

WITNESS STATEMENT

TM – Sgt. Tim Morgan BG – Lt Robert Goggin
CP – Dep. Charles Pardee JC – Jeff Candage

- TM This is Volusia County Sheriff's Office of internal affairs administrative oath/perjury. This is involving case number 09-022 involving Dep. Charles Pardee. I'm Sgt Morgan with the Volusia County Sheriff's Office Internal Affairs Unit, today's date is January 14th, 2010 and the current time is 2:33 PM. The location of this interview is the fourth floor Admin Building. Also present today during this interview is Lt. Goggin and your Union Rep. Jeff Candage. Dep. Pardee, are you aware that this interview is being recorded?
- CP Yes.
- TM I am conducting an official administrative investigation concerning 26.2.102 Excessive Force Resulting in Injury and 86-453.13 involving the Volusia County Merit System Rules and Regulations. As a Florida Law Enforcement Officer and a Notary Public of the State of Florida I am empowered to take sworn statements. At this time I would ask you to raise your right hand to be sworn please. Do you solemnly swear and affirm that the statement you are about to give is the truth, the whole truth and nothing but the truth?
- CP Yes I do.
- TM Thank you. Any false statements about material matters given by a witness under oath will constitute perjury which is a third degree felony according to section 837.02 of Florida Statutes. Do you understand if you knowingly make material misstatements of facts to me during this investigation you will have committed the crime of perjury?
- CP Yes I do.
- TM If I could have you sign right there please, thank you. Dep. Pardee prior to this interview did you receive a copy of your law enforcement officers bill of rights?
- CP Yes I did.
- TM Did you understand the advisement of rights for discipline as they pertain to Garrity, which is referring to the form you signed prior to going on record here today?
- CP Yes I do.
- TM Do you have any questions reference your Bill of Rights?

CP No I do not.

TM Prior to going on record you were provided with copies of the transcripts provided by Ms Pease, Mr. Flounnoy, Sgt Turney, a CAD printout of the call, a Citizen's Complaint completed by Ms. Pease and Tony Flounnoy and Joanna Pease and Tony Flounnoy Jr, and your 911's call with the radio traffic. Did you have time to review those documents?

CP Yes I did.

TM Did you also have time to listen to that 911 and the radio calls?

CP Yes I did.

TM Dep. Pardee, we're here to discuss possible policy violations that may have occurred on November 19th 2009 involving possible excessive force while you were affecting arrest at 3288 Littlefield Street involving Ms. Pease. Do you recall that incident?

CP Yes I do.

TM Can you describe what occurred during that incident on that night?

CP Ms. Pease called 911 she made some statements to the dispatch about having him removed from the house. She also made some statements about the only weapon being used was his mouth and when we got on scene, myself and Sgt Turney, we walked up to the house and we could actually hear them arguing inside the house. Sgt Turney requested the channel because the argument seemed pretty heated, the front door was open maybe two or three inches. Myself and Sgt Turney entered the house, there was no physical disturbance going on but they were in a very heated argument. I asked the male, later identified and Mr. Flounnoy, to come outside with me so we could separate and calm everything down and talk outside without any interruptions. Sgt Turney stayed inside the house with Ms. Pease and several children inside. Outside Mr. Flounnoy explained to me that he had been at home all day with the kids, his girlfriend who two of the kids belong to with him came home from work he said she started an argument with him because he hadn't folded the laundry. He told me he had taken one of his kids out jogging instead and when he got home he didn't feel like folding the laundry so he laid in bed and when she got home from work she was mad because he was laying in bed and he was laying on top of pillows that she wanted so they started arguing. She pulled the pillows out from underneath of him and then threw the cup of milk at him that hit him in the head.

TM Ok that's your involvement to that point?

CP Yeah, that's, I stayed outside with him.

TM Ok and you covered that you were outside with him speaking. At what point did you arrive at the conclusion that this was actually a domestic violence situation?

CP When he told me that he that he was hit in the head with the cup of milk and oh then based on the fact they shared two children in common.

TM And you were able to determine that because he told you?

CP Yes

TM Was Mr. Flounnoy an actual resident of the home?

CP Yeah, I believe when I ran him it actually comes back registered to that address.

TM And you're the one that actually ran him?

CP Yeah I ran him by his name on teletype.

TM Did you speak to any of the children?

CP No I did not.

TM Did you have the opportunity to speak to Ms. Pease?

CP No I did not.

TM At what point did you re-enter the residence?

CP Um Sgt Turney had come out one time to talk to Mr. Flounnoy after being inside and speaking with Ms. Pease. After he spoke with Mr. Flounnoy he went back in again came back outside with one of the children and spoke to one of the children and then went back in again. When he was inside that time I heard Ms. Pease yelling "then just take me to jail then."

TM What actions did you take?

CP When I entered the residence she was, she again stated "just take me to jail" and Sgt Turney reached for one of her wrist and I reached for the other wrist and she pulled her arms into her chest at that time.

TM Ok and at that time was Sgt Turney affecting an arrest?

CP Yes

TM And according to your supplement on line 38, or not your supplement your actual incident report you refer to Ms. Pease as taking an aggressive stand. What was that stand?

CP Um she slid back and got kind her back up against what looked like a larger sized lazy boy chair in the living room I don't know if it necessarily reclined like a lazy boy chair but when she pulled her arms into her she hunched over and backed up against that chair with her arms tight up to her body.

TM Was she still standing at that point?

CP Yeah she was still standing. Like I said her back side was up against that large oversized chair in the living room but she was still on her two feet.

TM And that's the point when you entered into the residence you observed that?

CP Yes

TM And on line 42 you advised Ms. Pease physically resisted all action by Dep. Pardee and Sgt Turney?

CP Yeah Sgt Turney still had her right arm and I grabbed a hold of her left wrist, as I did that I believe it was Tony Jr her son came up from behind her and tried to grab her and I think he said something along the lines of don't take my mom to jail or something like that. Um I turned to push him back and then I grabbed her arm again and that was when I got one handcuff on her left wrist. And I was trying to get her left wrist behind her back but she just kept her arms pulled up tight against her body.

TM Did Ms. Pease ever attempt to hit you?

CP Not that I saw, but my attention was diverted to Tony Jr when he came up and grabbed his mom I turned my attention to him since Sgt Turney still had her wrist I wanted to get him away so we could continue getting Ms. Pease secured.

TM And were you present when Ms. Pease was taken to the ground?

CP Yes I was.

TM Who took Ms. Pease to the ground?

CP Sgt Turney

TM And where were you at that point?

CP Still holding on to the empty ring of the handcuff that was connected to her left arm.

TM Ok

CP And when she went down to the ground her left arm was underneath of her body and I was trying to pull that out from underneath of her to get it back behind her back.

TM So the hand cuff was still on the left hand?

CP Yeah she had one ring on her left hand and I had the empty ring I was holding that trying to pull out from underneath of her to get behind her back but her weight was on top of her arm.

TM And on line 46 of your incident report you wrote once on the ground Ms. Pease continued to resist. Can you describe what did you mean by that?

CP She would not put her arms behind her back so we could secure both of her wrists in the handcuffs.

TM Where were her hands?

CP The left arm that I was focusing on was underneath her body. She was kind of laying primarily on her stomach but on her left side was underneath of her, I guess underneath her chest.

TM And while on the ground how were you holding her down to the ground? How was she being held?

CP I had my left hand in that empty handcuff ring and I had my right hand like behind her bicep trying to turn her out from behind her and underneath of her.

TM And as you know you read her citizen complaint she advised that you were kneeling on her.

CP I think I had my right knee on her thigh or her butt but that was it. My other left leg was stretched straight out behind me.

TM And did you witness Sgt Turney kneeling on her at any time?

CP Uh I don't recall if he was kneeling on her or beside her.

TM And also in her citizen complaint Ms. Pease advised that you were pushing her head, pushing on her head.

CP I don't recall I was pulling on her wrist to try and get her handcuff out or her arm out from underneath her, but pushing on her head on her stomach?

TM On her head.

CP I don't recall pushing her.

TM At any time when she was on the ground did you grab her by her head?

CP No

TM By her neck?

CP No

TM Did you witness Sgt Turney grab her head?

CP No

TM Her neck?

CP No

TM At any time during the initial arrest when you were trying to obtain control over her did you happen to push her face against the wall?

CP Not that I recall. We weren't actually touching the wall we were just really close to the wall.

TM And during the arrest of Ms. Pease do you recall where the children were?

CP I remember coming into the house there were like two on each couch I think there was two, I think there was two living rooms in there and I want to say there was two on each on each couch and like I said when she was still standing before she was taken down to the ground that was when Tony Jr came up. And as we were trying to get her secured Tony Sr. was pulling the kids out away from us and back out towards the front door of the house.

TM And also Mr. Flounnoy's statement he observed Sgt Turney kick a minor. Did you witness this event?

CP I did not observe any kicking.

TM Did you kick any minors during the arrest?

CP Not that I recall.

TM And when you say not that you recall were there...

CP No well our legs were out behind us when we were trying to get her and I mean they could have stepped on a kids foot or you know my leg could have bumped into a kid behind us but no there was no intentional kicking of any children.

TM At any time did you call for additional units?

CP Sgt Turney got the channel again and requested additional units but I did not key up on the radio no.

TM Who actually secured Ms. Pease in handcuffs?

CP I believe once we got her arms behind her I secured the second ring onto her right arm.

TM And who removed Ms. Pease from the floor after she was handcuffed?

CP Uh we both did.

TM And after she was lifted from the floor what occurred?

CP With her arms behind her back I wrapped my arm up against her back so that my hand went up on her shoulder. So her arm was over my bicep ok and that was when I attempted to walk out of the house with her and Sgt Turney kind of stayed behind us to make sure none of the kids jumped on our backs or followed us out or even Mr. Flounnoy jumped on us or tried to hit us from behind.

TM Ok and on line 48 of your incident report it refers that you were walking to the patrol car, in line 49 you added that she kept pulling away. Can you explain her actions during this time frame?

CP Yeah I was on her left hand side with my right arm through her left arm and my hand up against her back. As we were coming out of the door of the house she kept turning around so that her back was towards my back and she was yelling at the kids to, I think she wanted them to call somebody maybe a friend or something but she kept yelling at the kids and turning back towards the house.

TM And you're aware that Ms. Pease is advising that you intentionally scraped her face on the wall just outside the residence?

CP Yeah I am aware of that.

TM While walking out the residence did you utilize any force against Ms. Pease?

CP No when she turned around backwards we both kind of stumbled but there was no, it wasn't due to a use of force it was due to her turning around backwards and trying to basically walk back into the house with me wrapped through her arm.

TM And you said when you were walking out you stumbled. Did you write that in your report anywhere?

CP No I did not.

TM Is there any reason why you did not write that in your report?

CP It didn't seem like it had a whole lot to do with the situation. She was already secured and on the way out.

TM On line 51 of your report you advise that Ms. Pease was injured as a result of the struggle.

CP Uh huh

TM What struggle are we referring to here?

CP Inside the house.

TM Is that what you know as fact?

CP That's what we believe happened, just trying to get her to the floor inside the house on the, inside the living room there.

TM And can I ask why you didn't annotate that in your report that she was injured actually inside the house?

CP We weren't really sure if it happened there inside the house or on the way out the door. I mean we weren't really looking at her face, the scene was so hectic we literally got her up as fast as we could and started heading out the door and then once she stumbled again we immediately took her to the car and she was still kind of physically resisting with her feet still up to the car and then when we got to the car I tried to get her purse off of her arm it was still even connected to her arm that was when we realized that her face was scratched down by her chin.

TM And what actions did you take when you realized that she was injured?

CP We still sat her in the back seat of the patrol car and Sgt Turney I believe he said rescue or do you need fire rescue I think was his words. It's Deltona Fire Rescue but quite often we call it just rescue.

TM And after you realized she was injured did you and Sgt Turney at any time try to locate a possible spot where Ms. Pease may have been injured?

CP No

TM Did you ever return back to the residence...

CP No I did not

TM ...to see if there was blood or...

CP I did not I stayed in the car; the only place I went was to the trunk.

TM And referred a little bit ago about the scene being "hectic". What was "hectic", can you explain?

CP Lots of yelling and screaming with Tony Sr. and all four of the kids just being very loud, Ms. Pease was screaming at the kids, like I said I think she was screaming at the kids to call somebody that they knew and let them know she was being arrested.

TM And I'm not trying to bounce around her but while they were screaming and yelling was anybody screaming they were kicked or injured, any minors injured?

CP Not that I heard, I do not recall anybody saying they were kicked.

TM Dep. Pardee you were the arresting officer in this incident correct?

CP Correct

TM I should say arresting deputy, did you obtain any pictures from within the residence any...

CP No I did not.

TM Did you obtain pictures of Ms. Pease's injuries?

CP No I did not.

TM Were you injured during this struggle?

CP No I was not.

TM Was anybody injured besides Ms. Pease in this?

CP I observed light abrasions on I believe Sgt Turney left forearm.

TM Did you obtain pictures of Sgt Turney's forearm injuries?

CP No I did not.

TM And I know this is kind of redundant but did you obtain pictures of the milk that was on Mr. Flounnoy?

CP Doesn't photograph very well I believe.

TM And I realize, what did you charge her with? What was the final charges?

CP I charged her with simple battery DV for hitting Mr. Flounnoy in the head with the cup and I want to say I charged her with...

TM You can look...

CP ...resisting with violence.

TM And do you think any of those pictures would have helped you in your case against Ms. Pease if you would obtained the milk pictures or the scratches on the Sergeant?

CP On the domestic violence case? From my understanding the domestic violence case was dropped because Mr. Flounnoy wouldn't cooperate with the state.

TM And who transported Ms. Pease to the county jail?

CP I would have to check I believe it was prisoner transport. No it was me.

TM Prior to heading the jail where were you?

CP Um, we had left the house as soon as we got her secured in the car and all the paperwork was completed with, the domestic violence paperwork, Chastity, Dep. Burke worked on getting that filled out for me while I started the charging affidavit. As soon as we got that information from the house we went up to the new Lowes at Howland and Elkcarn.

TM Did anybody within the residence provide you with any statements?

CP No.

TM And now we're at Howland and Elkcarn, how long were you there approximately?

CP It's all documented in CAD, from almost, under two hours.

TM About an hour 40 minutes or something?

CP Yeah.

TM And the reason you were there for that long?

CP Just getting a completed charging affidavit typed up and printed out.

TM Did you have any additional problems with Ms. Pease while at the Publix or the Lowes I should say?

CP No not at all. We actually, we went from just one handcuff behind her back we put two on there to give her more space because she said her shoulders hurt and she said she was Claustrophobic and asked for a window down and I put both the windows down in the back seat of the car.

TM And I don't know if you were present or not, were you present at any time that Sgt. Turney was talking to the watch commander?

CP No I saw him on his Nextel but I was inside the car getting the paperwork started on the computer.

TM LT?

BG Yeah Dep. Pardee since you've been served with your notice of internal affairs investigation have you spoke to Sgt. Turney about this incident?

CP No.

BG Have you spoken to anybody who was on scene that night about this investigation?

CP No I have not.

BG We touched on earlier that you made no indication on your report of her falling outside the residence. That fact is established in the sergeant's report that someone fell outside.

CP That is correct.

BG He told us yesterday, I know you had a chance to read the statement that he didn't see what they fell into or how they fell. Did her face in any way make contact with anything outside of that residence could've either been the wall, the sidewalk a step?

CP It possibly made contact with the wall the way she was facing it, it is consistent that it could've been from the wall.

BG Ok but did you actually see her face ever make contact with the wall?

CP No I was trying to brace myself in case I went all the way to the sidewalk outside the house.

BG Did she make you aware any time outside prior to getting into the patrol car that she had an injury to her face?

CP No. She was very quiet once we got outside.

BG And you described earlier that there was a struggle outside because she continued to turn to try to go back to the house...

CP Yes.

BG ...or to communicate with people in the house.

CP Yes telling them to call somebody.

BG How close was she to the outside wall was she at that point?

CP I believe the sidewalk runs almost directly up against the wall there because the garage kind of pokes out the front of the house and then the door runs along or comes out and then the sidewalk runs along the side of the garage out to the driveway.

BG But at that time you had no knowledge that her face or any part of her body struck that wall which caused an injury to her?

CP Correct not until we got out to the car and saw the scratch on her chin.

BG Did you notice the injury or did she make you aware of the injury?

CP We noticed it.

BG The Sergeant was with you at the time when you noticed it, together?

CP Yeah when we got out to the car and we were taking her purse off of her shoulder that's when we both noticed it.

BG Who asked her if she needed medical care?

CP Sgt. Turney.

BG She states in her report and I know you read it, her statement to us that when you were made aware you and the Sergeant were made aware of her injury that the sergeant made the comment to her something similar, you can look at it it's in there, that "I guess we'll have to clean you up". Do you recall him making that statement to her?

CP No I don't.

BG Have you ever heard Sgt. Turney make that statement to anybody that...

CP No.

BG ...referring to that the deputies might have to clean it up?

CP No I believe the term he used was "do you need rescue?" I think is what he called it, rescue.

BG Ok did you ask her specifically if she needed rescue?

CP No I did not.

BG A defendant in your custody at that time was in handcuffs and restraints in your patrol car is bleeding, do you think it should've been left up to the defendant to make the choice whether or not rescue should've responded?

CP Yeah. The injuries didn't appear to be very deep it just looked like a small like abrasion on the side of her face and it wasn't like profusely bleeding dripping all over her clothing or anything.

BG Ok but you do have photos of her face correct?

CP Not in this packet that I was given.

BG Ok what...

TM (inaudible) we have the color ones.

BG (inaudible)

TM (inaudible)

CP Yeah they weren't like profusely bleeding in the back seat of the patrol car or anything?

BG Ok but the injuries on her face there are consistent to what you saw in the back of your patrol car?

CP Correct, yes.

BG Did you agree with your Sergeant's decision that night not to call for rescue to come look at her?

CP That wasn't my decision.

BG Did you disagree with your Sergeant at all not...

CP No, she didn't, no when we offered her rescue she said "No" and that pretty much did it for me. Like I said the injuries weren't deep or bleeding profusely that needed to be covered or anything.

BG Did you discuss with Sgt. Turney while at the scene taking photographs of his injuries?

CP No I did not.

BG Putting your name on the affidavit charging her with the resisting charge do you think those photographs would have assisted for prosecution?

CP They may have assisted.

BG Have you ever taken photographs of injuries before?

CP Yes I have.

BG Dep. Pardee, being unsure of where her injuries occurred did you speak to any of the children and ask them if they were aware of where the injury occurred?

CP I never spoke with the children.

BG Did you speak to anybody else besides Sgt. Turney about where the injury could've occurred?

CP No I did not.

BG Did you ask her where the injury occurred?

CP No I did not.

BG Did you document in anywhere that I haven't seen yet and I've read your report and your affidavit that the injuries were noticed however you were not aware of where the injuries came from?

CP I don't believe I did.

BG You stated earlier no photographs at all from the domestic violence scene inside?

CP Correct.

BG He told you that she threw a glass of milk or cup of milk?

CP Yeah small cup of milk.

BG Was it a cup or glass?

CP Cup.

BG Did you see that glass or cup?

CP No I did not.

BG Did you attempt to locate that cup?

CP No I did not.

BG You saw the milk on the male subject who stated that the female threw the milk on him?

CP Correct he had a dried liquid on him.

BG Did you attempt to, and I think you already answered this and just correct me if I'm wrong you said you did no...

CP I did not photograph Ms. Pease's milk. The dried liquid on Mr. Flounnoy I did not attempt to photograph that.

BG The sergeant's got in his, in his actual report here that there was milk thrown and it was on the subject and it was all over the wall.

CP Correct.

BG Did you see the milk on the wall?

CP No I did not enter the bedroom.

BG You said you didn't see it on the wall, did you see the milk anywhere else that would've helped sustain your, the gentleman's story that she threw milk at him besides on his person?

CP Just on his person.

BG Dep. Pardee again these are all elements of a disturbance, all elements of a domestic violence situation that it could've been used as evidence for this prosecution. Do you feel that we should've taken the photographs for evidence and placed them into evidence to assist with the prosecution?

CP It may have helped.

BG Do you feel as a deputy sheriff you should've collected the evidence to be used in prosecution to assist with the arrest?

CP Yes. It would've helped to try and locate the cup.

BG The decision to affect the arrest for domestic violence was made by whom?

CP Sgt. Turney.

BG Do you agree with that assessment?

CP Yes I do.

BG She says in her statement that she didn't throw milk at him or on him. He says that she did. A third person was interviewed by Sgt. Turney's report of a young male.

CP Tony Jr.

BG Who says that his mom was upset and slammed the cup on the counter which caused the milk to go flying around. How did you or do you know off hand how Sgt. Turney established who the aggressor was?

CP Um, I believe based on the statements the male made about having the cup thrown at him along with the milk he saw on the wall and the inconsistencies in her story with how she stated to him she had just spilled a little milk and then the kids story was different saying she slammed the cup on the wall.

BG Did you speak to any of the children in the house to ask them if the gentleman was hit by a cup of milk?

CP No I did not.

BG Do you know if Sgt. Turney spoke or got a statement from any of the children in the house or any independent witness that would observe that?

CP He spoke with Tony Jr. outside away from me and Tony Sr.

BG Ok and Tony Jr. is the one that he's got in his report said that she didn't throw the cup that she slammed the cup on the counter?

CP Ok are you asking did he get any statements...

BG From anybody, an independence that said the gentleman was hit by a cup of milk?

CP Oh no not that I'm aware of.

BG Are you aware of any independent witnesses besides the gentleman...

CP Not that I'm aware of.

BG On your initial report one of your first lines you receive a 911 call that indicates a female is calling that she wants a male out of his residence and she states that he's a criminal. Do you recall that's in the first line of your report?

CP Yes I do.

BG Upon arrival and you discussed this with the Sergeant here earlier; to establish that he lives there, his residence what steps did you take?

CP Well like I said when I ran his name he came back to that address. He told me that...

BG Did he give you an ID?

CP No he didn't have any ID on him. He told me that he usually stays about four nights of the week there and two or three nights of the week at his mom's house in Daytona Beach.

BG Did you document that statement you just gave me in any of your reports?

CP No.

BG That he provided you information that he stays there four nights a week?

CP No.

BG Did you check to see if he had any clothing in the residence?

CP No I did not.

BG Any mail addressed to him?

CP No I did not check for mail.

BG Keys to the residence on his person?

CP I did not check his person for keys.

BG Did you ask him if he has keys to the residence?

CP No I did not.

BG Did you or are you aware of any Deputy Sheriff that spoke to a neighbor that could place that gentleman inside that residence as living there?

CP Not that I'm aware of.

BG Did you speak to any of the children at the residence to ask them if he lives there?

CP I did not speak to any children at the residence.

BG Are you aware of any deputy that was on scene Sgt. Turney or other who asked that question?

CP I am not aware.

BG The female that was arrested what did she say about his, where he lived?

CP To me personally?

BG Uh huh.

CP She did not make any statements to me about where he lived.

BG Did you at any time check for past calls for service at that residence?

CP No I did not.

BG Do you know if any past contacts by the Volusia County Sheriff's Office shows (inaudible)

CP Not that I'm aware of, I haven't searched that residence for priors.

BG Dep. Pardee any efforts on your part to determine that the male resided there other than the address on his drivers license that you ran?

CP And the statement that he said that he lives there four nights of the week, no.

BG When he told you in your statement that she was upset about him folding clothes or not folding clothes.

CP Correct.

BG Did you see those clothes?

CP There was lots of clothing on one of the couches.

BG Ok. Which room was that?

CP In the living room.

BG He made a statement to you that he had been jogging earlier with one of the children?

CP Yeah he said he's trying to help his son lose weight so he took him out jogging.

BG Did you attempt to confirm that information through that son?

CP No and the reason he even made that statement was because he was expressing how he was tired and didn't feel like folding the clothes and that was why he made that statement.

BG Ok but again did you follow up and talk to that child to see if the father had been there earlier and had been jogging with him?

CP No.

BG When were you first made aware of an injury to a child?

CP Today.

BG Dep. Pardee during the course of the physical arrest and I understand there was a struggle there, where were the children?

CP In the living room.

BG Ok. Did you and the Sergeant have to give any rules (unintelligible) any verbal commands for them to get back, were they close to you at that time?

CP No, other than the incident where I had to push Tony Jr. back Tony Sr. was keeping all the kids away from us by pulling them back into the, I believe the kitchen off to the north of the living room.

BG But the children and Tony Sr. they were all in the living room area with you when this was going on?

CP Yes.

BG Who would, the children, who did you, release the children to?

CP They stayed there at the residence with Tony Sr.

BG Did the mother authorize that?

CP I don't recall.

BG Do you know who made the decision to leave the children?

CP I believe she made some kind of statement in the back of my car but I don't recall what the specifics were about them staying there. I think along the lines of yeah they can stay here since there's no one else or something like that or I don't have any family that can come get them.

BG Ok but do you recall specifically asking her what do you want me to do with the children?

CP No I don't recall, I don't recall.

BG Did you document anywhere that you spoke to her and she said what to do with the children?

CP No.

BG At any point during the physical arrest of the defendant did you use excessive force?

CP No.

BG At any time during the arrest of the defendant did Sgt. Turney use physical...

CP No.

BG ...force? Excessive physical force?

CP No.

BG I don't think I have anything else.

TM I just have two more questions real quick. Prior to today Dep. Pardee did you hear the 911 tapes? Besides what I provided you here today have you heard them?

CP No I have not.

TM Did you make any attempt to obtain those tapes for evidence?

CP Not at all.

TM Ok. So this is the first time today that you actually heard the call?

CP Yes.

TM That's it.

JC Dep. Pardee did the defendant Pease at any point in time subject to her being secured did she object to leaving Mr. Flounnoy in the custody and presence of the children at that residence?

CP No she did not.

JC Is it fair to assume she knew that as she's going to jail that the children would then be left at that residence with Mr. Flounnoy?

CP Yes she was, the way the patrol car was facing with her in the back seat we were actually facing the house as he and all the children walked back inside the house.

JC And just to refresh my memory you were in her presence for at least two hours subsequent to arrest?

CP Correct.

JC So she had plenty of opportunity to voice any objections to leaving the kids with Mr. Flounnoy or that she could offer a plan B or C for the kids to be with someone else?

CP That is correct.

JC If she had offered to, asked you to call someone to respond to the residence to take care of the children would you have objected to that?

CP Not at all.

JC And during the time that she was in your custody did she complain of the injury? Did she ask to be treated by rescue as you indicated the offer was made by Sgt. Turney?

CP No not for the injuries to her face, like I said the only complaint she had besides being claustrophobic was that her shoulders were getting sore and that's when we placed two handcuffs on her behind her back to give her arms more room.

JC Did you also not accommodate her request for relieving her distressed relative to claustrophobia by rolling the windows down?

CP That's correct.

JC Do you remember when, what her response was when Sgt. Turney offered to provide rescue to look at her superficial injuries do you remember her response?

CP I believe it was "no don't worry about it" or "no I'll take care of it" or something along those lines.

JC But clearly she was rejecting that offer?

CP Correct.

JC Is there any doubt in your mind that she wanted or did not want to have rescue attend her injury?

CP There is no doubt in my mind.

JC Is it also fair to say that the reason that there's no documentation in your report relative to the actual place of occurrence of her injury is because neither you nor Sgt. Turney knows where that injury occurred?

CP That's correct. It could've been a combination of both from inside the house and from outside the house.

JC In your opinion after the fact is it even relevant where her injury occurred whether it was inside or outside the house?

CP No.

JC Describe for her, describe her appearance for me.

CP Approximately 5' 6" to 5' 9" and at least 200 pounds.

JC And you're saying that she vigorously resisted or that would be reflected in your report that she violently resisted her arrest?

CP Yes.

JC Was she a strong woman?

CP Yes.

JC Did you guys have your hands full?

CP Yes we did.

JC You indicate that when you ran Mr. Flounnoy's name via teletype that the records came back to the address that you had entered?

CP Yes.

JC Was there any dispute as to at least two of the children present at the scene being his children?

CP No and even the one kid was named Tony Jr.

JC Based on your time and investigation do you feel to your satisfaction that the criteria for domestic violence was met?

CP Yes.

JC Relative to children in common that he did or had lived at that residence at some point in time and an act of violence had occurred?

CP Yes.

JC That's it.

TM Alright, Dep. Pardee do you feel you violated policy number 26.2.102 Excessive Force Resulting in Injury?

CP No I do not.

TM 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?

CP No I do not.


TM Is there anything you'd like to add or delete from your statement you provided here to us today?

CP Not at all.

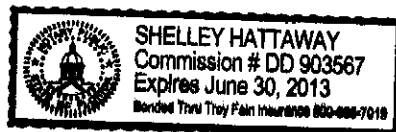
TM This concludes the interview and the time is 3:15 pm

I, Sgt Tim Morgan, swear that the forgoing is an accurate transcription of the sworn recorded statement of Dep. Charles Pardee taken by me on January 14, 2010.

(Signed)


Sworn to and subscribed before me this 2nd
Day of February, 2010.


Signature of Notary Public-State of Florida



(Print, type or Stamp Commissioned Name of Notary Public)

My Commission Expires:

My Commission Number is:

Personally Known ✓

Produced identification

Type of Identification Produced

ADVISEMENT OF RIGHTS FOR A DISCIPLINARY INTERVIEW

I wish to advise you that you are being questioned as part of an official investigation of the Volusia County Sheriff's Office. You will be asked questions specifically directed and narrowly related to the performance of your official duties or fitness for office. You are entitled to all rights and privileges guaranteed by the laws and the constitution of this state and the constitution of the United States, including the right not to be compelled to incriminate yourself. I further wish to advise you that if you refuse to testify or to answer questions relating to the performance of your official duties or fitness for duty, it will be considered an act of insubordination and a violation of a direct order by a superior or competent authority. If you do answer, neither your statements nor any information or evidence, which is gained by reason of such statements, can be used against you in any subsequent criminal proceeding, **(except for perjury or obstruction of justice charges)**. However, these statements may be used against you in relation to subsequent department charges.

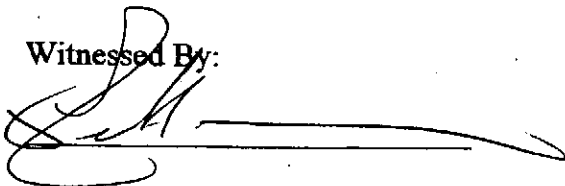
The aforementioned Advise ment of Rights is not the warning in criminal cases under the Miranda decision. As mentioned, Miranda has no application in a disciplinary interview.


Signature

JAN 14, 2010
Date

4th Floor ADMID
Location

Witnessed By:



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

ADMINISTRATION OF OATH / PERJURY WARNING

09-022
Case Number

Dep Charles PARDER
Witness Name

I am SGT MORGAN with the Volusia County Sheriff's Office,
Internal Affairs Unit. Today's date is JAN 14 2010 and the current time is _____
The location of this interview is 4th FLOOR ADMIN Also present
during this interview is LT GOGGIN & JEFF CANNON

Are you aware that this interview is being recorded? yes

I am conducting an official administrative investigation concerning
262102 Excessive Force Resulting in Injury

As a Florida Law Enforcement Officer and a Notary Public of the State of
Florida, I am empowered to take sworn statements. At this time, I would
ask that you raise your right hand to be sworn. Do you solemnly swear or
affirm that the statement you are about to give is the truth, the whole truth,
and nothing but the truth? yes

Any false statements about material matters given by a witness under oath
will constitute perjury, which is a Third Degree Felony according to Section
837.02, Florida Statutes.

Do you understand that if you knowingly make material mis-statements of
facts to me during this investigation, you will have committed the crime of
perjury? yes I do
Answer

[Signature]
Witness Signature

[Signature]
Investigator Signature

JAN 14 2009
Date