigator Gabriel if he had previously ridden with Deputy Galarza while he was in the field training phase. He acknowledged that Deputy Galarza was indeed his "primary FTO." Deputy Walter stated that he accompanied Deputy Galarza many times while he was in field training. He recollected that his first phase with Deputy Galarza was in August 2011 and his second phase was in September 2011.

Investigator Gabriel asked Deputy Walter if Deputy Galarza had mentioned to him that he had a "girlfriend." Deputy Walter stated that Deputy Galarza had never mentioned to him that he had a "girlfriend." Investigator Gabriel asked Deputy Walter if he knew who Ashley Dobbins was. His reply was negative. Deputy Walter was then shown a photograph of Ms. Dobbins and asked if he knew who she was. He stated that he had never seen the lady in the photograph before. Investigator Gabriel then asked him if Deputy Galarza had ever told him that he had engaged in sex with Ms. Dobbins or anyone else while on duty. His reply was negative. (See complete transcript – tab - H)

### **Deputy Gregory Wiggins**

On Monday April 30, 2012, Investigator Gabriel conducted a sworn recorded interview with Deputy Gregory Wiggins at the Sheriff's Administrative Office in Deland, FL. Also present during this interview was Investigator Glen Bennett. Deputy Wiggins was asked by Investigator Gabriel if he had previously ridden with Deputy Galarza while he was in the field training phase. He advised that he only accompanied Deputy Galarza for a part of one shift back in January 2011. (He believed it was day shift). Deputy Wiggins was asked by Investigator Gabriel if Deputy Galarza had told him that he had a "girlfriend." His reply was negative. Deputy Wiggins was then shown a photograph of Ms. Ashley Dobbins and asked if he knew her. He indicated that he had never seen her before. Investigator Gabriel asked Deputy Wiggins if Deputy Galarza had ever told him that he had engaged in sex with Ms. Dobbins or anyone else while on duty. His reply was negative. (See complete transcript – tab - I)

### **Deputy Donald Gray**

On Monday April 30, 2012, Investigator Gabriel conducted a sworn recorded interview with Deputy Donald Gray at the Sheriff's Administrative Office in Deland, FL. Also present during this interview was Investigator Glen Bennett. Deputy Gray was asked by Investigator Gabriel if he had ever accompanied Deputy Galarza as a "trainee" in the FTO program. Deputy Gray acknowledged that he had ridden with Deputy Galarza as a "trainee" for approximately nine shifts (day and night). Investigator Gabriel asked Deputy Gray if Deputy Galarza had mentioned to him that he had a "girlfriend." Deputy Gray advised that Deputy Galarza had never mentioned a "girlfriend" to him.

Investigator Gabriel then showed a photograph of Ms. Ashley Dobbins to him. Deputy Gray indicated that he had never seen her before. Deputy Gray was asked by Investigator Gabriel if Deputy Galarza had ever mentioned to him if he had engaged in sex on duty with Ms. Dobbins or anyone else. He stated that Deputy Galarza had never made any statements of this nature to him. (See complete transcript- tab- J)

### **Mr. Lawrence Wilson**

On Wednesday May 09, 2012 Investigator Gabriel conducted a sworn recorded interview with Mr. Lawrence Wilson. His wife Marion was also present. Mr. and Mrs. Wilson reside at [REDACTED] Orange City and their home is located directly across the street from the Dobbins' residence. Investigator Gabriel asked him if he knew the Dobbins family and he acknowledged that he had known them for twenty one years. Mr. Wilson was then asked if he knew Deputy Roy Galarza. He said that he knew who he was and had met him only one time. Investigator Gabriel then showed him a photograph of Deputy Galarza and he positively identified him.

Mr. Wilson was asked by Investigator Gabriel if he had ever observed Deputy Galarza to stop at the Dobbins' residence while on duty during 2011. He replied that he had observed him at [REDACTED] in uniform with a marked patrol car approximately **twenty- five to thirty times**. Mr. Wilson advised that the length of time would vary between twenty minutes to over an hour. He further stated that the stops would occur both at night time and daytime. Additionally, Mr. Wilson stated that he observed Ashley Dobbins to be riding in Deputy Galarza's patrol car five times during 2011 while he was in uniform. ( See complete transcript- tab- K)

### **Deputy Roy Galarza**

On Thursday, May 11, 2012, Investigator Gabriel conducted a sworn recorded interview with Deputy Roy Galarza at the Sheriff's Administrative Office in Deland, FL. Also present at the interview was Investigator Glen Bennett, Teamster's Representative Josh Vedder and Teamster's Business Agent Bob Walker. During the interview Deputy Galarza acknowledged that his assigned zone is 62 zone within District 6 and that [REDACTED] is located in the City of Orange City and is not included in his zone or District 6. Deputy Galarza indicated that he first met Ms. Ashley Dobbins sometime in 2010. He met her as a civilian ride a long observer and he acknowledged that she accompanied him as a passenger on four separate shifts. Investigator Gabriel asked Deputy Galarza if he had ever allowed Ms. Dobbins to drive his marked patrol car on or off duty and his reply was negative.

Investigator Gabriel then questioned Deputy Galarza as to why AVL records placed him in the immediate area of [REDACTED] Orange City approximately seventy-six times between March 2011 and January 2012 (Fifty on duty). His original response was that he only stopped by that location **one time** while on duty. He wanted to focus on his off duty stops at [REDACTED]. Investigator Gabriel then brought his attention back to the on duty stops. Deputy Galarza eventually admitted that he stopped by [REDACTED] approximately fifty times while on duty. During the interview it was brought to Deputy Galarza's attention that there were two instances in 2011 where his AVL position conflicted with CAD records (A signal 15 - special detail at the Deland

Courthouse and a signal 4 – traffic crash in Debary). When asked about the discrepancies, he said he could remember the signal 4 but could not remember if he actually physically responded to the scene. It was brought to his attention that his car never moved from [REDACTED]. He did remember the signal 15. He advised that he went from the courthouse directly to [REDACTED], without logging in service from the courthouse. Investigator Gabriel asked Deputy Galarza if he ever asked Deputy Sawicki to “cover calls” for him while he met with Ms. Dobbins. He advised that he asked him to cover calls once or twice while he met with her. Investigator Gabriel asked Deputy Galarza if he ever had sex on duty with Ms. Dobbins. His reply was negative.

Investigator Gabriel asked Deputy Galarza if he had vandalized Ms. Dobbin’s parents’ home by writing his name on sheets or walls. He acknowledged that he only wrote “I love you and hi hola” on her bedroom wall. He stated that he also only wrote his name on the visor of her vehicle. Deputy Galarza advised that Ms. Dobbins had no issue with it but her parents told him to stop and he complied. He further advised that he told her parents that he would pay for the damages. Their reply was to just not do it again. ( See complete transcript Tab – E)

Deputy Galarza was questioned if he felt he violated the below listed policies regarding this investigation. He denied violating any policies cited.

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. <i>(Violation subject up to dismissal.)</i>	No
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26.2.27 Abusing Meal or Rest Periods- Employees working a twelve hour workday are permitted one fifteen minute rest period during the first half of their shift and one fifteen minute rest period during the second half of their shift.	No
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26.2.33 Inattention to Duties, Loafing, Sleeping- Employees shall be attentive to job duties and shall not neglect work by inattention, loafing, or sleeping while on duty. <i>(Violation subject to a 1 day suspension.)</i>	No
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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. <i>(Violation subject up to a 5 day suspension.)</i>	No
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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
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### **Ashley Dobbins**

On Friday May 25, 2012 Investigator Gabriel contacted Ashley Dobbins via telephone in order to see if she would consent to a face to face interview. She agreed to the interview. Investigator Gabriel and Sergeant Tatum therefore met her in DeLand at approximately 1525 hours and conducted a recorded interview. Investigator Gabriel asked Ms. Dobbins if she wished to provide a formal statement regarding the issues concerning I.A. case 12-007. Her reply was negative. Investigator Gabriel then asked her if she wanted to have any further involvement in the case or add any type of statement. Her reply was again negative. She was then asked if she had provided the statement freely and voluntarily. Her reply was affirmative. Additionally, she was asked if anyone had coerced or threatened her to not provide any statements. Her reply was negative. (See complete transcript Tab - L)

### **CONCLUSION:**

On Monday June 11, 2012 this investigation was presented to the Sheriff and his administrative staff. After review, the Sheriff determined the violations of the below listed Department Standards Directives to be:

**26.2.33 Inattention to Duties, Loafing, Sleeping - Sustained**

**26.2.34 Failure to Follow Directive or Order - Sustained**

**26.2.40 Negligence, Not Endangering - Sustained**

**26.2.118 Code of Ethics for Public Officers and Employees - Sustained**

**26.2.129 Misdemeanor Injurious to the Department - Not Sustained**

**86-453 (13) Volusia County Merit System Rules and Regulations - Sustained**

**Merit Rule Sec. 86-453(1) - Willful neglect in the performance of the duties of the position to which the employee is assigned. - Sustained**

**Merit Rule Sec. 86-453(10) - Incompetent or unsatisfactory performance of duties. - Sustained**

On June 14, 2012 Deputy Galarza was served with his Intent to Suspend letter signed by the Sheriff. Deputy Galarza scheduled an appointment with the Sheriff on Friday June 22, 2012. (See tab- B)

On June 22, 2012 Deputy Galarza met with Sheriff Johnson. After earnest consideration, Sheriff Johnson's decision remained unchanged and Deputy Galarza was served with his final letter of suspension later that day. (See tab - B)

**EXHIBIT(S):**

- A. Report of Investigation
- B. Official Correspondence
- C. Complaint
- D. Advisement of Rights and Administration of Oath
- E. Transcript of Deputy Roy Galarza
- F. Transcript of Deputy Corey Rittenour
- G. Transcript of Deputy Michael Sawicki
- H. Transcript of Deputy Kyle Walter
- I. Transcript of Deputy Gregory Wiggins
- J. Transcript of Deputy Don Gray
- K. Transcript of Mr. Lawrence Wilson
- L. Transcript of Ms. Ashley Dobbins
- M. Miscellaneous Documents
- N. Ashley Dobbins emails
- O. AVL Research
- P. Audio CDs of recorded interviews



**WITNESSES:**

Deputy Michael Sawicki  
Volusia County Sheriff's Office

Deputy Corey Rittenour  
Volusia County Sheriff's Office

Deputy Gregory Williams  
Volusia County Sheriff's Office

Deputy Don Gray  
Volusia County Sheriff's Office

Deputy Kyle Walter  
Volusia County Sheriff's Office

Mr. Lawrence Wilson  
[REDACTED]  
Orange City, Fl. 32763

Ms. Ashley Dobbins  
[REDACTED]  
Orange City, Fl. 32763

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: \_\_\_\_\_ DATE: \_\_\_\_\_

**Investigator James Gabriel  
Internal Affairs Investigator**

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**Chief Deputy Mike Coffin  
SHERIFF BEN F. JOHNSON  
VOLUSIA COUNTY FLORIDA**