

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

REPORT OF INVESTIGATION

REPORT NUMBER: IA- 12-005

PERIOD COVERED: March 17, 2012 to March 22, 2012

DATE REPORTED: March 23, 2012

SUBJECT(S) NAME: Deputy Brian Williams ID #1330

INVESTIGATING OFFICER: Sergeant Thomas Tatum

BASIS FOR INVESTIGATION:

On March 22, 2012, Janet Williams reported to the Port Orange Police Department that her ex-husband Deputy Brian Williams was sending her harassing text messages over the course of six (6) days. The alleged harassment resulted in Port Orange Police Department responding to the residence, completing, and filing a charging affidavit with the State Attorney Office listing Deputy Williams as the defendant in a Cyber Stalking (Domestic) case. (*Charging Affidavit POPD #2012-0002963*) (*See Tab C*)

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.*)

26.2.123 Prompt Compliance With Lawful Order - Employees shall promptly execute the lawful orders and/or instructions of a supervisor or superior officer of the Department and shall not delay or fail to carry out such orders or instructions. (*Violation subject up to a 5 day suspension.*)

26.2.124 Compliance With Direct Order of a Superior or Competent Authority - Employees shall comply with the direct orders or instructions given by a supervisor or superior officer and shall not refuse to comply when such orders or instructions are lawful and proper. (*Violation subject up to dismissal.*)

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.*)

26.2.127 Misdemeanor Injurious to the Department - Department personnel shall adhere to all federal, state and local laws and shall not commit any act or crime defined as a misdemeanor, first or second degree, whether chargeable or not, which brings discredit upon the Department or otherwise impairs the operation and efficiency of the Sheriff's Office and/or which is likely to impair the ability of personnel concerned to perform assigned duties. *(Violation subject 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:

On March 23, 2012, Chief Deputy Mike Coffin assigned the above-described incident to the Internal Affairs Unit for investigation. This report details the investigation conducted by Sergeant Thomas Tatum of the Internal Affairs Unit.

On March 23, 2012, Sergeant Tatum and Investigator James Gabriel served Deputy Brian Williams with a Notice of Internal Investigation at his residence [REDACTED], and provided him with a copy of the Law Enforcement Officer's Bill of Rights. *(See Tab B)*. Deputy Williams was relieved of duty as a Deputy Sheriff and reassigned to the Communication Center until further notice.

On March 26, 2012, Sergeant Tatum and Investigator Bennett received a copy of the incident report, supplement report and affidavit from Port Orange Police Department (*POPD 2012-0002963*).

According to the charging affidavit on March 22, 2012, Officer C. Bingham, Port Orange Police Department, responded to [REDACTED] Port Orange (Ms. Janet Williams' residence) in reference to harassing text messages sent to her by her ex-husband, Deputy Williams. Ms. Williams advised Officer Bingham that her ex-husband has been sending her vulgar text messages and he tells other people (friends and co-workers) rumors about her. Ms. Williams stated Deputy Williams tells other people she is a whore and will sleep with anyone. Officer Bingham reported he viewed approximately 100 text messages on Ms. Williams' cellular phone from Deputy Williams dating from March 17, 2012 to March 22, 2012. The content of the text (in part) reads as follows: *"You're a whore", "I hope you rot in hell" and "Your panties are probably on the floor of some guy's floor right now. A night with out the kids is so you can get your nasty fat ass some cock."* Officer Bingham wrote in his report he observed Ms. Williams' reply to Deputy Williams, *"Stop" and "Your harassing me please stop."*

On March 28, 2012, Sergeant Tatum obtained a copy of the evidence collected in this case from Sergeant Wayne Dorman of the Port Orange Police Department. The evidence consisted of CD's with photos of text messages, video of text messages and audio recording of Officer Bingham's conversation with Ms. Williams the day of the call. Sergeant Tatum reviewed the video captured by

Sergeant Wayne Dorman of the Port Orange Police Department. The video was taken due to the large number of text messages on Ms. Williams' phone. Sergeant Tatum observed one of the many text messages to read: *"You are nothing but a dirty rotten no good woman slut cum guzzling gutter whore piece of trash cock sucker, lying cheating thief fat ass fuck that should be ashamed to be seen in public because everyone knows you are a piece of shit slut bag beached whale, you fucked up our family and have no regrets because you are a homewrecking cunt slut whore cock sucking pile of shit that don't care what you have done to anyone. Thief for stealing money from the bank and credit card numbers from shari and Lori. A fucking cock bag slut that is nothing and never will be anything because you are a toilet scrubbing convict that fucks her fat ass all over town to get a new car. Sleep on that you stupid fuck slut bitch. And your kids know that you are nothing but a whore for ruining our family. Face em Janet look them in the eye and tell them what a fat ass whore slut cock sucking pile of shit you really are. Tell them your just like your convict father, a lying thief cheater homewrecking slut tell them that you fucked up their lives because you couldn't keep your pants buttoned and was fucking on the beach like a fat fuck whale that you are. Tell them how you lied to them about going to a Halloween party but instead went to the beach to get fucked because your nothing but a fucking whore. You wont because it's easier to blame me because I worked for our family something you didn't do for two years probably because you were to busy stealing money to get by like you did from the bank."*

Sergeant Tatum observed that Ms. Williams told Deputy Williams to stop texting or calling her fourteen (14) times between March 17 and March 22, 2012. Deputy Williams continued texting Ms. Williams calling her names and making derogatory remarks. (See Tab I)

Janet Williams

On April 2, 2012, Sergeant Tatum and Investigator Bennett conducted a sworn recorded statement from Janet Williams at her residence [REDACTED] Port Orange, Fl.

Ms. Williams explained she has been divorced from Deputy Brian Williams since September 14, 2011. Ms. Williams confirmed that she had received numerous text messages from Deputy Williams between March 17, 2012 and March 22, 2012. Ms. Williams advised the content of the messages were him calling her a, "Whore" and saying she was not a good mother and that, "I'm sleeping with everybody, I am nothing but a prostitute because he says I slept with somebody to get a car." Ms. Williams explained that Deputy Williams has a perception that she is with someone else and he is sending the text messages in regard to what he believes is a relationship. Sergeant Tatum asked Ms. Williams if any of the text messages were threatening in any manner. Ms. Williams stated that Deputy Williams never said he would do anything to her, but the comments were in reference to his wishing death upon her by saying "I hope you catch a disease and die because that's what you deserve" and "I hope you rot in hell." Ms. Williams stated that she thinks Deputy Williams is at a breaking point and she said, "He is a mess." Ms. Williams told investigators she received approximately 200 text messages from Deputy Williams over the 6 day period (March 17, 2012 to March 22, 2012). Ms. Williams explained that she told Deputy Williams to stop harassing her multiple times via text message during the six (6) days that he was sending the text messages and he refused to stop. Ms. Williams said that she did not know what else to do to get Deputy Williams to

stop harassing her so she contacted the Port Orange Police Department and made a report. Sergeant Tatum asked Ms. Williams if she has an injunction for protection against Deputy Williams, she stated she does not. Sergeant Tatum asked Ms. Williams if she intends on seeking an injunction against Deputy Williams, she replied that she was uncertain. Ms. Williams said her daughter Mackenzie is afraid to spend time with her father because he is always yelling and talking bad about her (Ms. Williams). *(See Tab D for complete transcript)*

On April 2, 2102 Investigator Chris Teague assisted Internal Affairs Investigators by downloading the text messages on Janet Williams' cell phone and placing them on a thumb drive. Upon review, Investigators observed 149 text messages sent to Janet Williams by Deputy Williams during the course of six days.

Deputy Brian Williams

On April 13, 2012, Sergeant Tatum and Investigator Bennett conducted a sworn recorded interview with Deputy Brian Williams at the Sheriff's Office Administrative office in Deland. Also present during the interview was Robert Walker, Teamster representative for Deputy Williams.

Deputy Williams stated he has been employed with the Volusia County Sheriff's Office for 22 and 1/2 years. Deputy Williams explained that he has been divorced from his wife Janet Williams since September 14, 2011. Deputy Williams told investigators that he is having a hard time with the divorce because she cheated on him and it tore apart the family. Sergeant Tatum asked Deputy Williams if he sent Janet Williams text messages between March 17 and March 22, 2012, he said he did. Sergeant Tatum asked Deputy Williams what the nature of the text messages were, he replied *"They weren't nice."* When asked to elaborate he stated *"They were pretty bad. I was venting seven years of frustration and the reason my marriage was over. They were pretty ugly."* Deputy Williams admitted that the text messages he sent were vulgar, profane and derogatory. Deputy Williams explained that he was at a low point in his life when he sent the messages and was having a hard time dealing with Janet Williams. Deputy Williams stated that he was upset when Janet Williams did not want their son Bryce to go to the beach with him and she said she would report Bryce as kidnapped by him to the Port Orange Police. This occurred on Sunday March 18, 2012. Deputy Williams explained that he was *"Frustrated, angry at what she said to my son and that just boiled over to the last seven years of the embarrassment of her getting arrested you know for grand theft, the embarrassment of her, people telling me that she was taking their credit card numbers, the embarrassment of people telling me how she was taking money from Pop Warner when she was supposed to be the cheer coordinator which none of that was ever proven or never looked into I don't know which one. But it was just people telling me and it was just like embarrassing and so all of that just came out on these days and I just, like I said my head was spinning and I was an emotional wreck and seven years worth of covering up everything that's she's done it just all exploded out of my body. And was it wrong? Absolutely, absolutely."* Deputy Williams confirmed that he was advised in the past not to have any contact with Janet Williams that would reflect poorly on the Sheriff's Office (*SD-11-11, SD-11-125 and SD-11-140*) and that continued harassing behavior would result in progressive discipline.

[REDACTED]
[REDACTED] Deputy Williams explained that he has lost approximately eighty-five (85) pounds since he found out about the affair that occurred on October 23, 2010. [REDACTED]

[REDACTED] Deputy Williams went on to say that after he sent the text messages in question, [REDACTED]

[REDACTED] Deputy Williams stated "I'm thinking 100% clearer and I'm making very rational decisions" and he is able to sleep and eat more and his blood pressure has improved. Deputy Williams advised that he feels much better than he has in the past.

Deputy Williams explained that Janet Williams continues to call and send him text messages, which he said he only responds occasionally with short answers when it involves the children. Deputy Williams stated Janet Williams will begin the text messages with something about the children and then want to talk about other things such as a trip to Disney World and invite him to accompany her and the children as a family. Deputy Williams stated that if he does not respond to the text messages sent by Janet Williams, she continues to text him until he responds. Deputy Williams stated he wants to get back to the school where he works because he loves his job. Deputy Williams was asked if he was on duty when he sent any of the text messages, he stated no. It was verified through Deputy Williams' timecard that he was not on duty when he sent the messages. (See Tab E for complete transcript)

CONCLUSION:

On April 24, 2012, this investigation was presented to the Sheriff and his administrative staff. After review, the Sheriff determined the violations of the above listed Department Standards Directives to be:

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| 26.2.34 Failure to Follow Directive or Order | Sustained |
| 26.2.123 Prompt Compliance with Lawful Order | Sustained |
| 26.2.124 Compliance with Direct Order of a Superior or Competent Authority | Sustained |
| 26.2.63 Harassment | Unfounded |
| 26.2.127 Misdemeanor Injurious to the Department | Sustained |
| 86-453 (13) Volusia County Merit System Rules and Regulations | Sustained |

[REDACTED]
[REDACTED]
[REDACTED]

On May 14, 2012 Ms. Williams contacted Investigator Bennett and advised Deputy Williams was sending harassing text messages again. Sergeant Tatum called Ms. Williams and set an interview with her for later in the day.

Janet Williams (second interview)

On May 14, 2012 Sergeant Tatum and Investigator Gabriel met with Ms. Williams at her residence ([REDACTED] Port Orange) and obtained a sworn recorded statement. Ms. Williams stated Deputy Williams has been texting her and will not stop when she asked him to. Ms. Williams advised she still has the text messages in her phone. Ms. Williams explained that she estimated the number of text messages to be between 100 and 200. Ms. Williams stated that she has applied for an injunction for protection against Deputy Williams and it was not granted but they have a court hearing on May 21, 2012 at 0830 hrs.

Ms. Williams said she invited Deputy Williams to ride with her to their son's football game in Tarpon Springs, Florida. Ms. Williams stated on the way home, she and Deputy Williams got into an argument because he saw the name of her new boyfriend on her phone. Ms. Williams said Deputy Williams opened the car door while she was traveling at highway speed and said "*Just let me off here on the side of the road, let me off here.*" Ms. Williams explained she slammed on the brakes. Sergeant Tatum asked Ms. Williams if Deputy Williams made any statements to harm himself, she said no.

Ms. Williams advised she was at her residence on May 8, 2012 when Deputy Williams came to her residence to pick up their son Bryce. Ms. Williams said she opened the door told Deputy Williams to wait a minute then closed the door. Ms. Williams explained Deputy Williams opened the door and came inside without being invited. Ms. Williams said Deputy Williams began yelling at her and refused to leave until she threatened to call the police. Ms. Williams stated she did not call the Port Orange Police to report the incident. *(See Tab D for complete transcript)*

Investigator Teague assisted Investigators by downloading the text messages and images from Ms. Williams' phone with her permission. The text messages were saved on a thumb drive. Sergeant Tatum reviewed the text messages and noted Deputy Williams had sent Ms. Williams 896 messages since April 1, 2012. The text messages were a combination of conversations about the children and harassing comments. Ms. Williams sent Deputy Williams multiple messages to stop harassing her. Sergeant Tatum did not see any text messages that were a direct threat of harm to Ms. Williams. The majority of the text messages were in reference to Ms. Williams not being a good mother and how she tore apart the family.

On May 15, 2012 Sergeant Tatum served Deputy Williams with an addendum to the original Notice of Internal Investigation with the dates of April 1, 2012 to May 14, 2012. Deputy Williams was provided a copy of the Law Enforcement Officer Bill of Rights. *(See Tab B)*

Deputy Brian Williams (second interview)

On May 16, 2012 Sergeant Tatum and Lieutenant Eagan conducted a recorded statement from Deputy Williams. Deputy Williams was represented by Robert Walker of the Teamsters. Sergeant Tatum asked Deputy Williams if he remembered when he was served with his Notice of Internal Investigation and told not to have any contact with Ms. Williams that would be considered harassment. Deputy Williams stated *"Yeah some of that yeah, I was pretty upset that day."* Deputy Williams was asked to estimate how many text messages he sent to Ms. Williams between April and May. Deputy Williams said *"I don't know."* Sergeant Tatum informed Deputy Williams that he had sent 896 text messages between April 1, 2012 and May 14, 2012. Sergeant Tatum asked Deputy Williams why he did not stop when Ms. Williams asked him to. Deputy Williams stated *"A lot of it I mean she like manipulates me and I'll talk to her on the phone or something and she'll say something to piss me off because she knows it's gonna and then she'll hang up and then she'll know that I'm gonna text message her because I get pissed off and sometimes I don't know how to keep my mouth shut."* When asked if any of the text messages were sent during work hours, Deputy Williams replied he only sent one text during work hours and that was due to a crash at Clyde Morris and Mason involving a grey Sebring like the one his ex-wife drives. Deputy Williams stated he only texted her to see if it was her and if she was alright.

[REDACTED]

[REDACTED]. Deputy Williams stated he has not figured out how to handle himself when confronted with the negative side of his ex-wife. Deputy Williams stated Ms. Williams sent him a video of her pleasuring herself within the past two months. Deputy Williams said she draws him in and he doesn't know how to say no to her when she asks him to do things for her around the house. *(See Tab E for complete transcript)*

Deputy Williams' response to policy violations:

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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> | Yes |
| 26.2.123 Prompt Compliance With Lawful Order - Employees shall promptly execute the lawful orders and/or instructions of a supervisor or superior officer of the Department and shall not delay or fail to carry out such orders or instructions. <i>(Violation subject up to a 5 day suspension.)</i> | Yes |
| 26.2.124 Compliance With Direct Order of a Superior or Competent Authority - Employees shall comply with the direct orders or instructions given by a supervisor or superior officer and shall not refuse to comply when such orders or instructions are lawful and proper. <i>(Violation subject up to dismissal.)</i> | Yes |

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.)* N/A

26.2.127 Misdemeanor Injurious to the Department - Department personnel shall adhere to all federal, state and local laws and shall not commit any act or crime defined as a misdemeanor, first or second degree, whether chargeable or not, which brings discredit upon the Department or otherwise impairs the operation and efficiency of the Sheriff's Office and/or which is likely to impair the ability of personnel concerned to perform assigned duties. *(Violation subject to dismissal)* Yes

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.* Yes

FINAL CONCLUSION:

On May 16, 2012 shortly after the interview with Internal Affairs, Deputy Brian Williams submitted his letter of resignation to the Sheriff. The Sheriff accepted the letter allowing Deputy Williams to resign under investigation.

EXHIBIT(S):

- A) Report of Investigation
- B) Official Correspondence:
 - Letter of Resignation
 - Notice of Investigation
 - Garrity warning
 - Administrative Oath
- C) Complaint Affidavit-Report-Supplement (POPD 2012-0002963)
- D) Transcripts of Janet Williams (first and second interview)
- E) Transcripts of Deputy Brian Williams (first and second interview)
- F) Prior Discipline
- G) Text Messages from Janet Williams' cellular phone (March 17 to March 22, 2012)
- H) Text Messages from Janet Williams' cellular phone (April 1 to May 14, 2012)
- I) Miscellaneous:
 - KRONOS print out for Deputy Williams
 - Letter from EAP counselor
 - Letter from Spruce Creek HS
 - Copy of application for Injunction for Protection
- J) Media-CD's

WITNESSES:

Deputy Brian Williams
Volusia County Sheriff's Office

Ms. Janet Williams
Port Orange, Florida

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: _____

**Sergeant Thomas E. Tatum
Internal Affairs Investigator**

APPROVED BY: _____ DATE: _____

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