

Sheriff



Ben F. Johnson

VOLUSIA COUNTY SHERIFF'S OFFICE

123 W. Indiana Avenue

P.O. Box 569

DeLand, FL 32721-0569

June 22, 2012

Deputy Roy Galarza ID#1671
Volusia County Sheriff's Office
LES / District 6

n. c.

06-22-12

Final Suspension

Deputy Roy Galarza,

Volusia County Sheriff's Office Directive 26.2.34 requires all "employees shall adhere to all official Directives and/or orders, and shall faithfully execute all the duties and responsibilities of their assigned position." As a result of your actions documented in IA-12-007, I have determined you violated the following Sheriff's Office Standards Directives and Volusia County Merit Rules and Regulations:

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.)*

26.2.40 Negligence, Not Endangering - Employees shall not ignore or violate official Directives, orders, or supervisory instructions or knowingly fail to properly execute the duties and responsibilities of their assigned positions. *(Violation subject up to a 5 day suspension.)*

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.)*

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

Merit Rule Sec. 86-453(10) - Incompetent or unsatisfactory performance of duties. *(Violation subject up to dismissal.)*

To wit:

On Tuesday, April 3, 2012, Ms. Ashley Dobbins met with Captain Paul Adkins at the Volusia County Sheriffs Office - District 6 Sub Station. At that time, she told Captain Adkins she had engaged in sexual activity with you while you were on duty. This alleged sexual activity occurred numerous times and allegedly commenced in April 2011. As a result of this relationship, you fathered a child with Ms. Dobbins. Ms. Dobbins also alleged that you wrote on the walls and sheets of her bedroom. She further indicated that you carved your name into her furniture and walls with a knife. She also stated that you used a marker to write all over the interior of her vehicle. 12.6.
06-22-12

Deputy Galarza, a search of your assigned vehicle's AVL records was conducted between January 2011 and April 2012. The specific search area was for the immediate area of [REDACTED] Orange City, which is Ms. Dobbins' address. The results of this search indicated that your vehicle position showed a "stationary status" at this address on numerous occasions between March 2011 and January 2012 for a total of approximately seventy-six times. The dates that reflected a "stationary status" consisted of time periods of a few minutes to over one hour. Approximately fifty of the seventy-six times were while you were on duty. You were clearly not positioned in your assigned zone of Debary while you were at the [REDACTED] location.

The investigation revealed that there were two occasions whereby your AVL vehicle positioning was in direct conflict with CAD records. On March 18, 2011 you were logged out on a Signal 15 - a special detail at the Deland Courthouse. However, for a portion of that time AVL records indicated that your vehicle was again at the [REDACTED] address. On August 28, 2011, you were dispatched to a Signal 4 - traffic crash. During this incident, AVL records reflected that you never responded to the crash. Your vehicle was again showing a "stationary status" at [REDACTED] Orange City.

Mr. Lawrence Wilson was interviewed on Wednesday May 9, 2012. Mr. Wilson is an adjacent neighbor of Ms. Dobbins. Pursuant to a sworn statement he advised that he observed you to be at [REDACTED], Orange City approximately twenty five to thirty times. You were observed to be in uniform and driving a marked VCSO patrol car. According to Mr. Wilson, he observed you to be there from between twenty minutes to over an hour on each occasion.

Deputy Galarza, you were the subject of a sworn recorded interview on Thursday, May 11, 2012. During this interview, you admitted that you went to [REDACTED] approximately fifty times while on duty. As you are aware, this location is entirely out of your assigned work area. During this interview, you also admitted that you wrote on Ms. Dobbins' bedroom wall, and on the interior of her vehicle.

Deputy Galarza, this investigation has revealed that you demonstrated poor judgment and a total lack of respect for the citizens you are sworn to protect. Additionally, you have violated the trust that I have placed in you. The behavior that you have exhibited will not be tolerated. Any further acts of this type will result in your termination.

You have previously been the subject of the following disciplinary action:

12/05/05 26.2.96 Careless Handling of Equipment and Vehicle Sustained

11/25/10 26.2.033 Inattention to Duties, Loafing, Sleeping Sustained

R.C.
06-22-12

Deputy Galarza, you were served with an Intent to Suspend letter on June 14, 2012, advising you of my intent to suspend you from duty without pay for thirty calendar days which equates to one hundred and sixty (160) work hours. You were mandated to schedule a meeting with me in order to respond to this intended action and also discuss your future with the Sheriff's Office. You appeared on Friday June 22, 2012 and had the opportunity to offer any mitigating circumstances that should be considered prior to the final discipline. After earnest consideration my final decision remains unchanged. You are hereby suspended from duty as described in the above listed terms.

You are hereby ordered to serve your suspension commencing June 25, 2012 and extending through July 19, 2012.

During the period of suspension you are instructed not to drive a department vehicle, nor act in any capacity as a Deputy Sheriff.

Upon the conclusion of your suspension, you are hereby reassigned to the Judicial Services Division. You are to report to Judicial Services on Monday July 23, 2012. Prior to reporting to Judicial Services you are to contact Major Rocky Norris with regard to the specifics of your assignment. All specialized equipment and clothing not required by your new assignment shall be turned in promptly to Inventory Control. All unit equipment shall be turned into the unit supervisor. Vehicle arrangements will be conducted through Mr. Andrew Conklin, Fleet Management.

You may not work any additional hours (i.e. scheduled days off) during the pay periods in which the suspension is taken. Only the Division Commander, at his discretion, may waive this prohibition.

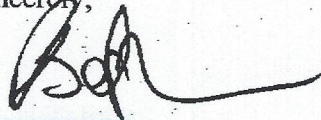
If there is any problem or condition that is troubling you that we are unaware of please advise so that we will have the opportunity to assist you in correcting this problem.

Pursuant to the Volusia County Merit System Rules, Section 86-455, the Volusia County Legal Department and Personnel Director have reviewed and concur with this intended action.

Any subsequent activity of a similar nature will result in more severe administrative action, up to and including dismissal. Take due care and govern yourself accordingly. Be especially aware of **Progressive Discipline 26.1.1.**

If you wish to appeal my decision in this matter, you may do so by filing a written request through the County Personnel Director within (10) days of receipt of this notification.

Sincerely,



Ben F. Johnson
Sheriff

BFJ/jg
040L0191.12

cc: County Personnel
County Legal
Internal Affairs

Roy *1671*
This letter read and received by:
Deputy Roy Galarza ID # 1671
Date: 06-22-12
Time: 3:51 pm