

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

REPORT OF INVESTIGATION

REPORT NUMBER: IA-18-012

PERIOD COVERED: August 30, 2018
DATE REPORTED: September 4, 2018
SUBJECT(S) NAME: Rachael Jemison #6640
Lauren Mendese #7527
Martha Vega #8600
INVESTIGATING OFFICERS: Detective Tara Burke #1465

BASIS FOR INVESTIGATION:

On September 4, 2018, a complaint was received by Sheriff's Office Command Staff, regarding possible discrimination and workplace sexual harassment within the Evidence Section of the Volusia County Sheriff's Office. The complaint alleged unwanted text message comments of a sexual nature, and discrimination toward co-workers and management. Due to the nature of the allegations, Command Staff initiated an internal affairs investigation.

OFFENSES:

This investigation is relevant to an alleged violation of Department Standards Directives and Volusia County Merit Rules and Regulations:

22.10.15 Corrective Actions- Any employee found to have committed actionable workplace sexual or same sex harassment, or having created a hostile working environment, or discrimination shall be subject to disciplinary proceedings as specified in Directives 26.1 and 26.2, up to and including dismissal.

Volusia County Merit System Rules and Regulations 86-453. *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.*

- (13) Any conduct, on or off duty, that reflects unfavorably on the County as an employer.
- (21) Any other conduct or action of such seriousness that disciplinary action is considered warranted.

INVESTIGATIVE SUMMARY:

On September 4, 2018, Command Staff assigned the above incident to the Internal Affairs Unit; Rachael Jemison, Lauren Mendese, and Martha Vega, were all served with their Notice of Internal Investigation at the Evidence Section in Deland, FL. Ms. Jemison and Ms. Vega were both placed on administrative leave with pay, effective immediately, until completion of the internal affairs investigation. This report details the internal affairs investigation conducted by Detective Tara Burke. *(See Tab- C for Official Correspondence)*

On September 4, 2018, the Internal Affairs Unit received a Conduct Inquiry (File: 118M0009.18), from Evidence Manager, Robert Martin. According to the inquiry, on August 31, 2018, at approximately 1200hrs, Mr. Martin was approached by April Jenkins (Evidence Technician), in reference to a text message conversation she observed on Paul DiRocco's (Evidence Technician) cellular phone. The text message was initiated by Rachael Jemison (Evidence Technician) to Evidence Technicians, Lauren Mandese, Paul DiRocco, and Office Assistant, Martha Vega. The messages were in reference to Mr. Martin being in a meeting in his office, behind closed doors, with Evidence Technician, Nathan Peppel. The text message Ms. Jenkins informed Mr. Martin of stated, *"I can hear Nathan gagging in Bob's office."* Ms. Jenkins was upset due to the nature of the text message in reference to Mr. Peppel, because she felt the messages were highly inappropriate and disturbing. She told Mr. Martin, *"I thought we were beyond this stuff and it keeps happening."*

Mr. Martin also spoke with Mr. DiRocco. Mr. DiRocco told Mr. Martin, *"I knew this kind of thing would cause problems and I didn't respond to it."* He also told Mr. Martin he is caught in their group texts all the time. Mr. DiRocco still had the text messages and provided them to Mr. Martin. Mr. Martin took photographs of the text messages from Mr. DiRocco's cellular phone. The texts

showed numbers starting from Rachael Jemison and responded to by Lauren Mandese and Martha Vega. He advised the conversation was as follows:

Racheal Jemison: *"I can hear nathan gagging in bobs office"*

Martha Vega: *"Yeap fucking pussy"*

Lauren Mandese: *"OMG he is still in there????"*

(Lauren Mandese laughed at *"I can hear nathan gagging in bobs office"*)

Racheal Jemison: *"I think hes hitting his head on his desk."*

Racheal Jemison: *"Bob is a little feminine"*

Racheal Jemison: *"And hes a pastor"*

(Martha Vega laughed at *"I think hes hitting his head on his desk"*)

Martha Vega: *"True"* (with an ok emoji sign)

Racheal Jemison: *"They might have more in common than we think"*

(Lauren Mandese laughed at *"I think hes hitting his head on his desk"*)

Mr. Martin provided Internal Affairs Detectives with photographs he took of the text messages.
(See Tab-1 for photographs)

Robert Martin

On September 6, 2018, Detective Burke and Sergeant Ryan Mills conducted a sworn recorded interview with Robert Martin at the Evidence Section, located at 2564 W. New York Ave in Deland, FL. The following is a summary of the interview.

Mr. Martin is a civilian employee of the Volusia County Sheriff's Office and is currently assigned as the Evidence Manager in the Evidence Section. He has been employed with the Volusia County Sheriff's Office since July 2, 2018.

During the interview with Internal Affairs Detectives, Mr. Martin explained on August 31, 2018, Ms. Jenkins came to him in reference to text messages sent to Mr. DiRocco's cellphone in a group text amongst co-workers. The messages were sent by Ms. Jemison in reference to Mr. Martin

having Mr. Peppel in his office. Mr. Martin advised the text messages said something to the effect of, *“Bob’s behind closed door with Nathan”* and *“I can hear Nathan gagging in Bob’s office.”* Mr. Martin advised Ms. Jenkins was very upset about the content of the text messages and talked to her husband about it overnight then brought it to his attention the next day.

Mr. Martin was informed by Ms. Jenkins that the messages were part of a group text between Ms. Jemison, Mr. DiRocco, Ms. Mandese, and Ms. Vega. When Mr. DiRocco showed Ms. Jenkins the text messages he told her he was tired of being included in the text group between them.

Mr. Martin advised he spoke with Mr. DiRocco who informed him he still had the text message conversation, he provided the cellphone so Mr. Martin could take photographs. Mr. DiRocco also informed Mr. Martin he was included in their group messages in the past but did not elaborate on the previous conversations.

Mr. Martin also spoke with Mr. Peppel about the text messages; Mr. Peppel was not aware of the text messages, but could *“read between the lines”* when he spoke with him. Mr. Peppel did not report any other issues with co-workers.

Mr. Martin confirmed he did have a closed door meeting with Mr. Peppel on August 30, 2018. Mr. Martin advised the text messages were sent during work hours while he was in the meeting with Mr. Peppel. Mr. Martin was offended by the remarks made in the text message conversation, because he felt it was inappropriate conversation insinuating homosexual activity between himself and Mr. Peppel. Mr. Martin felt it was inappropriate behavior in the workplace for Ms. Jemison and Ms. Vega to name call and make comments insinuating sexual performance; additionally, he felt it was inappropriate behavior for Ms. Mandese to participate in the conversation by laughing at the comments.

Mr. Martin advised had a conversation with Ms. Jemison in his office on September 4, 2018, and she told him, *“I’ve worked in this shit hole for eighteen years,”* she also said, *“all because we joke and kid each other?”* He advised Ms. Jemison cried and told him she needed to get herself together before she left his office.

Mr. Martin also spoke with Ms. Mandese, he advised she was upset and requested to apologize to Mr. Peppel. Ms. Mandese showed a lot of remorse for her actions and told Mr. Martin, *“this isn’t me, this is not what I’m about it’s not what I believe.”* Mr. Martin didn’t have any further conversations about the incident. *(See Tab-D for Official Transcript)*

April Jenkins

On September 6, 2018, Detective Burke and Sergeant Ryan Mills conducted a sworn recorded interview with Ms. Jenkins at the Evidence Section, located at 2564 W. New York Ave in Deland, Fl. The following is a summary of the interview.

Ms. Jenkins is a civilian employee of the Volusia County Sheriff’s Office and is currently assigned as an Evidence Technician in the Evidence Section. She has been employed with the Volusia County Sheriff’s Office since February 2001.

During the interview with Internal Affairs Detectives, Ms. Jenkins advised Mr. DiRocco showed her a text conversation between co-workers on his Apple® watch. Ms. Jenkins advised she recalled reading something about, *“I could hear Nathan’s head hitting the desk”* and *“I can hear him gagging now.”* Ms. Jenkins advised the texts messages were sent during the work day, near the end of the day. Ms. Jenkins advised she reported what she saw the next business day to Mr. Martin. Ms. Jenkins was upset about the text messages, she stated, *“because we had just come out of a bad IA incident reference the same type of stuff and it’s like here we go again.”*

Ms. Jenkins interpreted the text conversation as insinuating Mr. Martin and Mr. Peppel were engaging in oral sex in the office. Ms. Jenkins advised she is never a part of the group thread so she was not certain of previous conversations. She said the group text messages usually include Mr. DiRocco, Ms. Mandese, Ms. Jemison, and Ms. Vega. Other than the prior internal affairs investigation, Ms. Jenkins was not aware of any other issues or concerns with other co-workers.

Ms. Jenkins spoke with Mr. Peppel briefly because she didn't want him to be blindsided if the text messages were addressed. She advised he was upset about it, but didn't want to admit it. Ms. Jenkins felt the text messages were inappropriate behavior between Ms. Jemison and Ms. Vega, she also felt Ms. Mandese laughing at the conversation was inappropriate but stated, *"but I can understand where someone might just do it because they don't know what else to do or say you know. They don't want to be put at odds with everybody else."* Although Ms. Jenkins wasn't offended by the text messages she stated, *"I wasn't offended but I feel it caused hostility because it's, it's just something that shouldn't be taking place regardless of sexual orientation or anything. Nobody should be talking things like that."* Ms. Jenkins also stated, *"Nobody should be. I mean we just got a new evidence manager, we're all trying to get along, move forward. This is not what we need. We don't need this."* (See Tab-E for Official Transcript)

Paul DiRocco

On September 6, 2018, Detective Burke and Sergeant Ryan Mills conducted a sworn recorded interview with Mr. DiRocco at the Evidence Section, located at 2564 W. New York Ave in Deland, FL. The following is a summary of the interview.

Mr. DiRocco is a civilian employee of the Volusia County Sheriff's Office, he is currently assigned as an Evidence Technician in the Evidence Section. He has been employed with the Volusia County Sheriff's Office since February 2007.

During the interview with Internal Affairs Detectives, Mr. DiRocco advised on August 30, 2018, he was included in a group text with Ms. Jemison, Ms. Mandese, and Ms. Vega, he advised the text messages were sent during work hours, he did not reply. Mr. DiRocco showed the text messages to Ms. Jenkins, and told her that he was tired of being included in the group text messages between them. He advised Ms. Jenkins was upset about the messages and told him, *"why don't they just do their job and what they're supposed to do and stop sending this stuff?"* Mr. DiRocco also showed Mr. Martin the text messages and he photographed them.

Mr. DiRocco believed the content of the text messages insinuated that Mr. Peppel was doing “*stuff*” to Mr. Martin in his office underneath his desk. Mr. DiRocco advised there have been prior inappropriate group text messages about Mr. Martin, or Jim Whitaker (Evidence Technician), and anyone else (other co-workers). Mr. DiRocco did not witness any other issues except for the incident involving the prior Evidence Manager, and he did not have involvement in that.

Mr. DiRocco felt the text messages were inappropriate behavior between Ms. Jemison and Ms. Vega, he also felt Ms. Mandese laughing at the conversation was inappropriate. *(See Tab-F for Official Transcript)*

Nathan Peppel

On September 6, 2018, Detective Burke and Sergeant Ryan Mills conducted a sworn recorded interview with Mr. Peppel at the Evidence Section, located at 2564 W. New York Ave in Deland, Fl. The following is a summary of the interview.

Mr. Peppel is a civilian employee of the Volusia County Sheriff’s Office and is currently assigned as an Evidence Technician in the Evidence Section. He has been employed with the Volusia County Sheriff’s Office approximately three years.

During the interview with Internal Affairs Detectives, Mr. Peppel advised he was aware of the inappropriate text messages sent among some of his co-workers. He was informed by Mr. Martin and Ms. Jenkins of the texting; however, wasn’t given all the details of the conversation. Mr. Peppel advised he wasn’t surprised about the text messages coming from the source. He was aware the conversation was sent between Ms. Jemison, Ms. Mandese, Mr. DiRocco and Ms. Vega, but he didn’t know all of their involvement. Mr. Peppel advised he was in a meeting with Mr. Martin during business hours and that’s when the text messages were sent.

Mr. Peppel denied being offended by the content of the text messages, he stated; “*No. No I mean like I tried to explain to them I mean I’ve heard a lot through my life and it just, I don’t let stuff like that bother me.*” Mr. Peppel also stated; “*Like it’s upsetting, it is but I mean it’s not like I went*

home that night and cried and was like oh my god you know I mean...” Mr. Peppel felt the text messages insinuated something of a sexual nature between him and Mr. Martin. Mr. Peppel felt the text messages were inappropriate behavior between Ms. Jemison and Ms. Vega, he also felt Ms. Mandese laughing at the conversation was inappropriate. He had not witnessed any prior issues in the Evidence Section except for the investigation with the last Evidence Manager.

Mr. Peppel stated during his interview, what hurt him most was, *“I mean it took me by surprise because Rachael and I had a really good working relationship and that I think was more shocking the fact that she said it and insinuated that, not so much really what she said.”* Mr. Peppel felt Ms. Jemison had crossed the line, he also wasn’t surprised by her comments because she’s an *“alpha”* and outspoken. Prior to conclusion of this interview Mr. Peppel was asked how he would feel if Ms. Jemison came back to work in the office, he stated; *“I mean I would be uncomfortable. Like it would be hard. Like there’s things you can move on from you know and forgive and all that but I don’t think she’d have any remorse for it you know to be able to move on and have a good working relationship.”* (See Tab-G for Official Transcript)

Lauren Mandese

On September 6, 2018, Detective Burke and Sergeant Ryan Mills conducted a sworn recorded interview with Ms. Mandese at the Evidence Section, located at 2564 W. New York Ave in Deland, Fl. The following is a summary of the interview.

Ms. Mandese is a civilian employee of the Volusia County Sheriff’s Office and is currently assigned as the Evidence Manager in the Evidence Section. Mr. Martin has been employed with the Volusia County Sheriff’s Office since May 2008.

During the interview with Internal Affairs Detectives, she advised she was aware of the text messages sent on August 30, 2018, it was a group text between Ms. Jemison, Ms. Vega, Mr. DiRocco, and herself. She explained the messages were inappropriate conversation about Mr. Peppel and Mr. Martin. Ms. Mandese advised she *“laughed at”* some of the jokes within the conversation, which she admitted was inappropriate for her to participate. She advised there was

like six hours between one text and another so that is why she texted *“is he still in there,”* referring to Mr. Peppel being in the office with Mr. Martin. Ms. Mandese was out of the office at a training conference when the text messages were sent. Ms. Mandese admitted she responded with the *“laughed at”* with the messages stating, *“I can hear Nathan gagging in Bob’s office”* and *“I think he’s hitting his head on his desk.”* She explained you can laugh at a text message by putting your finger on the screen and drag it to the text message. When Ms. Mandese was asked why she laughed at the text messages she stated, *“It sounds really stupid to say it but it’s kind of, you don’t know what else to do sometimes and I picked the wrong road on that one. I definitely wasn’t gonna say anything like that but I didn’t stand up for it either. So.”*

Ms. Mandese explained she believed the text conversation was insinuating that someone (Mr. Peppel) was *“sucking up,”* but within the conversation isn’t how it got worded. Ms. Mandese advised there has been prior inappropriate text conversations but couldn’t be specific on details. Ms. Mandese advised after the previous Evidence Manager left some people were truly trying to get along where others were just putting on a happy face to move forward, however; she feels everyone’s mostly been getting along better lately. Ms. Mandese felt the text messages were inappropriate behavior between Ms. Jemison and Ms. Vega, she also felt by her laughing at the conversation it was inappropriate as well.

During the interview Ms. Mandese confirmed there have been prior incidents where someone initiated these types of conversations or name calling, she stated, *“usually there is an initiator.”* Ms. Mandese was reluctant to say who the initiator was, but advised it was Ms. Jemison.

Ms. Mandese was asked if she violated the following policies:

22.10.15	Corrective Actions	No
86-453	Volusia County Merit System Rules and Regulations (13)	Yes
86-453	Volusia County Merit System Rules and Regulations (21)	Yes

Prior to ending the interview Ms. Mandese added, *“One of the things that I’ve been thinking about obviously since this started, I, and then after reading his statement too. Nobody should ever feel*

like they've heard something their whole life so it's ok and it's no big deal. I've felt that way a lot about other things and I should never be a part of what makes somebody else feel that way. Sorry." Ms. Mandese also stated, *"I know it was stupid to comment, stupid jokes type of thing but at the same time stupid is the operative word. Nobody should ever feel like they need to be used to hearing something like that so."* (See Tab-H for Official Transcript)

After the interview Ms. Mandese provided her cell phone with the prior text messages on August 30, 2018, photographs of the text messages were taken. The conversation was as follows:

Marth Vega: *"I Nathan is snitching to bob about how stuff has been here for ever and an nobody does anything so bid was like o shit and close their door talk"*

Rachael Jemison: *"What a little fucking dickhead"*

"What exactly did he say"

"Nathan is a thirtysomething-year-old fucking queer that lives at home with his mommy and his boyfriend give me a fucking break"

(Lauren Mandese laughed at *"Nathan is a thirtysomething-year-old fucking queer that lives at home with his mommy and his boyfriend give me a fucking break"*)

CONCLUSION:

On September 7, 2018, Ms. Jemison and Ms. Vega tendered their resignation letters to Sheriff Chitwood; the Sheriff accepted both of their resignations effective September 7, 2018.

The Sheriff determined the violation of the below listed department and county policies for Ms. Mandese to be:

22.10.15	Corrective Actions	Sustained
86-453	Volusia County Merit System Rules and Regulations (13)	Sustained
86-453	Volusia County Merit System Rules and Regulations (21)	Sustained

On September 19, 2018, Ms. Mandese was issued a Letter of Reprimand as a result of the findings documented in this report. *(See Tab – B for Official Correspondence)*

Exhibits:

- A. Report of Investigation
- B. Advisement Administration of Oath/Perjury Warning/Garrity Warning
- C. Official Correspondence
- D. Official Transcripts of Robert Martin
- E. Official Transcripts of April Jenkins
- F. Official Transcripts of Paul DiRocco
- G. Official Transcripts of Nathan Peppel
- H. Official Transcripts of Lauren Mandese
- I. Miscellaneous Documents
- J. Digital Media

WITNESSES:


Robert Martin
2564 West State Road 44
DeLand, FL 32720
386-822-6458


April Jenkins
2564 West State Road 44
DeLand, FL 32720
386-822-6458

Paul DiRocco
2564 West State Road 44
DeLand, FL 32720
386-822-6458

Nathan Peppel
2564 West State Road 44
DeLand, FL 32720
386-822-6458

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.

DETECTIVE:  DATE: 10/9/18
Detective Tara Burke
Internal Affairs Detective

APPROVED BY:  DATE: 10/9/18
Chief Deputy John Creamer
SHERIFF MICHAEL J. CHITWOOD
VOLUSIA COUNTY FLORIDA